City of Santa Cruz
ENVIRONMENTAL CHECKLIST FORM / INITIAL STUDY

I. Background

1. **Application No:** CP23-0030

2. **Project Title:** 908 Ocean Street Mixed-Use Development (the project)

3. **Lead Agency Name and Address:**
   City of Santa Cruz
   809 Center Street, Room 101
   Santa Cruz, CA 95060

4. **Contact Person and Phone Number:** Brittany Whitehall, AICP, Senior Planner
   831-420-5134, bwhitehill@santacruzca.gov

5. **Project Location:** 908 Ocean Street (APNs: 008-331-03, -04, -05, -06, -07, -08, -12, -13, -14, -15, -25, -26, -27, -28, -29, -30, -31, -32, -35, -41, -45) in the City of Santa Cruz; see Figure 1 Project Location.[1]

6. **Project Applicant's/Sponsor's Name and Address:**
   High Street Residential
   415 Mission Street, 45th Floor
   San Francisco, CA 94105

7. **General Plan Designation:** Mixed-Use Medium Density (MXMD).

8. **Zoning:** MU-OH Mixed-Use Ocean High Density, and MU-OM Mixed-Use Ocean Medium Density.

9. **Description of the Project:** The project consists of Residential and Non-Residential Demolition Authorization Permits, Heritage Tree Removal Permit, Minor Land Division, Design Permit, Special Use Permit, and Density Bonus Request to demolish nine commercial buildings (approximately 29,431 square feet [sf]) and 12 residential units, remove 13 heritage trees, and construct a mixed-use development on one 14.5-acre parcel with 389 residential units and 9,570 square feet of commercial space. The project is requesting a 42.5% density bonus from a base density project of 273 units.

   Proposed Tentative Parcel Map: As shown in Figure 2 Vesting Tentative Parcel Map, the existing 21 parcels would be combined into one parcel, totaling 14.5-acres. Each of the three buildings will be on a separate condominium lot; the total number of lots will be four (three condominium lots and one common lot) that comprises the proposed Minor Land Division.

[1] All figures are included at the end of the document for ease of reference.

Project Elements: The project would include three buildings – Building A (433,585 gross square feet [sf]), a five-story building with basement (garage parking), and two three-story buildings (Building B [62,952 gross sf] and Building C [46,260 gross sf]). Residential uses are proposed on all floors except in the below grade parking garage. The proposed commercial space and residential amenities are proposed on the ground floor. Figure 3 Composite Site Plan provides an illustrative site plan of the project.

The proposed 389 residential units consist of 46 studio units, 206 one-bedroom units, 120 two-bedroom units, 15 three-bedroom units, and two four-bedroom units. Proposed residential amenities, totaling 12,236 sf, include a resident co-workspace, fitness gym, lounge, and club room. An outdoor pool for residents is proposed on the second-floor courtyard of Building A.

The commercial space, totaling 9,570 sf, is proposed on the ground floor of Building A fronting Ocean Street. Existing commercial uses on the site total approximately 27,630 sf, and thus, the project would result in a net decrease in 18,060 sf of commercial space. The area consists of two commercial spaces on either side of the entrance. It is anticipated that future retail and/or commercial service uses will be provided, but no specific commercial uses are proposed at this time.

Density Bonus Request: Pursuant to State Density Bonus Law (Gov't Code Sections 65915 et. seq.), the Project is seeking a 42.5% density bonus above the allowable 1.75 Floor Area Ratio ("FAR"). Per the City's General Plan policies and zoning regulations, the Base Project allows 273 residential units with an average of 791 square feet per unit, at a density of 30 dwelling units/acre (du/ac).

The project includes 36 units that are affordable to Very Low-Income households not exceeding 50% of Area Median Income ("AMI"), which is 13% of the 273 achievable base units. The project also includes 18 units that are affordable to Low-Income households making no more than 80% of AMI, which is approximately 7% of the 273 achievable base units. This level of affordability exceeds the minimum 10% lower-income threshold to qualify the project for a density bonus.

The applicant has requested one "concession" and four "waivers" pursuant to state and local density bonus laws. Per section 24.16.225 of the Santa Cruz Municipal Code (SCMC), the project qualifies for five incentives/concessions since it provides at least 20% of units to lower-income households. Per section 24.16.255 (4), the project is eligible to request an unlimited number of waivers or modifications to development standards, if those standards physically preclude the construction of the housing development, and the housing development is eligible for a density bonus. To accommodate the construction of these affordable units, the project is seeking the following incentive/concession and waivers.

- *Private Open Space:* A concession to reduce the requirement that non - Flexible Density Units (FDUs) provide 100 square feet of private open space per unit to

providing 64 square feet of private open space for 78 units and 33 square feet of private open space for 1 unit.

- *Floor Area Ratio:* A waiver to exceed the allowable 1.75 FAR by applying the requested density bonus of 42.5% to the proposed 2.49 FAR.
- *Building Height:* A waiver to build above the allowable four-story height limit on Ocean Street to accommodate a five-story building.
- *Building Setback:* A waiver of the SCMC section 24.10.750 that in any C-C District directly across a street from any R-District, buildings shall be at least 20 feet from the street. Instead, the project proposes a 12'8" and 11'4" setback along the building frontage facing the R-District on May Avenue.
- *Flexible Density Units Storage*: A waiver of the SCMC section 24.12.1520 requirement to provide 200 cubic feet of storage for each FDU. The project would provide 139 storage spaces that are approximately 200 cubic feet, or approximately 66% of the Project's 212 FDUs.

Furthermore, the project is exempt from local minimum residential and commercial parking requirements under Assembly Bill 2097 because the project is located within a half-mile of an accessible major transit stop (the Santa Cruz Metro Station).

Access and Parking: The project would provide four vehicular access points to the project site. Two driveways would be from May Avenue, one at the center and one at the southeast corner of the project site. These driveways would provide access to surface parking and a residential garage on the ground-floor of Building B. The southeasterly driveway would also provide direct truck access to a trash/recycling enclosure.

On the southwest corner of the project site fronting Ocean Street, residential access would be provided by a driveway to a basement garage in Building A. Commercial and visitor access, as well as residential ground-floor garage access would be from a driveway on Ocean Street, east of Blaine Street.

Parking would include 415 spaces (382 for residential and 33 for commercial) for vehicles. Of the residential parking, 46 spaces (12%) would be for electric vehicles with charging stations. Bicycle parking would include 486 spaces for the residential units and eight for the commercial uses, for a total of 494 spaces.

Landscaping: The project includes removal of 33 trees on the project site, 13 of which are considered heritage trees as defined by the City's Heritage Tree Ordinance in Chapter 9.56 of the City's Municipal Code. The project would be landscaped with 13 new street trees along Ocean Street and additional trees with stormwater planters along other sides of the project site. Trees and other landscaping would also be planted in the interior of the project site on the ground floor, 2nd floor courtyards, and 5th floor roof terrace (herb garden). The total irrigated landscaped area would be 26,937 square feet, which would include various drought-tolerant shrubs and raised planters. The project would be subject to provisions of the City's Water Efficient Landscape Ordinance (WELO), per Chapter 16.16 of the City's Municipal Code.

Stormwater and Utilities: The project site is currently partially developed with impervious surface areas associated with the existing buildings and surface parking. Project development would result in a net increase of 3,909 sf of impervious area for a total impervious area of 162,320 sf Since the project exceeds the 22,500 threshold of replaced and new impervious surface, it is considered to fulfill Tier 4 of post-construction Best Management Practices (BMP) requirements. However, this project is exempted from the Tier 4 requirement because the ultimate stormwater discharge is routed to a "highly altered channel" (concrete lined Branciforte Creek), as it is described in the Santa Cruz's Chapter 6B of the Best Management Practices Manual for the City's Storm Water Management Program. Therefore, the project is proposing Tier 1 through Tier 3, whereby 10% of effective impervious area would be dedicated as retention-based treatment areas. Stormwater would be controlled with a rainwater harvesting system, which would include 24 bioretention areas allowing stormwater to permeate into the ground. During high-flow events, excess stormwater from each biorientation area would overflow through a drain to the curb before discharging into new eight- and twelve-inch storm drains, and ultimately into the May Avenue storm drain.

The project would be served by public sewer and water mains from May Avenue. Electricity would be provided by Pacific Gas & Electric (PG&E).

Construction Schedule and Earthwork: Construction would be expected to occur over approximately two and a half years, beginning with demolition in the Fall of 2025 and concluding with architectural coating activities in March of 2028. During grading and earthwork activities approximately 32,200 cubic yards (cy) of earth material would be cut form the site and approximately 5,900 cy of earth material would be filled, resulting in a net volume of 26,300 cy of earth material exported from the project site.

10. **Other public agencies whose approval is required:** None known.

11. **Have California Native American tribes traditionally and culturally affiliated with the project area requested consultation pursuant to Public Resources Code section 21080.3.1?:** Yes

II. Environmental Setting and Surrounding Land Uses

The 14.5-acre project site is located on the east side of Ocean Street in the Ocean Street neighborhood of the City of Santa Cruz, as defined in the City's General Plan (SOURCE V1.a). The project site is also located within the boundaries of the Ocean Street Area Plan which extends along the entire Ocean Street corridor from Highway 17 south to East Cliff Drive (SOURCE V2.h). The project site is bordered by Ocean Street and commercial uses on the west, commercial uses fronting Water Street on the south, May Street and a mix of commercial and residential uses on the east, and Hubbard Street and commercial uses on the north.

The project site currently consists of 21 parcels with 21 existing one- and two-story commercial and residential buildings with surface parking. Land uses include auto-related services, multi-family

housing, single family housing, retail and personal services, offices, a vacant building, and mixed-use parcels. The project site is flat and contains 22 planted, primarily non-native trees, except for one redwood tree. Five of the protected trees are street trees, located in sidewalk cutouts on Ocean Street. The street trees border the site along Ocean Street.

III. Environmental Checklist

Environmental Factors Potentially Affected by the Project: The environmental factors checked below would be potentially affected by this project, involving at least one impact that is a "Potentially Significant Impact" as indicated by the checklist on the following pages.

	Aesthetics		Agricultural and Forestry Resources	✓	Air Quality
	Biological Resources	✓	Cultural Resources	✓	Energy Conservation
	Geology / Soils	✓	Greenhouse Gas Emissions	✓	Hazards and Hazardous Materials
	Hydrology / Water Quality	✓	Land Use / Planning		Mineral Resources
	Noise		Population / Housing	✓	Public Services
✓	Recreation		Transportation	✓	Tribal Cultural Resources
✓	Utilities / Service Systems		Wildfire	✓	Mandatory Findings of Significance

A. Instructions to Environmental Checklist

1. A brief explanation is required (see Section VI, Explanation of Environmental Checklist Responses) for all answers except "No Impact" answers that are adequately supported by the information sources a lead agency cites in the parentheses following each question (see Section V, References and Data Source List, attached). A "No Impact" answer is adequately supported if the referenced information sources show that the impact simply does not apply to projects like the one involved (e.g., the project falls outside a fault rupture zone). A "No Impact" answer should be explained where it is based on project-specific factors as well as general standards (e.g., the project will not expose sensitive receptors to pollutants, based on a project-specific screening analysis).

2. All answers must take account of the whole action involved, including off-site as well as on-site, cumulative as well as project-level, indirect as well as direct, and construction as well as operational impacts.

3. Once the lead agency has determined that a particular physical impact may occur, then the checklist answers must indicate whether the impact is potentially significant, less than significant with mitigation, or less than significant. "Potentially Significant Impact" is appropriate if there is substantial evidence that any effect may be significant. If there are one or more "Potentially Significant Impact" entries when the determination is made, an EIR is required.

4. "Negative Declaration: Less Than Significant With Mitigation Incorporated" applies where incorporation of mitigation measures has reduced an effect from "Potentially Significant Impact" to a "Less Than Significant Impact." The lead agency must describe the mitigation measures, and briefly explain how they reduce the effect to a less-than-significant level.

5. Earlier Analysis may be used where, pursuant to the tiering, program EIR, or other CEQA process, one or more effects have been adequately analyzed in an earlier EIR or negative declaration. Section 15063(c)(3)(D). In this case a discussion should identify the following on attached sheets:
   a) *Earlier Analysis used.* Identify earlier analyses and state where they are available for review.
   b) *Impacts adequately addressed.* Identify which effects from the above checklist were within the scope of and adequately analyzed in an earlier document pursuant to applicable legal standards, and state whether such effects were addressed by mitigation measures based on the earlier analysis.
   c) *Mitigation measures.* For effects that are "Less than Significant with Mitigation Incorporated," describe the mitigation measures which were incorporated or refined from the earlier document and the extent to which they address site-specific conditions for the project.

6. Lead agencies are encouraged to incorporate into the checklist references to information sources for potential impacts (e.g., general plans, zoning ordinances). Reference to a previously prepared or outside document should, where appropriate, include a reference to the page or pages where the statement is substantiated.

7. Supporting Information Sources: A source list should be attached, and other sources used or individuals contacted should be cited in the discussion.

8. The explanation of each issue should identify:
   a) The significance criteria or threshold, if any, used to evaluation each question; and
   b) The mitigation measure identified, if any, to reduce the impact to less than significance.

B. Use of Earlier Analyses

In analyzing the project, the City may consider whether existing environmental documents already provide an adequate analysis of potential environmental impacts. An earlier analysis may be used where, pursuant to the tiering, program EIR, or other California Environmental Quality Act (CEQA) provisions, if it can be determined that one or more effects have been adequately analyzed in an earlier EIR or negative declaration (State CEQA Guidelines Section 15063(c)(3)(D)).

The preparation of this Initial Study has drawn from analyses contained in the *City of Santa Cruz* General Plan 2030 EIR (April 2012), which includes the Draft EIR volume (September 2011) and the Final EIR volume (April 2012). The Santa Cruz City Council certified the EIR and adopted the *General Plan 2030* on June 26, 2012. The General Plan EIR is a "program" EIR prepared pursuant to State CEQA Guidelines section 15168, which reviewed environmental impacts associated with future development and buildout within the City's planning area that would be accommodated by the General Plan. A program EIR can be used for subsequent projects implemented within the scope of the program/plan and where the project is consistent with the general plan and zoning of the City or

county in which the project is located. Typically, site-specific impacts or new impacts that weren't addressed in the program EIR would be evaluated in an Initial Study, leading to preparation of a Negative Declaration, Mitigated Negative Declaration or EIR. Site-specific mitigation measures included in the General Plan EIR also would be a part of future development projects, and supplemented, as may be necessary with site-specific mitigation measures identified in the subsequent environmental review process.

The General Plan 2030 EIR reviewed all of the topics included on the Appendix G environmental checklist in the State CEQA Guidelines. Specific future development of the project site was not noted or evaluated in the General Plan 2030 EIR, and there were no site-specific impacts identified for the project site. However, as part of the overall estimated buildout, the EIR considered construction of new housing units and non-residential uses in the City with an estimated development of 3,350 new residential units throughout the City by the year 2030 with an associated population increase of 8,040 residents and approximately 1,088,000 sf of commercial space (SOURCE V.1b-DEIR volume). Since 2009, the General Plan 2030 EIR "baseline" year, approximately 3,035 residential units and 450,600 sf of commercial space has been constructed or approved or are under construction throughout the City. Thus, with the project and future net increase in 389 dwelling units would exceed the residential development anticipated and evaluated in the General Plan 2030 EIR by approximately 74 units but would be within the time period covered by the EIR. While the residential development would be slightly exceeded, total commercial development constructed or approved is less than half of what was analyzed in the General Plan 2030 EIR at approximately 450,560 sf.

In accordance with CEQA and the State CEQA Guidelines, this Initial Study is being "tiered" from the General Plan 2030 EIR. "Tiering" refers to using analyses of general matters contained in an EIR for a plan with later environmental analyses for development projects, concentrating solely on the issues specific to the later project. This approach is in accordance with State CEQA Guidelines section 15152, which encourages lead agencies to use an EIR prepared for a general plan or other program or ordinance, when the later project is pursuant to or consistent with the program or plan. The Initial Study tiers from the General Plan 2030 EIR for the following topics; relevant information is summarized under the each subsection.

- Aesthetics – Light and Glare
- Geology and Soils
- Hydrology and Water Quality – Groundwater
- Noise

The General Plan 2030 EIR is on file at the City's Planning and Community Development Department, 809 Center Street, Room 101, Santa Cruz, California from 7:30 to 11:30 AM, Monday through Thursday. The document also is available for review on the City of Santa Cruz Planning Department's website at: https://www.cityofsantacruz.com/government/city-departments/planning-and-community-development/long-range-policy-planning/general-plan.

ENVIRONMENTAL IMPACTS Issues (and Supporting Information Sources)	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
1. AESTHETICS. Except as provided in Public Resources Code Section 21099, would the project:				
a) Have a substantial adverse effect on a scenic vista?				✓
b) Substantially damage scenic resources, including but not limited to trees, rock outcroppings, and historic buildings within a state scenic highway?				✓
c) In non-urbanized areas, substantially degrade the existing visual character or quality of public views of the site and its surroundings? (Public views are those that are experienced from publicly accessible vantage point.) If the project is in an urbanized area, would the project conflict with applicable zoning and other regulations governing scenic quality?			✓	
d) Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?			✓	
2. AGRICULTURE AND FORESTRY RESOURCES. In determining whether impacts to agricultural resources are significant environmental effects, lead agencies may refer to the California Agricultural Land Evaluation and Site Assessment Model (1997) prepared by the California Department of Conservation as an optional model to use in assessing impacts on agriculture and farmland. In determining whether impacts to forest resources, including timberland, are significant environmental effects, lead agencies may refer to information compiled by the California Department of Forestry and Fire Protection regarding the state's inventory of forest land, including the Forest and Range Assessment Project and the Forest Legacy Assessment project; and forest carbon measurement Methodology provided in Forest Protocols adopted by the California Air Resources Board. Would the project:				
a) Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use? (V.1b-DEIR volume)				✓
b) Conflict with existing zoning for agricultural use, or a Williamson Act contract?				✓
c) Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code section 12220(g)), timberland (as defined by Public Resources Code section 4526), or timberland zoned Timberland Production (as defined by Government Code section 51104(g))?				✓

ENVIRONMENTAL IMPACTS Issues (and Supporting Information Sources)	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
d) Result in the loss of forest land or conversion of forest land to non-forest use?				✓
e) Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland to non-agricultural use or conversion of forest land to non-forest use?				✓
3. AIR QUALITY. Where available, the significance criteria established by the applicable air quality management district or air pollution control district may be relied upon to make the following determinations. Would the project:				
a) Conflict with or obstruct implementation of the applicable air quality plan?				✓
b) 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?	✓			
c) Expose sensitive receptors to substantial pollutant concentrations?	✓			
d) Result in other emissions (such as those leading to odors adversely affecting a substantial number of people?				✓
4. BIOLOGICAL RESOURCES. Would the project:				
a) Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special-status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service?				✓
b) Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service?				✓
c) Have a substantial adverse effect on state or federally protected wetlands (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?				✓

ENVIRONMENTAL IMPACTS Issues (and Supporting Information Sources)	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
d) Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?			✓	
e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?			✓	
f) Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?				✓
5. CULTURAL RESOURCES. Would the project:				
a) Cause a substantial adverse change in the significance of a historical resource pursuant to in Section 15064.5?	✓			
b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to Section 15064.5?			✓	
c) Disturb any human remains, including those interred outside of formal cemeteries?			✓	
6. ENERGY. Would the project:				
a) Result in potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy resources, during project construction or operation?	✓			
b) Conflict with or obstruct a state or local plan for renewable energy or energy efficiency?	✓			
7. GEOLOGY AND SOILS. Would the project:				
a) Directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury, or death involving: i. Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42. (V.Ia, V.1b-DEIR volume)				✓

ENVIRONMENTAL IMPACTS Issues (and Supporting Information Sources)	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
ii. Strong seismic ground shaking? iii. Seismic-related ground failure, including liquefaction? iv. Landslides?			✓	
b) Result in substantial soil erosion or the loss of topsoil?			✓	
c) Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse?				✓
d) Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial direct or indirect risks to life or property?			✓	
e) Have soils incapable of adequately supporting the use of septic tanks or alternative wastewater disposal systems where sewers are not available for the disposal of wastewater?				✓
f) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?			✓	
8. GREENHOUSE GAS EMISSIONS. Would the project:				
a) Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?	✓			
b) Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases?	✓			
9. HAZARDS AND HAZARDOUS MATERIALS. Would the project:				
a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?				✓
b) Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?				✓
c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within ¼ miles of an existing or proposed school?				✓

ENVIRONMENTAL IMPACTS Issues (and Supporting Information Sources)	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
d) Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?	✓			
e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard for people residing or working in the project area?				✓
f) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?				✓
g) Expose people or structures to a significant risk of loss, injury or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands?				✓
10. HYDROLOGY AND WATER QUALITY. Would the project:				
a) Violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or groundwater quality?			✓	
b) Substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the project may impede sustainable groundwater management of the basin?				✓
c) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river or through the addition of impervious surfaces, in a manner which would: i) Result in substantial erosion or siltation on- or off-site; ii) Substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site; or			✓	

ENVIRONMENTAL IMPACTS Issues (and Supporting Information Sources)	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
iii) Create or contribute runoff water which would exceed the capacity of existing or planned storm water drainage systems or provide substantial additional sources of polluted runoff,				✓
d) In flood hazard, tsunami or seiche zones, risk release of pollutants due to project inundation?				✓
e) Conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan?				✓
11. LAND USE AND PLANNING. Would the project:				
a) Physically divide an established community?				✓
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?	✓			
12. MINERAL RESOURCES. Would the project:				
a) Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?				✓
b) Result in the loss of availability of a locally-important mineral resource recovery site delineated on a local general plan, specific plan, or other land use plan?				✓
13. NOISE: Would the project:				
a) Generation of a substantial temporary or permanent increase in ambient noise levels in the vicinity of the project in excess of standards established in the local general plan or noise ordinance or applicable standards of other agencies?			✓	
b) Result in exposure of persons to or generation of excessive ground borne vibration or ground borne noise levels?			✓	
c) For a project located within the vicinity of a private airstrip or an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?				✓

ENVIRONMENTAL IMPACTS Issues (and Supporting Information Sources)	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
14. POPULATION AND HOUSING. Would the project:				
a) Induce substantial unplanned population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?			✓	
b) Displace substantial numbers of existing people or housing, necessitating the construction of replacement housing elsewhere?			✓	
15. PUBLIC SERVICES.				
a) Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities or need for new or physical altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times, or other performance objectives for any of the public services: a) Fire protection?	✓			
b) Police protection?	✓			
c) Schools?			✓	
d) Parks?	✓			
e) Other public facilities?			✓	
16. RECREATION. Would the project:				
a) 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?	✓			
b) Include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment?				✓
17. TRANSPORTATION. Would the project:				
a) Conflict with a program plan, ordinance or policy addressing the circulation system, including transit, roadway, bicycle and pedestrian facilities?				✓

ENVIRONMENTAL IMPACTS Issues (and Supporting Information Sources)	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
b) Would the project conflict or be inconsistent with CEQA Guidelines section 15064.3, subdivision (b)?			✓	
c) Substantially increase hazards due to a design feature (for example, sharp curves or dangerous intersections) or incompatible uses (for example, farm equipment)?				✓
d) Result in inadequate emergency access?				✓
18. TRIBAL CULTURAL RESOURCES. Would the project:				
Would the project cause a substantial adverse change in the significance of a tribal cultural resource, defined in Public Resources Code section 21074 as either a site, feature, place, cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California Native American tribe, and that is: a) Listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in Public Resources Code section 5020.1(k), or	✓			
b) A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code Section 5024.1. In applying the criteria set forth in subdivision (c) of Public Resources Code Section 5024.1, the lead agency shall consider the significance of the resource to a California Native American tribe?	✓			
19. UTILITIES AND SERVICE SYSTEMS. Would the project:				
a) Require or result in the relocation or construction of new or expanded water, wastewater treatment or storm water drainage, electric power, natural gas, or telecommunications facilities, the construction or which could cause significant environmental effects?			✓	
b) Have sufficient water supplies available to serve the project and reasonably foreseeable future development during normal, dry and multiple dry years?	✓			

ENVIRONMENTAL IMPACTS Issues (and Supporting Information Sources)	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
c) Result in a determination by the wastewater treatment provider which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?			✓	
d) 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?	✓			
e) Comply with federal, state, and local management and reduction statutes and regulations related to solid waste?			✓	
20. WILDFIRE. If located in or near state responsibility areas or lands classified as very high fire hazard severity zones, would the project:				
a) Substantially impair an adopted emergency response land or emergency evacuation?				✓
b) 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?				✓
c) 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?				✓
d) 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?				✓
21. MANDATORY FINDINGS OF SIGNIFICANCE. Would the project:				
a) Have the potential to substantially degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, substantially reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?	✓			

ENVIRONMENTAL IMPACTS Issues (and Supporting Information Sources)	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
b) Have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of the past projects, the effects of other current projects, and the effects of probable future projects.)	✓			
c) Have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?	✓			

Discussion of Environmental Checklist

See **Section VI, Explanation of Environmental Checklist** Responses, for discussion.

IV. Determination

On the basis of this initial evaluation:

I find that the project COULD NOT have a significant effect on the environment, and a NEGATIVE DECLARATION will be prepared.	
I find that although the project could have a significant effect on the environment, there will not be a significant effect in this case because revisions in the project have been made by or agreed to by the project proponent. A MITIGATED NEGATIVE DECLARATION will be prepared.	
I find that the project MAY have a significant effect on the environment and an ENVIRONMENTAL IMPACT REPORT is required.	✓
I find that the project MAY have a "potentially significant impact" or "potentially significant unless mitigated" impact on the environment, but at least one effect (1) has been adequately analyzed in an earlier document pursuant to applicable legal standards, and (2) has been addressed by mitigation measures based on the earlier analysis as described on attached sheets. An ENVIRONMENTAL IMPACT REPORT is required, but it must analyze only the effects that remain to be addressed.	
I find that although the project could have a significant effect on the environment, because all potentially significant effects (a) have been analyzed adequately in an earlier EIR or NEGATIVE DECLARATION pursuant to applicable standards, and (b) have been avoided or mitigated pursuant to that earlier EIR or NEGATIVE DECLARATION, including revisions or mitigation measures that are imposed upon the project, nothing further is required.	

March 13, 2024

Brittany Whitehill, AICP, Senior Planner — Date

V. References and Data Source List

Agency Plans and Studies

1. City of Santa Cruz *General Plan 2030* and EIR
   a. Adopted June 26, 2012. *General Plan 2030*. Available online at https://www.cityofsantacruz.com/government/city-departments/planning-and-community-development/long-range-policy-planning/general-plan.
   b. April 2012. City of Santa Cruz General Plan 2030 Final EIR. SCH #2009032007. Certified June 26, 2012. Includes Draft EIR document, dated September 2011. Available online at: https://www.cityofsantacruz.com/government/city-departments/planning-and-community-development/long-range-policy-planning/general-plan.
   c. July 2018. "Cultural Resources Background Report Update with Policies, Programs, and Maps, City of Santa Cruz, Santa Cruz County, California." Prepared by Dudek.

2. Other City of Santa Cruz Adopted Plans and Studies
   a. 2022. City of Santa Cruz 2030 Climate Action Plan Update, Resilient Together. Adopted September 2022.
   b. Adopted June 14, 2022. SB 743 Implementation Guidelines, City of Santa Cruz. May 12, 2022.
   c. Adopted November 2021. 2020 Urban Water Management Plan. Prepared by the City of Santa Cruz, Water Department. Available online at: https://www.cityofsantacruz.com/government/city-departments/water/urban-water-management-plan-2020.
   d. June 2020. Resolution of the City Council of the City of Santa Cruz Adopting the Use of Vehicle Miles Traveled as the New Transportation Measure of Environmental Impacts. June 9, 2020, with Draft SB 743 Implementation Guidelines (May 27, 2020).
   e. 2018. City of Santa Cruz Climate Adaptation Plan Update 2018-2023.
   f. Adopted January 2014. *Ocean Street Area Plan.* Prepared by Design, Community & Environment.

3. AMBAG
   a. Adopted June 15, 2022. "2022 Regional Growth Forecast."
   b. Adopted June 2022. *Monterey Bay 2045 Moving Forward, 2045 Metropolitan Transportation Plan / Sustainable Communities Strategy.*
   c. Adopted June 11, 2014. "2014 Regional Growth Forecast".

4. Monterey Bay Air Resources District
   a. Adopted March 15, 2017. *2012-2015 Air Quality Management Plan.* Adopted March 15, 2017. Available online at: http://www.co.monterey.ca.us/home/showdocument?id=62318.
   b. Revised February 2016, adopted April 1996. "Guidelines for Implementing the California Environmental Quality Act." Available online at: https://www.mbard.org/files/50d38962a/Attachment_Guidelines-for-Implementing-CEQA.pdf.

c. February 2008. "CEQA Air Quality Guidelines." Available online at: https://www.mbard.org/files/f665829d1/CEQA_full+%281%29.pdf.

Project Studies

5. Project Studies
   a) Archaeological Resource Management. November 4, 2019. Cultural Resource Evaluation of the Ocean Street Project in the City of Santa Cruz.
   b) Archaeological Resource Management. November 4, 2019. Historic Evaluations for the Properties Within the Ocean Street Project in the City of Santa Cruz.
   c) BDE Architecture, December 7, 2023, 908 Ocean Street Planning Resubmittal #4.
   d) BKF Engineering, September 29, 2023. Preliminary Stormwater Control Plan.
   e) Cornerstone, August 5, 2022. Geotechnical Investigation – 908 Ocean Street Mixed-Use Development.
   f) Haley Aldrich, December 2022. Off-site Sub-Slab Vapor Investigation – 908 Ocean Street.
   g) Haley Aldrich, October 22, 2023. Phase I Environmental Site Assessment – 908 Ocean Street.
   h) Haley Aldrich, August 15, 2023. Phase I Environmental Site Assessment – 902 Ocean Street.
   i) Haley Aldrich, September 27, 2023. Phase II Environmental Investigation Results – 908 Ocean Street.
   j) Haley Aldrich, November 8, 2022. Phase II Environmental Investigation Results – 475 May Avenue.
   k) Hexagon Transportation Consultants, January 31, 2024. 908 Ocean Street Mixed-Use Development Transportation Study.
   l) Kurt Fouts, Revised May 20, 2023. Arborist Report –Tree Inventory & Preliminary Construction Impacts for: Ocean Place – Ocean/Hubbard Streets & May Avenue.
   m) PAST Consultants, July 10, 2023. Historic Evaluation for 902 Ocean Street.

Initial Study Preparation

City of Santa Cruz Planning and Community Development Department in association with Dudek and Kimley-Horn.

VI. Explanation of Environmental Checklist Responses

1. Aesthetics

(a) Scenic Views. The project site is located in the central area of the City in a developed area characterized by a mix of residential, commercial, and community facilities. According to maps developed for the City's *General Plan 2030* and included in the General Plan 2030 EIR, the project site is not located within any mapped panoramic view areas and is not located within proximity to identified visual landmarks. There are no Panoramic View or Urban Views identified within the Ocean Street corridor or neighborhood (SOURCE V.1b-DEIR Figure 4.3 1). The project site is not part of a scenic view, and the proposed development of the project would not have an adverse effect on a scenic view as none have been identified, mapped or observed that include the project site. Therefore, the project would have *no impact* on scenic views.

(b) Scenic Resources. There are no designated state scenic highways or roads within the City. The project site is not located near a state scenic highway, although the project site is located south of Highways 1 and 17. Therefore, *no impact* to scenic resources within a state scenic highway would occur as result of the proposed development.

Furthermore, the project site is developed, and there are no structures or features on the project site that would be considered scenic resources. There are 33 trees on the project site that would be removed with the project, 13 of which are considered heritage trees, as defined by the City's Heritage Tree Ordinance, including five street trees. The street tree species include three London plane trees (*Platanus X hispanica*) (two of which would remain), one red oak (*Quercus rubra*) and one Himalayan birch (*Betula utilis var. jaquemontii*). Although heritage size as defined by City regulations would be removed, and several trees are larger trees that are visible along Ocean and Water Streets and in the immediate vicinity of the project site, the trees are not visible from a wide-ranging area, are not visually prominent or distinctive, and are not considered scenic resources. None of the trees on the project site would be considered scenic resources. Therefore, the project would have *no impact* on scenic resources.

(c) Visual Character. The project site currently is developed with a mix of one- and two-story commercial and residential buildings and surface parking lots. Land uses include auto-related services, multi-family housing, single family housing, retail and personal services, offices, a vacant building, and mixed-use parcels. The project site is bordered by commercial uses to the west (along Ocean Street) and south, and a mix of commercial and low- and moderate density residential uses to the north and east.

The General Plan 2030 EIR concluded that most of the future development accommodated by the General Plan would not substantially degrade the visual character of surrounding areas with implementation of General Plan policies and actions to develop design guidelines and review development to protect "distinctive design characteristics" and landmarks of neighborhoods (CD2.1, CD2.3) in combination with continued application of design review as part of Design Permit approvals.

Impact Analysis. The proposed project consists of one five-story building with a subterranean parking garage (Building A) fronting Ocean Street, and two three-story buildings (Buildings B and C) fronting May Avenue. Building A would have a maximum height of 69 feet and consist of ground-floor commercial and interior parking lot with four floors of residential above. This height would be greater than the most buildings along the Ocean Street corridor, which largely consists of one- to three-story buildings, except for the County of Santa Cruz Government Building located across the street to the southwest of the project site, which is five stores in height.

The overall massing of Building A would also be greater, particularly given the considerable length (approximately 550 feet) of the Building A along Ocean Avenue. To provide visual relief, the proposed design includes building setbacks, articulated facades, and variations in building materials. Additionally, opposite the intersection of Blaine Street, the building would be setback more than 100 feet to accommodate vehicle access and commercial parking and incorporate a 3,400-sf plaza that would lead into a ground floor paseo and open

to the eastern portion of the project site. Two existing London Plain trees would remain on Ocean Street and 13 additional street trees planted to provide further visual relief. Figure 4 Project Perspectives from Ocean Street illustrates the project from various viewpoints from Ocean Street.

Buildings B and C would have a maximum height of 38 feet. This height would be greater than the predominantly one-story residential and commercial buildings on the east side of May Avenue, but the height is within the allowable building height of three stories that is permitted in the Ocean Street Area Plan (Mixed-Use Medium Density subarea). The proposed design of these buildings also include substantial variation in building facades, setbacks, rooflines, and building materials. They would also include large windows, front door entrances and stoops, and street trees, creating an urban residential character that is contemporary and appropriate for an urban corridor in a City the size of Santa Cruz. Figure 5 Project Perspectives from May Avenue illustrates the project from various viewpoints from May Avenue.

Overall, the project would be taller fronting Ocean Street and step-down in building height and bulk along May Avenue, adjacent existing residential uses. However, the additional height for the building fronting Ocean Street would be required to be approved as part of the waivers and concessions allowed by the density bonus request.

The project will be reviewed through the Design Permit process. Per section 24.08.400 of the Municipal Code, the purpose of the City's Design Permit review is to "promote the public health, safety and general welfare through the review of architectural and site development proposals and through application of recognized principles of design, planning and aesthetics and qualities typifying the Santa Cruz community." The City must make the required findings to approve the Design Permit for the project, and with approval, the project would be consistent with Design Permit regulations that serve to reduce potential visual character impacts.

The City of Santa Cruz is an "urbanized area" under the definition of the term in CEQA Guidelines section 15387. Per the CEQA Guidelines Environmental Checklist (Appendix G) question that was amended subsequent to the certification of the General Plan 2030 EIR, the City need not specifically consider existing visual character or the quality of the existing views and the project's potential effect on them. In an urbanized area, a project that conflicts with applicable zoning and other regulations governing scenic quality could be considered to result in a significant impact. However, there are no regulations governing scenic quality applicable to the project site. There are some regulations regarding scenic views in the coastal zone, but the project is not located in the coastal zone. There are no other applicable zoning and other regulations governing scenic quality.

It is noted that the additional height allowed by an approved waiver pursuant to the density bonus law would not be considered to conflict with zoning standards. The court decision in *Wollmer v. City of Berkeley* expressly held that the waivers a city was required to grant for a density-bonus-eligible project did not result in planning and zoning inconsistencies because the mandatory nature of the waivers meant that those waived standards were

inapplicable to the project. The Court found that "taking these laws together as they operate in the context of a density bonus project, it is clear that the waived zoning standards are not "applicable."

Therefore, the project would result in a *less-than-significant impact* related to degradation of the visual character of the area. This conclusion is consistent with CEQA (Public Resources Code section 21099), which provides that aesthetic impacts of a residential, mixed-use residential, or employment center project on an infill site within a transit priority area shall not be considered significant impacts on the environment, although design review would still be required pursuant to local City requirements and regulations. "Infill site" means a lot located within an urban area that has been previously developed, or on a vacant site where at least 75 percent of the perimeter of the site adjoins or is separated only by an improved public right-of-way from, parcels that are developed with qualified urban uses. "Transit priority area" means an area within one-half mile of a major transit stop that is existing or planned. The project qualifies as mixed-use project on an infill site in a transit priority area as it is less than one-half mile from the Santa Cruz Metro Center on Pacific Avenue.

(d) Light and Glare. Light and glare refers to exterior lighting associated with surface parking, walkways, and lighting on buildings. There are no existing significant sources of excessive light or glare in the project area.

Impact Analysis. The project would not result in introduction of a major new source of light or glare, although there would be exterior lighting on the buildings, walkways courtyards, and surface parking areas. The General Plan 2030 EIR concluded that new infill development accommodated by the plan could result in potential sources of light and glare but would not result in creation of "substantial" new sources of light and glare or result in a significant impact. The EIR indicated that infill buildings would have standard window and exterior lighting treatments but would not be expected to result in new sources of substantial light or glare as future development projects would largely replace or redevelop existing urban uses. (The General Plan 2030 EIR analyses are included on pages 4.3-19 to 4.3-20 of the Draft EIR volume.)

Exterior lighting would be included as part of the proposed project, but would be typical of exterior building lighting elsewhere in the City and would not result in nighttime illumination levels beyond the property line. Additionally, section 24.14.266 of the City's Municipal Code prohibits direct or sky-reflected glare. Exterior building lighting also would be further reviewed as part of the Design Permit review process, and the project would be conditioned to install lighting such that it is directed downward and does not create light onto adjacent properties. Thus, the project would not be expected to create a new substantial source of light and glare and would not impact adjacent properties and the surrounding area. The following standard condition of approval will be included in the Project Conditions of Approval.

STANDARD CONDITION OF APPROVAL: Plans submitted for building permit issuance shall show all exterior site lighting locations and fixture details. All exterior building

lighting shall be shielded and contained in a downward direction. No exterior lighting shall produce off-site glare.

Therefore, the project would result in a *less-than-significant impact* related to creation of a new source of substantial light or glare.

2. Agriculture and Forestry Resources

The project site and adjacent areas are currently developed. The site does not contain farmland or grazing land as mapped on the Santa Cruz Important Farmland Map by the California Department of Conservation Farmland Mapping and Monitoring Program (SOURCE V.1b-DEIR Figure 4.15-1). The project site is designated as "Urban and Built-Up Land." Surrounding lands are designated as "Other Land" and "Urban and Built-Up Land." Neither the site nor adjacent lands are designated for agricultural uses in the City's General Plan. The project site is not zoned Timberland Production. Therefore, the project would not result in the conversion of agricultural or forest lands to other uses and *no impact* would occur.

3. Air Quality

(a) Conflict with Air Quality Management Plan. In 1991, the Monterey Bay Air Resources District (MBARD), formerly the Monterey Bay Unified Air Pollution Control District (MBUAPCD), adopted the Air Quality Management Plan (AQMP) for the Monterey Bay Region in response to the California Clean Air Act of 1988, which established specific planning requirements to meet the ozone standards. The California Clean Air Act requires that AQMPs be updated every three years. The MBARD has updated the AQMP seven times. The most recent update, the *2012-2015 Air Quality Management Plan* (2016 AQMP), was adopted in 2017. The 2016 AQMP relies on a multilevel partnership of federal, state, regional, and local governmental agencies. The 2016 AQMP documents the MBARD's progress toward attaining the state 8-hour ozone standard, which is more stringent than the state 1-hour ozone standard. The 2016 AQMP builds on information developed in past AQMPs and updates the 2012 AQMP. The primary elements from the 2012 AQMP that were updated in the 2016 revision include the air quality trends analysis, emission inventory, and mobile source programs (SOURCE V.4a).

For population-related projects, the MBARD developed a procedure that compares existing, under-construction, and approved residential dwelling units with AMBAG's housing unit forecast for a jurisdiction, as dwelling units are closely related to population and can be tracked within local jurisdictions; therefore, the number of dwelling units is used as the method for determining consistency with the AQMP. Consistency of indirect emissions associated with commercial, industrial, or institutional projects intended to meet the needs of the population as forecast in the AQMP is determined by comparing the estimated current population of the county in which the project is to be located with the applicable population forecast in the AQMP. If the estimated current population does not exceed the forecasts, indirect emissions associated with the project are deemed to be consistent with the AQMP. Projects which are consistent with AMBAG's regional forecasts have been accommodated in the AQMP and are therefore consistent with the AQMP (SOURCE 8a and 8b). The MBARD's most recent 2015 AQMP utilized AMBAG's 2014 Regional Growth Forecast.

The City had 24,415 existing dwelling units as of January 1, 2023 (California Department of Finance, 2023), and approximately 2,330 residential units are under construction or have been approved throughout the City, including residential development at the University of California Santa Cruz (UCSC)[2]. With the addition of these units, the City's housing units would total 26,745 dwelling units. The City's total number of housing units would increase to 27,134 dwelling units with the addition of the project's 389 residential apartment units. The resulting total is below the AMBAG Regional Growth Forecast of 28,297 dwelling units for the year 2030 that were factored into the AQMP. Furthermore, the project would result in a net reduction of approximately 18,000 sf of commercial space. Therefore, the project would be consistent with the AQMP, and would not conflict with or obstruct implementation of the AQMP and would result in *no impact*.

(b) Project Emissions. The U.S. Environmental Protection Agency (EPA) and the California Air Resources Board (CARB) have established ambient air quality standards that are the maximum levels of ambient (background) air pollutants considered safe, with an adequate margin of safety to protect public health and welfare. Criteria pollutants include ozone (O_3), nitrogen dioxide (NO_2), carbon monoxide (CO), sulfur dioxide (SO_2), inhalable particulates (PM_{10}), fine particulates ($PM_{2.5}$), and lead. High O_3 levels are caused by the cumulative emissions of reactive organic gases (ROG) and nitrogen oxides (NO_x), which react under certain meteorological conditions to form O_3. In California, sulfates, vinyl chloride, hydrogen sulfide, and visibility-reducing particles are also regulated as criteria air pollutants. An area is designated as "in attainment" when it is in compliance with the federal and/or state standards, as further discussed below.

The project site is located within the North Central Coast Air Basin (NCCAB), which is under the jurisdiction of the Monterey Bay Air Resources District (MBARD) and includes Santa Cruz, Monterey, and San Benito Counties. The NCCAB is designated attainment for the federal PM_{10} and SO_2 standards and is designated attainment/unclassified for the other federal standards. The NCCAB is designated attainment for the state $PM_{2.5}$, NO_2, SO_2, and lead standards, and is designated unclassified for CO in Santa Cruz County. The NCCAB has nonattainment designations for state O_3 and PM_{10} standards.

The MBARD 2012-2015 AQMP, adopted March 15, 2017, identifies a continued trend of declining O_3 emissions in the NCCAB primarily related to lower vehicle miles traveled (VMT), showing that the region is continuing to make progress toward meeting the state O_3 standard during the three-year period reviewed (SOURCE V.4a).

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[2] Residential projects at UCSC are primarily student housing projects, and there is one approved employee housing project and the first phase of the Student Housing West (Hagar Development). In general, part-year student housing is considered group quarters and year-round faculty / student family housing is counted as housing units (SOURCE V.3a). For the 2014 forecast used in the AQMP, University population and housing projections were completed separately from jurisdiction population projections (SOURCE V.3c). For the purpose of this review and in accordance with current AMBAG guidance, approved employee housing is considered as housing units, and student housing is considered group quarters and is not included as housing units, but the population accommodated by new student housing is included in the population estimates.

Impact Analysis. The project would indirectly generate air pollutant emissions through new vehicle trips associated with residential and commercial development, as well as emissions during construction. Given the project size, air emissions modeling is required to determine whether project criteria pollutant emissions would exceed MBARD's adopted significance thresholds or potentially violate air quality standards. Project construction also could result in generation of dust and PM_{10} emissions as a result of site excavation and grading. According to MBARD's *CEQA Air Quality Guidelines*, construction activity on 8.1 acres per day with minimal earthmoving or 2.2 acres per day with grading and excavation are assumed to be below the MBARD's PM_{10} significance threshold of 82 pounds per day. The area of proposed development is approximately 14.5 acres in size, which is exceeds this screening-level threshold and requires quantified emissions analysis to determine whether MBARD significance thresholds are exceeded for construction-related emissions.

Thus, project criteria air pollutant emissions could result in a *potentially significant impact*. Therefore, project criteria pollutant emissions will be analyzed in an EIR, which will include quantified emissions modeling.

(c) Sensitive Receptors. For CEQA purposes, a sensitive receptor is defined as any residence, including private homes, condominiums, apartments, and living quarters; education resources such as preschools and kindergarten through grade 12 (K-12) schools; daycare centers; and healthcare facilities such as hospitals or retirement and nursing homes (SOURCE V.4c). The project site is located adjacent to low density residential uses to the north and east.

Diesel particulate matter (DPM) was identified as a toxic air contaminant (TAC) by the State of California in 1998. Subsequently, the CARB developed a comprehensive strategy to control DPM emissions. The *Risk Reduction Plan to Reduce Particulate Matter Emissions from Diesel-Fueled Engines and Vehicles*—a document approved by the CARB in September 2000—set goals to reduce DPM emissions in California by 75 percent by 2010 and 85 percent by 2020. This objective would be achieved by a combination of approaches, including emission regulations for new diesel engines and low-sulfur fuel program. An important part of the DPM risk reduction plan is a series of measures for various categories of in-use on- and off-road diesel engines, which are generally based on the following types of controls:

- Retrofitting engines with emission-control systems, such as DPM filters or oxidation catalysts;
- Replacement of existing engines with new technology diesel engines or natural gas engines; and
- Restrictions placed on the operation of existing equipment.

Once the DPM risk reduction plan was adopted, the CARB started developing emission regulations for a number of categories of in-use diesel vehicles and equipment. In July 2007, the CARB adopted regulations for in-use, off-road diesel vehicles that will significantly reduce particulate matter emissions by requiring fleet owners to accelerate turnover to cleaner engines and install exhaust retrofits.

Impact Analysis. Grading and project construction could involve the use of diesel trucks and equipment that would emit diesel exhaust, including DPM, which is classified as a TAC. Assessment of TAC-related (including DPM) cancer risks is typically based on a 70-year exposure period. Project excavation and construction activities that would use diesel-powered equipment would expose receptors to possible diesel exhaust above the 70-year exposure period. The project could expose sensitive receptors to substantial pollutant concentrations, and potential exposure of sensitive receptors to DPM and associated risks., which is considered a *potentially significant impact*. Therefore, the air quality analysis that will be included in an EIR will include a construction health risk assessment.

(d) Odors. According to the Air District's *CEQA Air Quality Guidelines* (SOURCE V.4c), land uses associated with odor complaints typically include landfills, agricultural uses, wastewater treatment plants, food processing plants, chemical plants, and refineries. The proposed residential and commercial uses would not create objectionable odors and *no impact* would occur.

4. Biological Resources

(a-c) Special-Status Species, Sensitive Habitat. The project site is located in an urban setting and is developed with a variety of residential and commercial buildings and 22 existing landscape trees. According to maps developed for the City's *General Plan 2030* and included in the General Plan 2030 EIR, the project site is not located within or adjacent to a sensitive habitat area (SOURCE V.1b, DEIR Figure 4.8-3), and there are no known endangered or threatened species on or adjacent to the site due to the site's location within a developed urban area (SOURCE V.1b, DEIR volume). There are no wetlands or jurisdictional waters on the project site per the National Wetlands Inventory website as maintained by the U. S. Fish & Wildlife Service. The project site does not contain sensitive habitat or habitat for special-status species, and therefore the project would result in *no impact*.

(d) Wildlife Movement/Breeding. The primary wildlife movement corridors are located along major watercourses and within City-owned open space lands, which would be protected from future development impacts. Table 1, Assessment and Management Protocols for Sensitive Species and Habitat, which is included the *General Plan 2030*, prescribes protocols and recommended management measures in wildlife dispersal corridors, including buffers and compliance with the Citywide Creeks and Wetland Management Plan. Projects adjacent to watercourses would be subject to setback requirements set forth in the Creeks and Wetlands Management Plan.

The project site is developed and located within an urban area. The site does not contain habitat, nor does it connect to other habitat areas and is not within or adjacent to a creek, riparian area, or wildlife dispersal area. The project is not located adjacent to or within proximity to a watercourse. Thus, the project would have no effect on wildlife movement and would not interfere with native fish or wildlife movement, and therefore the project would result in *no impact* related to wildlife movement .

Impact Analysis. The project would result in removal of 33 trees on the project site. These trees could provide potential nesting habitat for migratory birds which are protected by the Migratory Bird Treaty Act (MBTA) and the California Fish and Game Code (CFGC). Tree removal during the breeding season (generally February 15 to August 31) has the potential to destroy bird nests, eggs or chicks if any are present during the removal. Compliance with the MBTA would require that either a pre-construction nesting survey be conducted to confirm that no nesting birds protected under the MBTA are present if trees or removed during the nesting season or to remove trees outside of the nesting season. Compliance with required regulations would not result in a significant impact. Furthermore, General Plan Action NCR2.4.1 and Table 1 establish biological survey protocols, including pre-construction nesting bird surveys with establishment of appropriate construction buffers if needed, if tree removal and/or construction were to commence during the nesting season. A standard project condition of approval requires implementation of a pre-construction nesting survey, and the following standard condition of approval will be included in the Project Conditions of Approval.

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STANDARD CONDITION OF APPROVAL: If project site work occurs anytime between February 1 and August 31, the applicant shall submit documentation of a pre-construction nesting bird survey by a qualified biologist prior to the start of work. The survey shall be described in the biotic report, if such a report was prepared, and shall be completed no more than seven days before the start of any project construction activities on the site (including tree removal, clearing, and excavation) and shall include observations of any nesting activities on the site. Site work may commence once the Planning Department has accepted the report and confirmed that there are no nesting birds on the site or that an appropriate buffer zone around any active nests has been recommended by the biologist and physically established on the site.

Because the project would be required to comply with the MBTA and General Plan Action NCR2.4.1, and a standard condition of approval will be imposed by the City that requires a pre-construction survey during the construction period with protection of nesting birds if any are found, the potential impact to nesting birds is considered *less than significant*.

(e) Conflicts with Local Ordinances – Tree Removal. An arborist review was conducted to review approximately 33 trees on the project site, 13 of which are considered heritage trees, as defined by the City's Heritage Tree Ordinance in Chapter 9.56 of the City's Municipal Code. Generally, trees with a 14-inch or larger diameter are heritage trees. Heritage trees to be removed include an Italian stone pine (*Pinus pinea*), a walnut (*Julgans spp.*), a mature blackwood acacia (*Acacia melanoxylon*), a fan palm (*Washingtonia spp.*), a coast redwood (*Sequoia sempervirens*), and two willow (*Salix spp.*).

Impact Analysis. The project would result in the removal of 33 trees due to the location within the proposed construction footprint, all of which are non-native planted trees, except for one redwood tree. Thirteen of the trees to be removed are heritage trees as defined by the City's Heritage Tree Ordinance. The arborist report indicates that the physiological condition of the trees is typical of mature trees in restricted growing spaces

surrounded by hardscape and overall decline and other conditions were observed (SOURCE V.5j).

Chapter 9.56 of the City Municipal Code defines heritage trees, establishes permit requirements for the removal of a heritage tree, and sets forth mitigation requirements as adopted by resolution by the City Council. Resolution NS-23, 710 adopted by the City Council in April 1998 establishes the criteria for permitting removal of a heritage tree and indicates that one or more of the following findings must be made by the Director of Parks and Recreation:

1) The heritage tree or heritage shrub has, or is likely to have, an adverse effect upon the structural integrity of a building, utility, or public or private right of way;
2) The physical condition or health of the tree or shrub, such as disease or infestation, warrants alteration or removal; or
3) A construction project design cannot be altered to accommodate existing heritage trees or heritage shrubs.

Resolution NS-21, 436 sets forth the tree replacement/mitigation requirements for approved removal of a heritage tree to include replanting three 15-gallon or one 24-inch size specimen or the current retail value which shall be determined by the Director of Parks and Recreation. Removal would be permitted if found in accordance with the above criteria and requirements. Approval of a tree removal permit automatically requires replacement trees as set forth above. Removal of heritage trees consistent with City regulations and requirements is not considered a significant impact.

Removal of 13 heritage trees would require planting of 39 15-gallon trees or 13 24-inch size trees to replace the removed heritage trees. The project landscaping plan shows approximately 13 48-inch box trees to be planted along Ocean Street as well as retention of two existing street trees. In addition, the project landscaping plan shows approximately 40 trees to be planted in stormwater planter areas on the other sides of the project site perimeter. Therefore, the project would replace removed heritage trees in accordance with City requirements and would result in *a less than significant impact* related to conflicts with City regulations protecting trees. The project arborist report includes recommendations for protection of retained trees during construction, which would be included as a project condition of approval.

(f) Habitat Conservation Plans. There are no adopted Habitat Conservation or Natural Community Conservation Plans in the project vicinity. The City's approved Operations and Maintenance Habitat Conservation Plan (O&M HCP) is not applicable to the project or project site as it was developed for improvements or projects related to City facilities with the potential to take federally listed species and other non-listed special-status species. Therefore, the project would result in *no impact* related to potential conflicts with adopted Habitat Conservation or Natural Community Conservation Plans.

5. Cultural Resources

(a) Historical Resources. The project site is not located within a designated historic district (SOURCE V.1b-DEIR Figure 4.9-4). The existing residences on the project site are not listed in the Santa Cruz Historic Building Survey. The Historic Resource Evaluations conducted for the project identified one property (130 Hubbard Street) on the project site as potentially eligible for listing on the City's Historic Building Survey under Criteria 5, 6 and 7 as a good example of the National Folk style, characteristic of the middle-to-late 19th Century.

Impact Analysis. The project would result in demolition of 21 buildings, of which at least one has been determined to be a historical resource per CEQA definitions. As such, the impact to historical resources is considered *potentially significant* . Therefore, impacts historical resources will be analyzed in an EIR based on supplemental review provided in a Supplemental Built Environment Evaluation.

(b-c) Archaeological Resources. According to maps developed for the City's *General Plan 2030* and updated in 2018 (SOURCE V1.c), the project site is located within an area that is sensitive for archaeological resources (SOURCE V.1b-DEIR Figure 4.9-1). The site is not located within an area that is sensitive for historic archaeological resources (SOURCE V.1b-DEIR Figure 4.9-3).

Impact Analysis. A cultural resources evaluation of the project site was conducted in 2019, which included a records search of the California Historical Resources Information System (CHRIS) at the Northwest Information Center (NWIC) at Sonoma State University. The records search and field reconnaissance identified one previously recorded archaeological resources within a ¼-mile radius of the project site and no evidence of significant cultural materials during the field reconnaissance (SOURCE V.5a). However, the project cultural resources assessment did not find evidence of cultural resources as part of their field reconnaissance on the project site (SOURCE V.5a).

The project site is located within an area that is sensitive for archaeological resources, and construction may disturb unknown resources. Section 24.12.430 of the City's Municipal Code sets forth the procedure to follow in the event that prehistoric or cultural features are accidentally discovered during construction. Under provisions of this Code section, work shall be halted within 50 meters (150 feet) of the find until it can be evaluated by a qualified professional archaeologist. If the find is determined to be significant, the Planning Director shall be immediately notified, and appropriate mitigation measures shall be formulated and implemented. Additionally, the County Coroner and shall be notified in accordance with provisions of Public Resources Code 5097.98-99 in the event human remains are found and the Native American Heritage Commission shall be notified in accordance with the provisions of Public Resources Code section 5097 if the remains are determined to be Native American.

Although, there is a potential for the discovery of unknown cultural resources on the property during soil disturbing construction, such discoveries would be subject to review in accordance with City and state requirements. If archaeological resources or human remains are exposed or discovered during either site clearing or during subsurface

construction, operations shall stop within 150 feet of the find, and a qualified professional archaeologist shall be contacted for further review and recommendations. If a find is determined to be significant, the Planning Director shall be immediately notified, and appropriate measures shall be formulated and implemented in accordance with Section 24.12.430 of the City's Municipal Code – "Protection of Archaeological Resources." The County Coroner and shall be notified in accordance with provisions of Public Resources Code 5097.98-99 in the event human remains are found and the Native American Heritage Commission shall be notified in accordance with the provisions of Public Resources Code section 5097 if the remains are determined to be of Native American origin.

These City regulations are included in the following standard condition of approval that will be applied to the project.

STANDARD CONDITION OF APPROVAL: Any person exercising a development permit or building permit who, at any time in the preparation for or process of excavating or otherwise disturbing earth, discovers any human remains of any age or any artifact or any other object which reasonably appears to be evidence of an archaeological/cultural resource or paleontological resource, shall:

a. Immediately cease all further excavation, disturbance, and work on the project site;
b. Cause staking to be placed completely around the area of discovery by visible stakes not more than ten feet apart forming a circle having a radius of not less than one hundred feet from the point of discovery; provided, that such staking need not take place on adjoining property unless the owner of the adjoining property authorizes such staking;
c. Notify the Santa Cruz County sheriff-coroner and the city of Santa Cruz planning director of the discovery unless no human remains have been discovered, in which case the property owner shall notify only the planning director;
d. Grant permission to all duly authorized representatives of the sheriff-coroner and the planning director to enter onto the property and to take all actions consistent with this section.

Therefore, the potential impact to archeological resources is a *less-than-significant impact*.

6. Energy

(a) Energy Use. The project includes demolition of existing residential and commercial uses and the construction of a new mixed-use development project. The new uses would be subject to City and state building code requirements and would result in more energy efficient building design than the existing structure to be demolished. Future construction would not contribute to the wasteful, inefficient, or unnecessary consumption of energy and other resources. Residential uses that comply with the 2016 California Title 24 are about 28% more efficient than the 2013 Title 24, and energy efficiency will increase as older buildings are replaced.

Impact Analysis. Construction of the project would require consumption of nonrenewable energy resources, primarily in the form of fossil fuels (including fuel oil, natural gas, and gasoline) for automobiles and construction equipment, and other resources including, but not limited to, lumber, sand, gravel, asphalt, metals, and water. Construction would include energy used by construction equipment and other activities at the project site (e.g., building demolition, excavation, paving), in addition to the energy used to manufacture the equipment, materials, and supplies and transport them to the project site. It is expected that nonrenewable energy resources would be used efficiently during future construction of residential units accommodated by the project. Of the residential parking, 46 spaces (12%) would be for electric vehicles with charging stations. Therefore, the project is not expected to result in wasteful or inefficient energy use during construction or operation. However, energy consumption and potential inefficient use of energy resources will be evaluated in an EIR.

(b) Conflicts with Plans. Construction and operation of the project is not expected to conflict with or obstruct implementation of a state or local plan for renewable energy or energy efficiency. However, as indicated above, energy consumption and potential conflicts with plans will be evaluated in an EIR.

7. Geology and Soils

(a. i) Fault Rupture. The project site is located in a seismically active region of California and the region is considered to be subject to very intense shaking during a seismic event. The City of Santa Cruz is situated between two major active faults: the San Andreas, approximately 11.2 miles to the northeast and the San Gregorio, approximately 9.9 miles to the southwest. There are no active fault zones or risk of fault rupture within the City (SOURCE V.1b-DEIR Section 4.10). The closest active fault is the San Andreas fault, located approximately 10.8 miles northeast of the project site (SOURCE V.5e). The geotechnical report found that the project site is not located within a State-designated Alquist Priolo Earthquake Fault Zone, and that fault rupture is not a significant hazard at the site (SOURCE V.5e) Therefore, the project would result in *no impact* related to fault rupture.

(a. ii-iv) Seismic Hazards. Seismically induced hazards include ground shaking, surface rupture, ground failure, settlement, landslides, and water waves (SOURCE V.1a). According to maps developed for the City's *General Plan 2030* and included in the General Plan 2030 EIR, the project site is located in an area somewhat susceptible to liquefaction (SOURCE V.1b-DEIR Figure 4.10-4) but is not located within a mapped landslide area (SOURCE V.1b-DEIR Figure 4.10-3). A geotechnical investigation was prepared for the project site that included soils borings and testing. Site soils consist of undocumented fill with stiff- to very-stiff lean clays and medium dense sands (SOURCE V.5e).

While the project site was identified in the General Plan 2030 EIR in an area somewhat susceptible to liquefaction (SOURCE V.1b-DEIR Figure 4.10 4), the project site is not mapped by the California Geologic Survey as susceptible to liquefaction. The geotechnical investigation indicated that potentially liquefiable soils are present to depts of 50 feet (SOURCE V.5e). The

investigation also indicated that seismic shaking and lateral spreading were primary geotechnical considerations at the project site.

Impact Analysis. The proposed structures would be subject to seismic shaking from an earthquake on regional faults, but with implementation the geotechnical investigation recommendations, exposure to seismic hazards would be considered a *less-than-significant impact*.

The City is in relative proximity to historically active faults; as such, there is potential for development to be subject to strong seismic ground shaking. While the potential for seismic ground shaking cannot be eliminated, the project would be required to comply with the 2016 California Building Standards Code (California Code of Regulations, Title 24), which includes requirements for geotechnical investigations that establish seismic design parameters. Compliance with recommendations in the project geotechnical report and with the California Building Standards Code would reduce risks associated with strong seismic ground shaking at the project site. Therefore, the project would have a *less-than-significant impact* with regard to strong seismic ground shaking.

The geotechnical investigation included a liquefaction analysis and determined that several soil layers could potentially experience liquefaction triggers that could result in differential settlement of approximately 0.5 to 3.5 inches. Based on the geotechnical analyses, the potential for liquefaction-induced ground deformation is considered high for the northern half of the site. The potential for lateral displacement to impact the proposed development was found to be low (SOURCE V.5e). The geotechnical investigation recommends specific design parameters for the proposed building's foundation, and specifically. The recommends that proposed buildings be supported on reinforced mat foundations overlying ground improvements or deep foundations, such as auger-cast piles, which derive support from the underlying soils (SOURCE V.5e). Typical measures to address the potential for lateral spreading include ground improvement as recommended in the geotechnical report. Implementation of these recommendations would be verified through design documents that would be submitted to the City for review and approval prior to issuance of construction (grading or building) permits. The geotechnical report also includes recommended design measures to ensure the project would not cause substantial adverse effects, including the risk of loss, injury, or death, due to potential existing geologic hazards.

The General Plan 2030 EIR concluded that adherence to existing regulations and standards, including the California Building Code (CBC) and various policies and actions established in the *General Plan 2030* would minimize harm to people and structures from adverse seismic hazards. General Plan Action HZ6.3.1 requires that all new construction conform with the latest edition of the CBC, and Municipal Code section 18.040.030 adopts State of California building codes as part of the City's Building Code. General Plan Action HZ6.3.6 requires site-specific geologic investigation(s) by qualified professionals for proposed development in potential liquefaction areas and requires developments to incorporate the design and other mitigation measures recommended by the investigation. In addition, Municipal Code section 24.14.070 requires preparation of a

geotechnical report and implementation of recommendations for residential projects with more than four units that are within potential liquefaction areas, which has been completed for the project. Thus, buildings must be designed in accordance with the latest edition of the CBC, which sets forth structural design parameters for buildings to withstand seismic shaking without substantial structural damage. Conformance to the CBC as required by state law and the City would ensure the maximum practicable protection available for structures and their associated trenches, excavations and foundations. (The General Plan 2030 EIR analyses are included on pages 4.10-21 to 4.10-23 of the Draft EIR volume.)

The General Plan 2030 EIR concluded that with adherence to existing regulations and standards, including preparation of a project-specific geotechnical report and adherence to the CBC, as incorporated into the City's Municipal Code, and various policies and actions established in the General Plan, harm to people and structures from adverse seismic events would be minimized (SOURCE V.1b, DEIR volume).

As noted above, a project-specific geotechnical investigation was performed and design recommendations would be implemented. Demonstration of project design adherence to geotechnical report recommendations will be required at the time of building permit application that demonstrates that the proposed buildings are designed to current seismic design standards. Compliance with recommendations in the project geotechnical report and with the California Building Standards Code would reduce risks associated with strong seismic ground shaking, liquefaction, and lateral spreading at the project site. Therefore, impacts to seismic hazards would be *less than significant*. Although mitigation measures are not required as a significant impact has not been identified, the following measure is recommended as a condition of project approval.

RECOMMENDED CONDITION OF APPROVAL: Require implementation of recommendations set forth in the geotechnical investigation (Cornerstone Earth Group 2022), including, but not limited to recommendations regarding: site preparation; excavation, including construction dewatering; fill requirements; drainage; structural seismic design parameters; structural foundation deign; ground improvement; and all other recommendations.

(b) Erosion. According to maps developed for the City's *General Plan 2030* and included in the General Plan 2030 EIR, soils on the project site consists of Soquel loam with 0 to 2 percent slopes (SOURCE V.1b-DEIR Figure 4.10-6). The Soquel loam complex has a low erosion hazard potential (SOURCE V.1b-DEIR Section 4.10).

Impact Analysis. The project would result in the excavation of approximately 32,200 cubic yards (cy) of soil and approximately 5,700 cy of fill, resulting in a net removal of 26, 500 cy. See subsection 10(a) below regarding potential water quality impacts due to grading and earthwork.

The project site itself is generally flat, with less than one percent slopes from north to south. Project earthwork would include grading, trenching, and removing trees and other

vegetation. These activities would include ground disturbance, which would potentially result in short-term soil erosion. The project site is not located adjacent to a watercourse.

The General Plan 2030 EIR concluded that future development accommodated by the Plan could result in erosion during construction but could be mitigated with adherence to local regulations that require implementation of erosion control plans, and thus, potential erosion during construction would be minimized, resulting in a less-than-significant impact. The project will be required to implement erosion control plans and erosion control standards and requirements set forth in the City's Municipal Code Chapter 18.45. (The General Plan 2030 EIR analyses are included on pages 4.10-25 to 4.10-26 of the Draft EIR volume.)

Furthermore, because the proposed project footprint is greater than one acre, it would be subject to the National Pollutant Discharge Elimination System (NPDES) permit requirements for construction site stormwater discharges and would comply with those requirements. A Storm Water Pollution Prevention Plan (SWPPP) is required to be prepared and implemented under these requirements, which includes appropriate erosion-control and water-quality-control measures during site preparation, grading, construction, and post-construction. Implementation of the SWPPP for the proposed project would minimize short-term erosion impacts. Long-term impacts of the proposed project would not result in substantial erosion, as the soils would be covered by buildings, pavement, vegetation, and landscaping. With required implementation of required erosion control plan and SWPPP, the project would result in a *less-than-significant impact* related to erosion.

(c) Geologic Hazards. Non-seismically induced hazards include slope instability, cliff retreat, and non-seismic settlement and landslides (SOURCE V.1a). The project site is relatively level and is not in an area susceptible to landslides (SOURCE V.1b, DEIR Figure 4.10-3). The project site is not located in an area of steep slopes (SOURCE V.1b, DEIR Figure 4.10-5). As described in the geotechnical report, there are no non-seismically induced geologic hazards present on or near the project site. (SOURCE V.5e). Therefore, the project would result in *no impact* related to non-seismic geologic hazards.

(d) Expansive Soils. The geotechnical investigation prepared for the project site included exploratory borings and laboratory testing. Site soils consist of undocumented fill with stiff- to very-stiff lean clays and medium dense sands. Below the fill, the site soils consist medium stiff to stiff lean clary with varying amounts of sand to depths of 15 to 20 feet below existing ground surface, underlain by loose clayey and/or silty sands to depths of 62 feet. These soil types are commonly associated with moderately expansive soils (SOURCE V.5e).

Ground water at varying depths (nine to 11 feet below current grades) was also identified on the project site. Nearby monitoring well data in the project vicinity indicates that groundwater has been measures at depths of three and a half to five feet. Therefore, the geotechnical investigation recommended a design groundwater depth of five feet (SOURCE V.5e).

Impact Analysis. Moderately expansive soils are present on the project site. To reduce the potential for damage to planned structures, the geotechnical investigation includes recommendations for foundation design, placement of engineered fill, and drainage controls. The General Plan 2030 EIR concluded that future development accommodated by the Plan could be exposed to expansive soils, which would be addressed through compliance with state and local regulations, including the CBC requirements and section 24.14.070 of the City's Municipal Code (requirement for geotechnical investigations), which would ensure that buildings are designed to prevent structural damages based on the project-specific geotechnical report. (The General Plan 2030 EIR analyses are included on pages 4.10-24 to 4.10-25 of the Draft EIR volume.)With required implementation of recommendations in the project-specific geotechnical report and adherence to the CBC, as incorporated into the City's Municipal Code, the project would result in a *less-than-significant impact* related to expansive.

(e) Septic Systems. The project would be connected to an existing 14-inch sanitary sewer in May Avenue and would not use septic systems. Therefore, *no impact* would occur.

(f) Paleontological Resources. According to maps developed for the City's *General Plan 2030* and included in the General Plan 2030 EIR, the project site is located within an area mapped as the Holocene alluvium unit (SOURCE V.1b-DEIR Figure 4.9-5). Though Holocene alluvium is generally considered too young to contain paleontological resources, this geologic unit is moderately sensitive for paleontological resources because it is underlain by sedimentary geologic units that have a high paleontological sensitivity. The crystalline rocks that underlie the sedimentary rocks of the General Plan planning area have a low paleontological sensitivity because igneous and metamorphic rocks do not generally contain paleontological resources (SOURCE V.1b-DEIR Section 4.9).

Impact Analysis. While the project site does not contain known paleontological resources, construction activities could potentially destroy unknown paleontological resources. General Plan Action HA1.2.3 requires the City to notify applicants within paleontologically sensitive areas of the potential for encountering such resources during construction and condition approvals that work will be halted and resources examined in the event of encountering paleontological resources during construction. If the find is significant, the City would require treatment of the find in accordance with the recommendations of the evaluating paleontologist. Treatment may include, but is not limited to, specimen recovery and curation or thorough documentation. The City includes this requirement as a standard condition of approval, and therefore the impact potential impact to paleontological resources would be considered *less than significant*.

STANDARD CONDITION OF APPROVAL: In the event that paleontological resources are encountered during construction, work shall be halted in the vicinity of the find until it can be evaluated by a professional paleontologist. If a find is determined to be significant, treatment of the find in accordance with the recommendations of the evaluating paleontologist shall be required. Treatment may include, but is not limited to, specimen recovery and curation or thorough documentation.

8. Greenhouse Gas Emissions

(a) Greenhouse Gas Emissions. Climate change refers to any significant change in measures of climate, such as average temperature, precipitation, or wind patterns over a period of time. Climate change may result from natural factors, natural processes, and human activities that change the composition of the atmosphere and alter the surface and features of the land. Significant changes in global climate patterns have recently been associated with global warming, an average increase in the temperature of the atmosphere near the Earth's surface, attributed to accumulation of greenhouse gas (GHG) emissions in the atmosphere. Greenhouse gases trap heat in the atmosphere, which in turn heats the surface of the Earth. Some GHGs occur naturally and are emitted to the atmosphere through natural processes, while others are created and emitted solely through human activities. Climate change models predict changes in temperature, precipitation patterns, water availability, and rising sea levels, and these altered conditions can have impacts on natural and human systems in California that can affect California's public health, habitats, ocean and coastal resources, water supplies, agriculture, forestry, and energy use (SOURCE V.1b, DEIR volume).

The most common GHG that results from human activity is carbon dioxide, followed by methane and nitrous oxide. The primary contributors to GHG emissions in California are transportation (about 37 percent), electric power production (24 percent), industry (20 percent), agriculture and forestry (6 percent), and other sources, including commercial and residential uses (13 percent). Approximately 81 percent of California's emissions are carbon dioxide produced from fossil fuel combustion (SOURCE V.1b, DEIR volume).

In 2006, the California Legislature passed the Global Warming Solutions Act of 2006 (AB 32), which sought to reduce GHG emissions generated by California to 1990 emissions levels by the year 2020. AB 32 defines GHGs to include carbon dioxide, methane, nitrous oxide, hydrocarbons, perfluorocarbons and sulfur hexafluoride. In 2016, the Legislature followed up with SB 32, which requires California, by 2030, to reduce its statewide GHG emissions so that they are 40 percent below those that occurred in 1990.

In enacting both AB 32 (2006) and SB 32 (2016), the Legislature codified some of the ambitious GHG reduction targets included within certain Executive Orders issued by Governors Schwarzenegger and Brown. The 2020 statewide GHG reduction target in AB 32 was consistent with the second of three statewide emissions reduction targets set forth in former Governor Schwarzenegger's 2005 Executive Order known as S-3-05, which is expressly mentioned in AB 32. (See Health & Safety Code section 38501, subd. (i).) That Executive Branch document included the following GHG emission reduction targets: by 2010, reduce GHG emissions to 2000 levels; by 2020, reduce GHG emissions to 1990 levels; by 2050, reduce GHG emissions to 80 percent below 1990 levels. To meet the targets, the Governor directed several State agencies to cooperate in the development of a climate action plan. The Secretary of Cal-EPA leads the Climate Action Team, whose goal is to implement global warming emission reduction programs identified in the Climate Action Plan and to report on the progress made toward meeting the emission reduction targets established in the executive order.

In 2015, Governor Brown issued Executive Order, B-30-15, which created a "new interim statewide GHG emission reduction target to reduce GHG emissions to 40 percent below 1990 levels by 2030 is established in order to ensure California meets its target of reducing GHG emissions to 80 percent below 1990 levels by 2050." SB 32 codified this target.

In 2018, Governor Brown issued Executive Order B-55-18, which established a statewide goal to "achieve carbon neutrality as soon as possible, and no later than 2045, and maintain and achieve negative emissions thereafter." The order directs the CARB to work with other State agencies to identify and recommend measures to achieve those goals.

The California Air Resources Board (CARB) is the lead agency for implementing AB 32 and SB 32. In accordance with these statutes, CARB conducts an annual statewide GHG Emission Inventory that provides estimates of the amount of GHGs emitted to the atmosphere by human activities within California. In accordance with requirements of AB 32, CARB adopted an Initial Scoping Plan in 2008 and is required to update the scoping plan at least every five years. The First Update to the Scoping Plan, approved in 2014, established a 2030 emissions target of 40 percent below 1990 levels. The 2017 Scoping Plan identified a balanced mix of strategies to meet the State's 2030 GHG limit.

The current 2022 Scoping Plan for Achieving Carbon Neutrality (2022 Scoping Plan) was approved by CARB on December 15, 2022. The 2022 Scoping Plan lays out a path not just to carbon neutrality by 2045, but also to the 2030 GHG emissions reduction target. The 2022 Scoping Plan analyzed four scenarios, with the objective of informing the most viable path to remain on track to achieve the 2030 GHG reduction target. The scenario modeling indicates that, if the plan described in the Proposed Scenario is fully implemented, and done so on schedule, the State would cut GHG emissions by 85 percent below 1990 levels, result in a 71 percent reduction in smog-forming air pollution, reduce fossil fuel consumption by 94 percent, and create 4 million new jobs, among other benefits (SOURCE V.2a).

The 2022 Scoping Plan details "Local Actions" in Appendix D, which includes recommendations intended to build momentum for local government actions that align with the State's climate goals, with a focus on local GHG reduction strategies (commonly referred to as climate action planning) and approval of new land use development projects, including through environmental review under CEQA. The recommendations provided in Appendix D are non-binding and should not be interpreted as a directive to local governments, but rather as evidence-based analytical tools to assist local governments with their role as essential partners in achieving California's climate goals. Appendix D recognizes consistency with a CEQA-qualified GHG reduction plan such as a Climate Action Plan as a preferred option for evaluating potential GHG emission impacts under CEQA.

The City's *General Plan 2030* includes goals, policies, and actions on climate change, including reducing communitywide GHG emissions 30 percent by 2020, reducing 80 percent by 2050 (compared to 1990 levels), and for all new buildings to be emissions neutral by 2030.

In September 2022, the City adopted the 2030 Climate Action Plan (CAP) that updates the previous 2020 CAP that was adopted in 2012 and outlines measures and actions that are intended

to reduce GHG emissions, per capita, by approximately 40 percent below 1990 levels by 2030, meeting the California Senate Bill 32 target for 2030 to reduce total GHG emissions 40 percent below 1990 levels. The CAP also seeks to achieve a carbon neutrality goal by the year 2035 prior to the State's target carbon neutrality goal by 2045.

To further the City's progress toward reaching these targets, the CAP identifies measures intended to reduce the City's GHG emissions; these measures apply to municipal operations, as well as public and private projects. The targets in the CAP are consistent with the emissions reduction goals outlined in California Senate Bill 32 and progress the state toward achieving its goal of carbon neutrality by 2045 (Executive Order B-55-18). The CAP includes 31 measures with 152 associated individual actions, intended to reduce GHG emissions throughout the City. The measures include those related to building energy use and reduction, transportation, public infrastructure, and other climate restoration and sustainable government measures. Through implementation of its measures and actions, the CAP aims to reduce building energy consumption, vehicle miles traveled, solid waste generation, and increase carbon sequestration.

> *Impact Analysis.* The project would indirectly result in the generation of GHG emissions through new vehicle trips and on-going building operations (e.g., heating and cooling). CEQA Guidelines Section 15183.5 allows a lead agency to determine that a project's incremental contribution to a cumulative environmental impact is not cumulatively significant under CEQA if the project complies with the requirements in a previously adopted plan or mitigation program, under specified circumstances. A climate action plan may be used to streamline the CEQA GHG analysis process if it identifies specific GHG emissions reduction strategies and measures applicable to new development. GHG reduction programs that are applicable to new development are summarized in a CAP Project Review Checklist that is included in and adopted as part of the CAP. A project would be consistent with the CAP checklist by implementing all applicable actions in the CAP checklist, and if not, If a project cannot implement all applicable measures in the checklist, the project may be subject to a projects specific GHG analysis as part of the project's required CEQA review. The proposed project was not able to implement all the applicable measures in the CAP Project Review Checklist. Thus, Therefore, impacts associated with indirect GHG emissions resulting from the project are considered a *potentially significant impact*. Therefore, a project specific GHG emissions analysis, including quantified emissions, will be evaluated in an EIR.

(b) Conflicts with Applicable Plans. The project would not conflict with state plans adopted for the purpose of reducing GHG emissions. The General Plan 2030 EIR found no impacts related to conflicts with applicable plans related to GHG emissions and reduction strategies.

As described above, the Santa Cruz City Council adopted the 2030 CAP which addresses citywide greenhouse emissions and reduction strategies. The CAP incorporates a variety of measures and actions that focus on continued effort to reduce GHG emissions. The CAP provides City emissions inventories, identifies emissions reduction targets for the year 2030 and beyond, and includes measures and actions that are categorized into the following sections with corresponding measures and actions: building energy; transportation; water, waste, and wastewater; climate restoration; climate economy; and sustainable municipal government. These measures address

and cover topics related to building energy consumption, solar programs, building electrification, active/public transportation programs, including: ridesharing, electric vehicles, remote work policy and infrastructure, water consumption, solid waste reduction, wastewater treatment, urban forestry, green jobs, and municipal facilities. Each measure has supporting actions, states the GHG reduction potential, lists which City department is responsible for implementation, and explains the advantages and benefits of the specific action. The CAP also includes an Implementation chapter that outlines funding, implementation accountability, and monitoring / reporting procedures for the measures and actions. The project includes features that further reduce GHG emissions, consistent with measures included in the 2030 CAP as described above.

Impact Analysis. While the project incorporates some GHG reduction measures identified by the City in the CAP Project Review Checklist, the project was not found consistent with the City's CAP explained above. Given the foregoing, further review of the project and potential impacts related to conflicts with plans related to GHG emissions and reduction strategies will be included in the GHG emissions analysis in an EIR.

9. Hazards and Hazardous Materials

(a-b, c) Use or Release of Hazardous Materials or Creation of Hazard. . The proposed project consists of a mixed-use project, consisting of residential and commercial land uses, which would not involve the routine transport, use, or disposal of hazardous materials or wastes, except for typical household and commercial cleaning supplies. Thus, the project would not result in the creation of a significant public health hazard. The project site is not within a quarter mile of an existing or proposed school and would not result in stationary emission sources or hazardous emissions. Therefore, the project would result in *no impact*.

(d) Exposure to Hazardous Materials. According to a Phase 1 Environmental Site Assessment (ESA) prepared for the project site, there are four recognized environmental conditions (RECs) and one historical RECs (HRECs) associated with the project site. Site investigations found a small residual petroleum hydrocarbon groundwater plume and elevated fuel constituent VOCs and chlorinated VOCs in soil vapor associated with the former operations of an automobile repair station. Stained soil, poor housekeeping, former and current hazardous materials use and storage, and a former UST were observed. The project site is currently an open site assessment case under the oversight of the Santa Cruz Environmental Health Division (CSCEHD), Case No. RO0000375, GeoTracker Global ID T10000018627.

Impact Analysis. Project construction could result in release of and/or exposure to hazardous materials. Additional investigation was recommended in the Phase I ESA to evaluate the current subsurface environmental conditions. Additionally, given the project site's known petroleum hydrocarbon and VOC-impacted subsurface conditions, along with the possible presence of USTs, a Site Management Plan was recommended to address the special handling and disposal of the soil, groundwater, and unanticipated subsurface features (i.e., underground storage tanks) that could be encountered during future construction (SOURCE V.5g and V.5h). The presence of known hazardous RECs and HRECs on the project site is considered a *potentially significant impact* and will be analyzed in an EIR.

(e) Location Near Airports. The closest airport is the Watsonville Municipal Airport located more than 10 miles south in the City of Watsonville. The project site is not located within two miles of a public airport or private airstrip. Therefore, the project would result in *no impact*.

(f) Emergency Response. Existing access to the project site's 20 parcels is from Ocean Street and May Avenue via various private driveways. The project would consolidate site access by providing four vehicular access points to the project site; two from May Avenue and two from Ocean Street. The proposed driveway and primary internal access road would be a minimum 20 feet wide, allowing for emergency vehicle access. Also, under the proposed circulation conditions, vehicles would have multiple turnaround points. These changes to vehicle circulation would therefore improve access for residents, visitors, and emergency vehicles.

The project would not include any changes to existing public roadways that provide emergency access to the site, except for private access improvements described above. Therefore, the project would not impair implementation of or physically interfere with an emergency response or evacuation plan and would not result in an impact.

Currently, the City does not have an adopted evacuation plan detailing the specifics of how an evacuation of a neighborhood would occur because an evacuation would need to respond to the specific challenges posed by the specific disaster prompting the evacuation. However, evacuations are highly coordinated and closely managed by the Santa Cruz County Office of Emergency Services. If an evacuation were necessary, evacuation zones would be established, and designated zones would be evacuated at staggered times to minimize congestion of evacuees with notification provided to evacuees. Natural disaster evacuation is a city-wide and regional issue, and the project would have no implications for the City's established evacuation procedures.

The project would not include any changes to existing public roadways that provide emergency access to the site. Therefore, the project would have *no impact* related to interference with adopted emergency response or evacuation plans.

(g) Wildland Fire Hazard. The General Plan 2030 EIR indicated that future growth could result in an indirect increased risk of wildfires in the urban-rural interface and adjacent to the City's greenbelt areas. The EIR indicates that areas targeted as "likely" to have a wildland fire include the Arroyo Seco/Meder Canyon, DeLaveaga, Pogonip, Moore Creek area and Arana Gulch, and future growth in these areas could result in an indirect increased risk of wildfires in the urban-rural interface and adjacent to the City's greenbelt areas.

According to maps developed for the City's *General Plan 2030* and included in the General Plan 2030 EIR, the project site is not located within a high fire hazard area (SOURCE V.1b, DEIR Figure 4.6-1). The project is located in an urban area and does not contain significant sources of flammable materials (e.g., timber land). The project would meet all City requirements for access, and the building would be required to install fire sprinkler systems in accordance with City regulations. Therefore, the project would not expose people or structures to a significant

risk of loss, injury or death involving wildland fires, resulting in *no impact*. See also section IV.20 below.

10. Hydrology and Water Quality

(a) Water Quality/Discharges. The project does not involve discharges that would violate any water quality standards or waste discharge requirements.

Within urbanized areas such as the City, pollutants frequently associated with stormwater include sediment, nutrients, oil and grease, heavy metals, and litter. The primary sources of stormwater pollution in urban areas include automobiles, parking lots, landscape maintenance, construction, illegal connections to the stormwater system, accidental spills, and illegal dumping.

Urban runoff and other "non-point source" discharges are regulated by the 1972 Federal Clean Water Act (CWA), through the National Pollutant Discharge Elimination System (NPDES) permit program that has been implemented in two phases through the California Regional Water Quality Control Boards (RWQCB). Phase I regulations, effective since 1990, require NPDES permits for storm water discharges for certain specific industrial facilities and construction activities, and for municipalities with a population size greater than 100,000. Phase II regulations expand the NPDES program to include all municipalities with urbanized areas and municipalities with a population size greater than 10,000 and a population density greater than 1,000 persons per square mile (SOURCE V.1b. DEIR volume).

The City has developed a Storm Water Management Program (SWMP) in order to fulfill the requirements of the Phase II NPDES General Permit for Discharges of Storm Water from Small Municipal Separate Storm Sewer Systems (MS4) (General Permit) and to reduce the amount of pollutants discharged in urban runoff. In compliance with the Phase II regulations, the City's comprehensive SWMP is designed to reduce the discharge of pollutants to the Maximum Extent Practicable (MEP) and to protect water quality (SOURCE V.1b, DEIR volume).

The City also adopted an ordinance for "Storm Water and Urban Runoff Pollution Control" (Chapter 16.19 of the City's Municipal Code), as part of its Storm Water Management Plan in accordance with the RWQCB's requirements. The ordinance identifies prohibited discharges and requires BMPs for construction and new development. City regulations (Municipal Code section 16.19.140) requires that any construction project, including those undertaken under any permit or approval granted pursuant to Titles 15 (Streets and Sidewalks), 18 (Buildings and Construction), and 24 (Zoning) of the Municipal Code, shall implement BMPs including the City's mandatory BMPs as detailed in the latest BMP manual published by the City's Public Works Department. BMPs shall be maintained in full force and effect during the duration of the project. The City's BMP manual requires a development project to include structural or treatment control BMPs, or a combination of BMPs, to reduce potential pollutant loadings in storm water runoff to the maximum extent practicable.

The City's mandatory BMPs must be implemented to protect water quality into the municipal storm drain system. The project would also be subject to the Central Coast Post-Construction

Requirements (PCRs) that were enacted by the Central Coast RWQCB in July 2013. The PCRs are for projects that create and/or replace ≥2,500 square feet of impervious surfaces. Based on the amount of new/replaced impervious surface area created by the project (approximately 22,941 square feet), the project would be required to comply with Tiers 1 through 4 (Site Design, Water Quality Treatment, Runoff Retention, and Peak Management).

Construction activity on projects that disturb one or more acres of soil must obtain coverage under the State's General Permit for Discharges of Storm Water Associated with Construction Activity (Construction General Permit, 99-08-DWQ). Construction activity subject to this permit includes clearing, grading, and disturbances to the ground such as stockpiling or excavation. The Construction General Permit requires the development and implementation of a Stormwater Pollution Prevention Plan (SWPPP). The SWPPP must list best BMPs that the discharger will use to protect stormwater runoff and the placement of those BMPs. A Notice of Intent (NOI) and SWPPP must be prepared prior to commencement of construction.

Impact Analysis. The project could result in water quality degradation due to stormwater runoff and potential erosion during construction. However, the project is consistent with the City's stormwater management requirements, and potential erosion will be controlled with implementation of an erosion control plan as explained above in section V.7.B.

Project development would result in a net increase of 3,909 sf of impervious area for a total impervious area of 162,320 sf. Since the project exceeds the 22,500 threshold of replaced and new impervious surface, it is considered to fulfill Tier 4 of post-construction Best Management Practices (BMP) requirements. However, this project is exempted from the Tier 4 requirement because the ultimate stormwater discharge is routed to a "highly altered channel" (concrete lined Branciforte Creek), as described in the Santa Cruz's Chapter 6B of the Best Management Practices Manual for the City's Storm Water Management Program. Therefore, the project is proposing Tier 1 through Tier 3, whereby 10% of effective impervious area would be dedicated as retention-based treatment area.

A stormwater control plan (SWCP) has been prepared for the project that details drainage features to collect and treat stormwater runoff. Stormwater would be controlled with a rainwater harvesting system which would include 24 bioretention areas allowing stormwater to permeate into the ground. Due to the high groundwater of five feet below existing grade, underground storage chambers are not feasible. Therefore, during high-flow events, excess stormwater from each biorientation area would overflow through a drain to the curb before discharging into new eight- and twelve-inch storm drains, and ultimately into the May Avenue storm drain (SOURCE V.5d).

Based on the project plans and the City's mandatory water quality/discharge regulations described above, stormwater runoff as a result of the proposed development would not result in adverse impacts to water quality as the planned stormwater management system meets City requirements for stormwater treatment, resulting in a *less-than-significant impact*. The project would not result in waste discharge that would violate any water quality standards, resulting in *no impact*.

(b) Groundwater. The City is primarily developed, and no groundwater recharge areas are identified or mapped in the City's *General Plan 2030* or General Plan 2030 EIR; groundwater resources utilized as part of the City's water supply are obtained from aquifers outside of the City (SOURCE V.1b. DEIR volume). The General Plan 2030 EIR concluded that development accommodated by the General Plan would not be located within groundwater recharge areas and would have no effect on recharge capabilities, and therefore, would not deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table. (The General Plan 2030 EIR analyses are included on pages 4.5-40 to 4.5-42 of the Draft EIR volume.) Development within groundwater mapped recharge areas also is regulated in Municipal Code section 24.14.090 in order to minimize adverse environmental impacts.

The project site is not located within a water supply aquifer. The project would not include groundwater wells and would continue to receive municipal water from the City of Santa Cruz. The project would be connected to the City's public water system and does not include the use of a groundwater well. Thus, the project would not affect groundwater supplies or recharge or impede sustainable groundwater management of the basin. Therefore, the project would have *no impact* on groundwater supplies or recharge.

(c[i-iii]) Drainage. The project site is currently mostly developed with impervious surface area associated with the existing buildings and surface parking. The project site currently drains via sheet flow and curb and gutter to catch basins located as the northeast corner of Hubbard Street and May Avenue intersection and northeast corner of May Avenue and Water Street intersection. The stormwater that is collected at these two catch basins is then conveyed through city's main storm drain system and discharged to Branciforte Creek.

> *Impact Analysis.* Project development would result in a net increase of 3,909 sf of impervious area on the project site for a total impervious area of 162,320 sf. As described above in subsection (a), stormwater would be collected and treated onsite with a new storm drain system, including bioretention areas before being discharged into the City's storm drains. The project would not alter existing drainage patterns. The project's stormwater system is designed so that the project stormwater flows would not exceed the capacity of storm water facilities or result in substantial erosion. The project would not result in alteration of existing drainage patterns. The project would result in a minimal slight increase in stormwater runoff but would not exceed capacity of storm drainage systems with the planned stormwater management system. Therefore, the project would result in a *less-than-significant impact* related to drainage.

(d) Flood and Tsunami Zones. The project site is not located within a Federal Emergency Management Agency (FEMA) flood hazard area (SOURCE V.1b-DEIR Figure 4.7-1). The project site is not in a tsunami inundation zone (SOURCE V.1b-DEIR Figure 4.7-2). Therefore, the project would result in *no impact* related to release of pollutants in flood or tsunami zones.

Sea Level Rise. The General Plan 2030 EIR reported that sea level rise, storms of increasing intensity, and an alternating series of floods and droughts threaten the City of Santa Cruz in the

coming decades. The EIR indicated that the City was in the process of drafting a "Climate Change Adaptation Plan" to identify and evaluate the potential impacts of climate change on the City of Santa Cruz, analyze the severity of the hazards that the City faces, and develop potential adaptation responses to reduce the risk and exposure of the City to these hazards.

The City prepared a "Climate Adaptation Plan" with funding from FEMA. The objectives of this Plan are to identify and evaluate the potential impacts of climate change on the City of Santa Cruz, analyze the severity of the hazards that the City faces, and develop potential adaptation responses to reduce the risk and exposure of the City to these hazards. The potential risks were identified in a "Vulnerability Study" that identified potential facilities vulnerable to risks of sea level rise, including beaches, the City's wastewater treatment facility, and the Santa Cruz Harbor (SOURCE V.1b, DEIR volume). The Climate Adaptation Plan Update 2018-2023, adopted by the City Council in October 2018, further addresses sea level rise.

The project site is not located within an area identified as being subject to potential effects of coastal storm hazards or sea level rise (SOURCE V.2e). The project site also doesn't contain any critical facilities, listed in the Climate Adaptation Plan, which provide essential services and protect life and property within the City. Thus, there would be *no impact* related to sea level rise.

(e) Conflict with Plans. The project site is not located adjacent to a water course or water body The project would not result in new discharges or conflict with provisions in the Central Coast Basin Plan as all project stormwater would be directed into the City's storm drain system with pre-treatment in a bioretention basin to prevent water quality degradation in accordance with the City's stormwater requirements. A sustainable groundwater management plan for the area in which the project is located has not yet been prepared. Therefore, the project would not conflict with or obstruct implementation of an adopted water quality or groundwater plans and there would be *no impact*.

11. Land Use and Planning

(a) Physical Division of Community. The project site is located within a developed urban area of the City. The project would not physically divide an established community. and would result in *no impact*.

(b) Consistency with Local Policies/Plans. The project site has a General Plan designation of Mixed-Use Medium Density (MXMD), and zoning designations of MU-OH Mixed Use Ocean High Density and MU-OM Mixed Use Ocean Medium Density. The project will require a review of potential project conflicts with plans, policies or regulations adopted for the purpose of avoiding or mitigating an environmental effect. Until the review is complete, this is considered a *potentially significant impact* that will be evaluated in an EIR.

12. Mineral Resources

There are no mines or areas of known mineral resources within the City (SOURCE V.1b-DEIR). Therefore, the project would have *no impact* on mineral resources.

13. Noise

(a) Noise Increases. The project area is located in the Ocean Street neighborhood. The noise assessment conducted for the General Plan 2030 EIR indicates that noise levels along Ocean Street between the southerly terminus of Highway 17 and Broadway would be within the 65-decibel (dB) contour within 70 feet of the centerline of the road. (SOURCE V.1b, DEIR Figures 4.13-1 and 4.13-2). Ambient noise levels are characterized by vehicular traffic and activities along Ocean Street and adjoining streets.

For commercial uses, normally acceptable exterior noise levels are 70 dB and conditionally acceptable levels are identified as 60-70 dBA (SOURCE V.1b-DEIR volume). For multi-family residential uses, normally acceptable exterior noise levels are 65 dB and conditionally acceptable levels are identified as 60-70 dB (Ibid.). An interior CNEL of 45 dBA is mandated by the State of California Noise Insulation Standards (California Code of Regulations, Title 24, Part 6, Section T25 28) for multiple-family dwellings and hotel and motel rooms. Since normal noise attenuation within residential structures with closed windows is about 20 dBA, an exterior noise exposure of 65 dBA Ldn allows the interior standard to be met without any specialized structural attenuation (e.g., dual paned windows) (Ibid.). For typical residential construction (i.e., light frame construction with ordinary sash windows), the minimum amount of exterior to interior noise reduction is at least 20 dBA with exterior doors and windows closed and approximately 15 dBA with windows partially open for ventilation. Buildings constructed of stucco or masonry with dual-glazed windows and solid core exterior doors can be expected to achieve an exterior to interior noise reduction of approximately 25-30 dBA (Ibid.).

At the end of 2018, amendments to the State CEQA Guidelines were adopted by the State of California that included changes to the Appendix G environmental checklist, including elimination of questions related to exposure to noise. The questions focus on the potential temporary and permanent noise generated by a project.

Impact Analysis. the proposed project would result in varying increases in temporary and permanent noise levels as discussed below. The nearest sensitive noise receptors are residential uses located east of May Avenue and north of the project site.

Temporary Noise Increases. There would be a temporary increase in existing noise levels during demolition, earthwork, and construction of the project, which is anticipated to occur over an approximate two- and half--year period. Construction noise levels would depend on the noise generated by various pieces of construction equipment, the timing and duration of noise-generating activities, and the distance between construction noise sources and noise-sensitive receptors, as well as existing ambient noise levels. The highest noise levels would be generated during demolition and grading, with lower noise levels occurring during building construction and finishing. As explained in the General Plan

2030 EIR, construction sound levels would be intermittent and varied through a single day as well as throughout the duration of project construction.

The *General Plan 2030* includes goals, policies and actions that set forth measures to avoid and minimize adverse impacts of increased noise resulting from construction or operation of development projects (HZ3.1.1,HZ3.1.2, HZ3.1.3, and HZ3.1.5). The General Plan 2030 EIR concluded that with implementation of General Plan policies and adherence to City regulations, temporary noise impacts from future development would be less than significant. The General Plan EIR concluded that development accommodated by the plan would result in construction of varying sound level and duration, but with implementation of General Plan policies and actions that set forth measures to minimize exposure construction noise levels, the increase in temporary noise levels from construction-related activities would be considered less than significant. General Plan policies seek to minimize and monitor construction noise (HZ3.1.3, HZ3.1.5). In particular, the General Plan seeks to ensure that construction activities are managed to minimize overall noise impacts on surrounding land uses (HZ3.1.3). (The General Plan 2030 EIR analyses are included on pages 4.13-20 to 4.13-22 of the Draft EIR volume.)

Development projects are reviewed on a case-by-case basis, and typical conditions of approval include limiting the day and times of day during which construction and/or heavy construction can be conducted, provision of notification to neighbors regarding construction schedules, and implementation of a process to receive and respond to noise complaints. These are some of the types of measures that would be required by the City to manage and minimize construction noise impacts of development projects per proposed General Plan Actions HZ3.1.3 and HZ3.1.5 (SOURCE V.1b, DEIR volume), which would be considered uniformly applied development policies and standards.

Construction of the proposed project would result in temporary increases in noise levels that would be variable throughout the construction period. Sensitive noise receptors in the vicinity would experience a temporary increase in noise levels. However, construction sound levels would be intermittent and varied through a single day as well as throughout the duration of project construction, and construction noise levels would decrease with distance from the construction site. Overall, construction noise levels would be temporary and short-term, and would fluctuate throughout the construction period with the construction activities producing higher noise levels occurring earlier in the construction phase. Therefore, construction noise would not result in substantial increases in temporary noise levels or result in a significant impact to sensitive receptors, and the project would result in a *less-than-significant impact* regarding temporary noise increases.

Permanent Noise Increases. The project would result in new include residential development and commercial space, which are not uses that are typically associated with activities that would generate substantial permanent increases in ambient noise levels. Operational noise from the project would include exterior mechanical equipment. The project parking area would be within an enclosed, partially underground, parking garage that due to being enclosed, would create a shield to vehicular noise.

The project mechanical equipment would largely be limited to the roof. Mechanical equipment would be enclosed and/or screened in order to attenuate sound from this source and to comply with City regulations. Section 24.14.260 prohibits five dB (dBA) increases of sound levels above the local ambient noise level on a residential property. . In addition, Municipal Code section 24.14.220 indicates that no land or building in any district shall be used or occupied in any manner so as to create noise or vibration in such a manner or in an amount as to adversely affect the surrounding area or adjoining premises. Municipal Code section 9.36.010 prohibits offensive noise between the hours of 10 PM and 8 AM, and section 9.36.020 prohibits unreasonably disturbing noises. These regulations are intended to prevent increases in ambient noise levels. The following standard condition of approval will be included in the Project Conditions of Approval.

> **STANDARD CONDITION OF APPROVAL:** All new mechanical equipment and appurtenances, including gas and water meters, electrical boxes, roof vents, air conditioners, antennas, etc. visible from the public way and from adjacent properties, shall be screened with material compatible with the materials of the building and shall be subject to the approval of the Zoning Administrator. Prior to issuance of a building permit, the applicant shall provide documentation confirming that all heat pumps comply with the City's noise standards.

Net traffic increases resulting from the project would contribute to incremental increases in noise, but would not be of the magnitude to result in a significant impact. The General Plan 2030 EIR analyses found that noise increases related to traffic increases resulting from future development could increase noise levels adjacent to Ocean Street by 1-2 dB, which was below the threshold of significance for impacts related to permanent noise increases. (The General Plan 2030 EIR analyses are included on pages 4.13-18 to 4.13-20 of the Draft EIR volume.) The proposed project would result in a net increase of approximately 180 PM peak hour trips, which when added to existing traffic volumes, would increase noise levels by less than 0.5 dB, which is less than the 3-dB increase identified for significant impacts in the General Plan 2030 EIR. Therefore, the project would not result in a significant increase in noise levels due to increase vehicle trips.

Therefore, the project would not result in generation of a significant temporary or permanent increase in ambient noise levels, and impacts are considered *less-than-significant impact*.

(b) Vibration. Vibration is an oscillatory motion through a solid medium, in which the motion's amplitude can be described in terms of displacement, velocity, or acceleration. Typically, groundborne vibration generated by heavy equipment or traffic on rough roads attenuates rapidly with distance from the source of the vibration so that potential impact areas are confined to short distances. Ground vibration generated by construction equipment spreads through the ground and diminishes in magnitude with increases in distance. The effect on buildings located in the vicinity of the construction site often varies depending on soil type, ground strata, and construction characteristics of the receiver building(s). The results from vibration can range from no perceptible effects at the lowest vibration levels, to low rumbling sounds and perceptible vibration at moderate levels, to slight damage at the highest levels.

Construction-related ground vibration is normally associated with impact equipment such as pile drivers, jackhammers, and the operation of some heavy-duty construction equipment, such as dozers and trucks. Vibration decreases rapidly with distance.

Impact Analysis. The project would not result in generation of or exposure to vibration as the proposed residential and commercial uses are not known to be sources of vibration. The General Plan 2030 EIR indicates that there were no planned land uses that would be expected to result in generation of groundborne vibration, and that the potential for vibration is mostly associated with construction-related impacts.

Based on recommendations described in the geotechnical investigation (SOURCE V.5e), construction of the project would not require pile-driving or drilling for the project. Construction, and potentially resulting vibration, would be performed during daytime hours and would be temporary in nature, although standard construction equipment typically does not generate substantial levels of vibration.

In conclusion, project construction or future residential uses would not result in activities or use of equipment that would create excessive vibration or exposure people to excessive vibration and impacts would be *less than significant*.

(c) Location Near Airport. The closest airport is the Watsonville Municipal Airport located more than 10 miles south in the City of Watsonville. The project is not located near a public airport or private airstrip, and therefore would result in *no impact*.

14. Population and Housing

(a) Inducement of Substantial Population Growth. The City had a population of 63,224 people as of January 1, 2023.[3] The project's 389 residential units would result in an increased population of approximately 895 residents based on the City's existing average household size of 2.3. With the addition of the project's residents, the City's population would total 64,119. This is within the adopted regional population forecast of 68,845 for the City of Santa Cruz for the year 2025 (SOURCE V.3a), and also within the population forecast of 64,649 residents in the City in 2025 that was considered in the General Plan 2030 EIR.

Impact Analysis. The project is consistent with current regional forecasts and would not substantially induce unplanned population growth. Therefore, this increase in population would be within planned growth, and the project would result in a *less-than-significant impact* related to population growth.

(b) Displacement of People or Housing. The project would result in demolition of 12 existing, dwelling units, six of which are currently occupied. The applicants have submitted a tenant

[3] California Department of Finance. May 2023. "E-5 Population and Housing Estimates for Cities, Counties, and the State, 2020-2023." Available online at: https://dof.ca.gov/forecasting/demographics/estimates/e-5-population-and-housing-estimates-for-cities-counties-and-the-state-2020-2023/.

relocation plan to the City demonstrating that all units will be vacated prior to the commencement of construction, and that tenants in good standing will be eligible for relocation assistance and first right of refusal in compliance with local and state tenant relocation requirements. Thus, the project would not displace people or result in a substantial displacement of housing. The project would result in future construction of 389 new residential units, replacing the units to be demolished, and would not require construction of replacement housing elsewhere, and there would be *no impact*.

15. Public Services

(a-b, d-e) Fire, Police, Parks, and Other Public Services. The project would be served by existing public services. The project would have no measurable effect on existing public services in that the incremental increase in demand would not require expansion of any services to serve the project. Construction of new fire or police facilities to serve the project would not be warranted. New development would be required to install automatic fire sprinklers and alarms in accordance with City requirements and comply with other Fire Department recommendations regarding access.

As indicated in Section III.B above, the City's General Plan 2030 EIR considered construction of approximately 3,350 residential units throughout the City to the year 2030 (SOURCE V.1b-DEIR volume). The project would slightly exceed the overall amount of residential development evaluated at a program level in the General Plan 2030 EIR, although the amount of commercial development throughout the City is about half of what was estimated in the General Plan 2030 EIR. The EIR analyses concluded that impacts of potential development and buildout accommodated by the General Plan would be less than significant for fire and police protection services and parks and recreation.

> *Impact Analysis*. The proposed project would result in an incremental demand for police and fire protection services and park facilities. The proposed project would slightly exceed the total amount of potential development analyzed in the General Plan 2030 EIR in combination with other constructed and approved developed, resulting in approximately 75 more residential units than analyzed in the EIR. Although, this level of development would not be considered substantial in that it is not anticipated that a new fire or police protection facility or park would be required as a result of the project, potential impacts to police and fire protection services and parks will be further reviewed in an EIR.

(c) Schools. Schools and educational services are provided to City residents by the Santa Cruz City Schools District (SCSD), as well as a number of private schools, for grades K through 12. The SCSD is comprised of an elementary and a high school district, governed by a common Board of Education and a general administrative staff. The district serves students residing in the City of Santa Cruz and in county locations from Davenport to Soquel. There are six schools serving nearly 2,000 students in the elementary district, including a Dual Immersion Program. The secondary district includes two middle schools, three comprehensive high schools, a

continuation school, an independent studies program and a home school program with a combined population of approximately 4,660 students. [4]

Impact Analysis. The project would result in future construction of 389 multi-family residential units. The proposed residential units would be served by the SCSD. Development of the project would result in an estimated student enrollment increase of 80 students throughout all grades [5]. Due to declining enrollment over the past five years, schools serving the project site (DeLaveaga Elementary, Branciforte Middle School, and Harbor High School) have adequate capacity to serve the project based on current enrollments, and expansion would not be required to serve the project.

In accordance with Section 65995(h) of the California Government Code, the project would be required to pay school impact fees to the SCSD at the time of the building permit issuance. These fees are used to mitigate impacts associated with long-term operation and maintenance of school facilities. The project applicant's fees would be determined at the time of the building permit issuance and would reflect the most current fee amount established by the SCSD. School fees from residential and commercial uses would help fund necessary school service and facilities improvements to accommodate anticipated population and school enrollment growth within the SCSD service area and would allow for the SCSD to allocate these funds as deemed necessary. Pursuant to Government Code Section 65995, payment of development fees is "full and complete mitigation" for impacts on schools. Therefore, the project would result in a *less-than-significant impact* on public schools.

16. Recreation

(a) Use of Existing Parks and Recreational Facilities. The City has responsibility for management, maintenance, and operation of over 1,700 acres of parks and open space lands, and various community/recreational facilities, and oversees development of new parks and improvements within City-owned parks, open space, and community facilities. The nearest recreational facilities to the project site include: 1) Grant Park, located north of the project site adjacent to Grant Street, 2) Central Park, located south of Water Street adjacent to Ocean Street, and 3) San Lorenzo Park, located between the San Lorenzo River and the Santa County Administrative Building at 701 Ocean Street.

As indicated in Section III.B above, The City's General Plan 2030 EIR considered construction of approximately 3,350 residential units throughout the City to the year 2030 (SOURCE V.1b-DEIR volume). The EIR analyses concluded that impacts of potential development and buildout accommodated by the General Plan would be less than significant for parks and recreation.

[4] https://www.sccs.net/administration/district_profile

[5] Based on an average generation rate of .2055 students per household per the SCSDs *2022 Developer Fee Justification Study for the Santa Cruz School Districts*, Schoolworks Inc., June 2022, page 5.

Impact Analysis. The proposed project would result in an increase in residential population with an incremental increased demand for and use of public parks and recreational facilities. The proposed project would slightly exceed the total amount of potential development analyzed in the General Plan 2030 EIR in combination with other constructed and approved developed, resulting in approximately 75 more residential units than analyzed in the EIR. However, this level of development would not be considered substantial in that it is not expected that park or recreational facility use as a result of the project would lead to substantial deterioration of any one park facility. However, this impact will be further reviewed in an EIR.

Furthermore, the City imposes a "Parks and Recreation Facilities Tax" (pursuant to Chapter 5.72 of the Municipal Code) on new residential development within the City, payable at the time of issuance of a building permit. The collected taxes are placed into a special fund, and "shall be used and expended solely for the acquisition, improvement and expansion of public park, playground and recreational facilities in the City" (Municipal Code section 5.72.100). The required fees for park expansion and improvements would be considered an application of uniformly applied development standards. (It is noted that projects that have dedicated land or fees in accordance with Municipal Code Chapter 23.28 requirements for subdivisions are exempt from this tax).

(b) New Recreational Facilities. The project does not include public recreational facilities. Therefore, the project would result in *no impact* related to potential significant impacts resulting from provision of new park or recreational facilities.

17. Transportation/Traffic

(a) Conflict with Circulation Plan, Policy, or Ordinance. The project site is located on Ocean Street, a major transportation corridor serving the City. It is bordered by commercial businesses on Ocean and Water streets. Vehicular project access would be provided from Ocean Street and May Avenue. The Santa Cruz Metro Transit District (METRO) has bus route service adjacent to the project stie along Ocean Street. The project site is within a half-half mile from the Santa Cruz Metro Center, which provides routes to other locations in the county. Additionally, the project site is served by METRO routes along both Ocean Avenue (Route 35) and Water Street (Routes 1,2, and 90X) which are adjacent to the project site. Class II bike paths are located on the east and west side of Ocean Avenue, and the Santa Cruz Riverwalk (a Class I multi-use pathway) extends along the levee of the San Lorenzo River just west of the project site.

The *General Plan 2030* includes goals, policies and actions that set forth comprehensive measures to reduce vehicle trips, increase vehicle occupancy, encourage use of alternative transportation modes, and promote alternative-sustainable land use patterns, all of which would help reduce vehicle trips, avoid and minimize adverse impacts related to traffic. In particular, several policies and actions that call for implementation of road, pedestrian, bicycle and transit improvements through the City's Capital Improvement Program and other sources (M2.1.3, M2.3.2, M3.2.2). The proposed project is an infill, mixed-use development project that is encouraged in the General Plan and is located in area designated for higher density that is proximity to transit, bicycle and pedestrian facilities. Thus, the project is consistent with City

policies that promote sustainable land use patterns, mixed-use development, and consolidation of parcels along transit corridors to encourage use of other transportation modes (LU4.2, 1, LU4.2.1, LU3.7, LU3.8, CD3.3, and M1.1.

The City's General Plan strives to maintain the established "level of service" D or better at signalized intersections (M3.1.3). "Level of service" (LOS) is typically used to evaluate traffic operations, in which operating conditions range from LOS "A" (free-flowing) to LOS "F" (forced-flow). The City's General Plan also accepts a lower level of service and higher congestion at major regional intersections, if necessary, improvements would be prohibitively costly or result in significant, unacceptable environmental impacts (M3.1.4).

A transportation study prepared for the project found that all signalized intersections in the project vicinity would operate at acceptable LOS with the project (SOURCE V.5k).

The project would not conflict with any policies, programs or regulations addressing the circulation system, including transit, roadway, bicycle and pedestrian facilities. The project is located in a developed area near transit, services, and recreation with a sidewalk and bike lane network. The project provides onsite bicycle parking facilities in accordance with City requirements; the project would include 486 bicycle spaces for the residential units and eight for the commercial uses, for a total of 494 spaces. The project location is in proximity to transit, bicycle, and pedestrian facilities, which would facilitate use of alternative modes of transportation, consistent with General Plan transportation policies and goals. To improve vehicular, pedestrian and bicycle circulation, the project transportation study identified a number of minor recommendations to the project plans that will be considered by City and included as Project Conditions of Approval.

Therefore, the project would not conflict with plans or policies regarding the City's circulation system. Additionally, the project would be required to pay the City's traffic impact fee at the time of building permit issuance. These fees are used to address needed traffic improvements at key intersections for circulation and also for alternative transportation improvements; 15 percent of the collected traffic impact fees are allocated to alternative transportation improvements. Therefore, the project would result in *no impact* with regards to potential conflicts with circulation policies.

(b) Conflicts with State CEQA Guidelines. CEQA Guidelines section 15064.3, subdivision (b) codifies the switch from LOS to vehicle miles traveled (VMT) as the metric for transportation analysis pursuant to state legislation adopted in 2013. In September 2013 Governor Brown signed Senate Bill 743 which made significant changes to how transportation impacts are to be evaluated under CEQA. SB 743 directs the Governor's Office of Planning and Research (OPR) to develop a new metric to replace LOS as a measure of impact significance and suggests vehicle miles travelled as that metric. According to the legislation, upon certification of the guidelines, automobile delay, as described solely by LOS shall not be considered a significant impact (Section 21009(a)(2)). SB 743 also creates a new CEQA exemption for certain projects that are consistent with the regional Sustainable Communities Strategy.

CEQA Guidelines section 15064.3(b) indicates that development projects that exceed an applicable VMT threshold of significance may indicate a significant impact. Generally, projects within one-half mile of either an existing major transit stop or a stop along an existing high-quality transit corridor should be presumed to cause a less than significant transportation impact. Projects that decrease vehicle miles traveled in the project area compared to existing conditions should be presumed to have a less than significant transportation impact.

In accordance with the amended CEQA Guidelines, the City has transitioned from intersection LOS formerly used for traffic impact analyses to VMT as the metric for determining potentially significant impacts. The City adopted a VMT transportation threshold on June 9, 2020, in accordance with CEQA and state requirements, as well as VMT Implementation Guidelines that are consistent with the State's SB 743 Guidelines. The threshold generally establishes that a project exceeding a level of 15 percent below the County-wide average VMT may result in a significant transportation impact. The City's adopted SB 743 (VMT) Implementation Guidelines include potential Transportation Demand Management (TDM) measures to help achieve VMT reduction. Updates to the City's Guidelines were adopted on June 14, 2022.

The City's guidelines to determine whether a land use project is within the VMT threshold includes a screening process in which situations are identified under which projects are determined to not have a significant impact and further VMT analysis is not required. The guidelines require that each distinct land use for a mixed-use project be analyzed separately unless they are determined to be insignificant to the total VMT. The guidelines also state that housing projects are expected to cause a less-than-significant impact on VMT if a high percentage of the project is affordable, as determined by the City. Furthermore, projects, or portions of a project, which meet the screening criteria do not require a CEQA transportation analysis, and such projects, or portions of a project, will have a non-significant CEQA transportation impact based on their project location and characteristics. According to the City's guidelines, projects that would not be expected to result in a significant VMT impact and that are screened out from further transportation impact review include:

- Small projects that generate fewer than 110 trips per day;
- Projects near high quality transit: within a ½ mile of a major transit stop or a high-quality transit corridor with a combined service interval frequency of 15 minutes or less during the AM and PM peak hours;
- Local-serving retail if a single store is less than 50,000 square feet or project is a local-serving project as determined by the City;
- Affordable housing projects that provide a high percentage of affordable housing as determined by the City;
- Local essential service, including day care center, public K-12 schools, police or fire facility, medical/dental office building, government offices, and supportive housing types (assisted living, permanent supportive housing, memory care, etc.);
- Map based screening; and
- Redevelopment projects that do not result in a net increase in VMT (SOURCE V.2d).

Furthermore, the *General Plan 2030* includes goals, policies and actions that set forth comprehensive measures to reduce vehicle trips, increase vehicle occupancy, encourage use of alternative transportation modes, and promote alternative-sustainable land use patterns, all of which would help reduce vehicle trips and VMT, and avoid and minimize adverse impacts related to traffic. The General Plan 2030 EIR indicates that Policies M3.1.1 and M3.1.2 direct the City to seek ways to reduce vehicle trip demand, reduce the number of peak hour vehicle trips, and encourage high occupant vehicle travel. Implementation of General Plan policies that serve to reduce VMT would be considered uniformly applied development policies or standards. General Plan policies also encourage employment-related strategies (i.e., flextime, telecommuting, parking management, ridesharing) (M3.1.7, M3.1.8, M2.4.4) as ways to reduce vehicle trips, which would also reduce VMT.

Impact Analysis. City staff reviewed the project in accordance with the City's adopted guidelines. The proposed project meets the screening criteria because it is located in a VMT Efficient Area based on the Santa Cruz County Residential Screening Map, and, therefore, the project is located in an area that produces VMT per capita that is at least 15-percent below the Countywide average). In addition to the map-based screen criteria, as described above in section (a), the project is also within ½ mile of a major transit stop that provides service at an interval of 15 minutes or less during AM and PM peak hours. The proposed project can use the screening criteria in the City's SB 743 Implementation Guidelines as follows.

- Projects near High-Quality Transit: This screening criterion is met as the proposed project is within one-half mile of a high-quality transit stop (Santa Cruz Metro Center) as defined by California Public Resources Code section 21064.
- Local-Serving Retail: This screening criterion covers commercial uses that would be considered local-serving retail uses and not exceed the screening level of 50,000 square feet. The proposed commercial use would be considered locally serving commercial retail.

For these reasons, according to the City's guidelines, the project would not result in a significant impact related to VMT based on the City's adopted threshold and guidelines and is screened out from further VMT impact review. Therefore, the project would result in a *less-than-significant impact* related to VMT and would not conflict or be inconsistent with CEQA Guidelines section 15064.3.

(c) Design-Safety. Design safety included roadway geometric design (e.g., sharp curves) in incompatible uses that could result in a hazard. The project site currently contains a number of private driveways that are accessed from Ocean Street and May Avenue. The project has been designed in accordance with standard City requirements, and there are no access designs that would substantially increase hazards. The project would not result in increased hazards related to project design, would not provide inadequate emergency access, and would not result in new significant impacts, would result in *no impact* related to project design that could result in substantial increases in hazards.

(d) Emergency Access. Adequate emergency access to the project site is required for police, fire and emergency services. The project has been designed in accordance with City police and fire department requirements and would provide for adequate emergency access. The project would provide four vehicular access points to the project site. Two driveways would be from May Avenue, one at the center and one at the southeast corner of the project site. These driveways would provide access to surface parking and a residential garage on the ground-floor of Building B. The southeasterly driveway would also provide direct truck access to a trash/recycling enclosure. On the southwest corner of the project site fronting Ocean Street, residential access would be provided by a driveway to a basement garage in Building A. Commercial and visitor access, as well as residential ground-floor garage access would be from a driveway on Ocean Street, east of Blaine Street.

All driveways and internal roadways would be reviewed as part of the Design Review process to ensure there is adequate emergency access, consistent with current City regulations. Therefore, the project would result in *no impact* related to emergency access.

18. Tribal Cultural Resources

(a and b) Tribal Cultural Resources. The California Public Resources Code section 21084.2 establishes that "[a] project with an effect that may cause a substantial adverse change in the significance of a tribal cultural resource is a project that may have a significant effect on the environment." The requirements for review of impacts to tribal cultural resources (TCR) were added after the certification of the General Plan 2030 EIR. In addition, the City provided notice of the project to local Native American tribes in accordance with AB 52 and to determine whether tribal cultural resource(s) are present within the project area, and if so, whether or not those resources would be significantly impacted by the project.

Assembly Bill (AB) 52 requires that California lead agencies consult with a California Native American tribe that is traditionally and culturally affiliated with the geographic area of a project, if so requested by the tribe. AB 52 also specifies that a project with an effect that may cause a substantial adverse change in the significant of a tribal cultural resource (TCR) is a project that may have a significant effect on the environment. Defined in Section 21074(a) of the Public Resources Code, a TCR is a site feature, place, cultural landscape, sacred place, or object, which is of cultural value to a California Native American tribe and is either listed in or eligible for listing in the California Register of Historical Resources or a local historic register, or the lead agency, at its discretion, chooses to treat the resource as a TCR.

On April 21,2022, in accordance with Public Resources Code Section 21080.3.1, subd. (b), Amah Mutsun Tribe, which is traditionally and culturally affiliated with a geographic area within the City, requested formal notice of and information on proposed projects that the City would serve as a lead agency under CEQA. The City provided notice to the tribe on December 21, 2023, and on December 27, 2023, the City received a formal request for consultation pursuant to AB 52. The City initiated consultation with members of the tribe on January 25, 2024. The results of the consultation and evaluation of any identified impacts to tribal cultural resources will be evaluated in an EIR.

19. Utilities and Service Systems

(a) Relocation or Construction of Utilities. Existing utilities are located on May Avenue including water, sewer, storm drain, and dry utilities. The project would be served by existing utilities. The project would include the extension of water, storm drain, sanitary sewer lines, and other utilities to the project site from May Avenue. These utilities would be located within the proposed driveways on the project site. The project would not require the relocation or construction of new utilities, other than extension of utility lines to serve the project, and, there would be *no impact*.

(b) Water Supply. The project site is located within the service area of the City of Santa Cruz Water Department, which serves an approximate 20-square-mile area. The service area includes the entire City of Santa Cruz, adjoining unincorporated areas of Santa Cruz County, a small part of the City of Capitola, and coastal agricultural lands north of the City. Water is treated at the City's Graham Hill Water Treatment Plant (GHWTP), except for groundwater, which is treated as part of the Beltz well system.

The City's water system is comprised of four main sources of supply: San Lorenzo River diversions (including the Tait wells); North Coast spring and creeks; Loch Lomond Reservoir; and the Beltz wells. Over the past decade, the North Coast sources represented 26 percent of the total water supply, the San Lorenzo River represented 55 percent, Newell Creek (Loch Lomond Reservoir) represented 14 percent, and Beltz wells contributed the remaining 5 percent (SOURCE V.2c).

The City's adopted 2020 Urban Water Management Plan (UWMP) indicates that annual water use has decreased since the early 2000s, but annual water use fell to a level of about 2.5 billion gallons, similar to the level experienced during the 1970s drought. However, in 2020, demand was still at a similar level as 2015, about 2.6 billion gallons, despite several years above long-term average rainfall from 2016 and 2020. Current projections forecast that water use over the next 25 years, including projected population growth, will increase at a very slow rate to reach approximately 2.8 billion gallons per year by 2045 (SOURCE V.2c).

With implementation of the City's proposed water rights modifications and water supply augmentation strategies as summarized below, the City projects having sufficient water available in normal years and single dry years to serve anticipated demand throughout the 2020-2045 UWMP planning period. However, the City's 2020 UWMP predicts that under multi-year drought conditions in the near term (2025) with proposed water rights modifications but before implementation of the planned aquifer storage and recovery (ASR) facilities and planned infrastructure projects, available supplies would meet projected demand in years one through four of the multi-year drought scenario0, but would fall short of demand by 27 percent in year five, although such a shortage could occur sooner and persist longer through a multiple dry year period. Under multi-year drought conditions after 2030, with implementation of the ASR and planned infrastructure projects, available supplies would meet projected demand in years one through four of the multi-year drought scenario, and the year-five shortage is anticipated to be substantially reduced with projected shortages no larger than a negligible two percent or five percent with consideration of climate change parameters in dry years (SOURCE V.2c).

Impact Analysis. The proposed project would result in a net increase in water demand over existing demand due to increased residential units, which may be result in a *potentially significant impact* on the City's water supplies. Therefore, project water demand and potential impacts on the City's water supplies will be evaluated in an EIR.

(c) Wastewater Treatment Capacity. The project would be served by existing utilities, and the General Plan 2030 EIR concluded that the City's wastewater treatment facility would be adequate to handle growth and development accommodated by the General Plan and would not require expansion or construction of facilities to serve future growth. As indicated in section III.B above, the City's General Plan EIR considered development of approximately 3,350 residential units and 3,140,000 square feet of commercial, office, and industrial development within the City to the year 2030 (SOURCE V.1b, DEIR volume). (The General Plan EIR analyses are included on pages 4.6-41 to 4.6-43 of the Draft EIR volume.)

Impact Analysis. The proposed project would result in an incremental increase in wastewater flows. The proposed project would slightly exceed the total amount of potential residential development analyzed in the General Plan 2030 EIR in combination with other constructed and approved developed, resulting in approximately 75 more residential units than analyzed in the EIR. However, this level of development would not be considered substantial in that the City's existing remaining wastewater treatment capacity available to the City's serve area is approximately 4.0 million gallons per day, which is more than adequate to serve the project. The project would result in a net decrease in commercial space of approximately 18,000 sf. Thus, increased wastewater generated by the project would result in a *less-than-significant impact* on wastewater treatment capacity.

(d-e) Solid Waste Disposal. The General Plan 2030 EIR concluded that the City's landfill would be adequate to handle growth and development accommodated by the General Plan and would not require expansion or construction of facilities to serve future growth. As indicated in section III.B above, the City's General Plan EIR considered development of approximately 3,350 residential units and 3,140,000 square feet of commercial, office, and industrial development within the City to the year 2030 (SOURCE V.1b, DEIR volume). The EIR analyses concluded that impacts of potential development and buildout accommodated by the General Plan would be less than significant for solid waste disposal.

Impact Analysis. The proposed project would result in increased generation of solid waste. The proposed project would slightly exceed the total amount of potential development analyzed in the General Plan 2030 EIR in combination with other constructed and approved developed, resulting in approximately 75 more residential units than analyzed in the EIR. However, this level of development would not be considered substantial as it would be offset by the remaining development potential for commercial, industrial, and office development, which to date has totaled approximately half what was evaluated in the General Plan 2030 EIR. However, this impact will be further reviewed in an EIR.

20. Wildfire

(a) Emergency and Evacuation Plans. Existing and proposed access to the project site is from Ocean Street and May Avenue. The project includes four new driveways but would not include any changes to existing public roadways that provide emergency access to the site. Therefore, the project would not substantially impair an adopted emergency response or evacuation plan and would result in *no impact*.

(b, d) Exacerbate Wildfire Impacts. The project site is not located in or near a state responsibility area nor a high fire hazard area as identified in the City's *General Plan 2030* (SOURCE V.1b-DEIR Figure 4.6-1). The project site is located in a developed urban area and would not significantly increase exposure to wildland fire hazards or exacerbate wildfire risks as the site is not located adjacent to or in proximity to a wildfire hazard area. Therefore, the project would result in *no impact*.

(c) Installation of Infrastructure. Infrastructure includes 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. The project would not require installation of infrastructure that would exacerbate fire risks. Utility connections to the project site would be underground within an existing developed urban area. Therefore, the project would not expose people or structures to a significant risk related to wildfires, and there would be *no impact*. See also section VI.9(g) above.

21. Mandatory Findings of Significance

(a) Quality of the Environment. As indicated in this Initial Study, potential cultural resources impacts will be further reviewed in an EIR. The project would have a no significant effect on biological resources, and would not degrade the quality of the environmental or otherwise substantially adversely affect fish and wildlife habitats or threaten to eliminate a plant or animal community, and there would be *no impact* related to these biological resources.

(b) Cumulative Impacts. Cumulative impacts related to development accommodated by the City's General Plan were found to be less than significant in the General Plan 2030 EIR, except for potential significant cumulative impacts related to traffic, water supply, population, and noise. These and other potentially significant cumulative impacts will be further reviewed in an EIR.

(c) Substantial Adverse Effects on Human Beings. As indicated in this Initial Study, potential exposure of sensitive receptors to pollutant emissions and potential hazardous materials releases will be further reviewed in an EIR. No other environmental effects have been identified that would have direct or indirect adverse effects on human beings.

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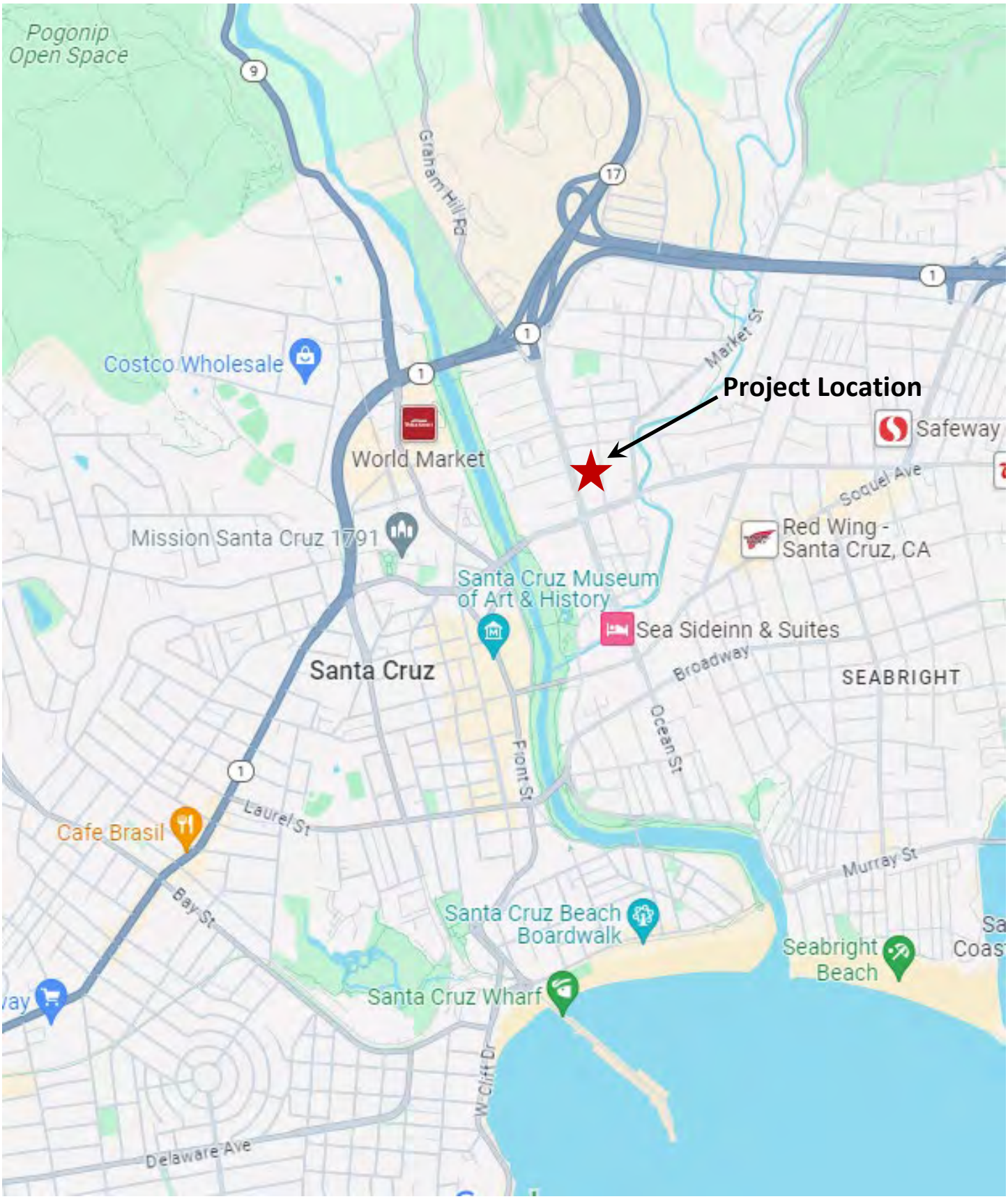


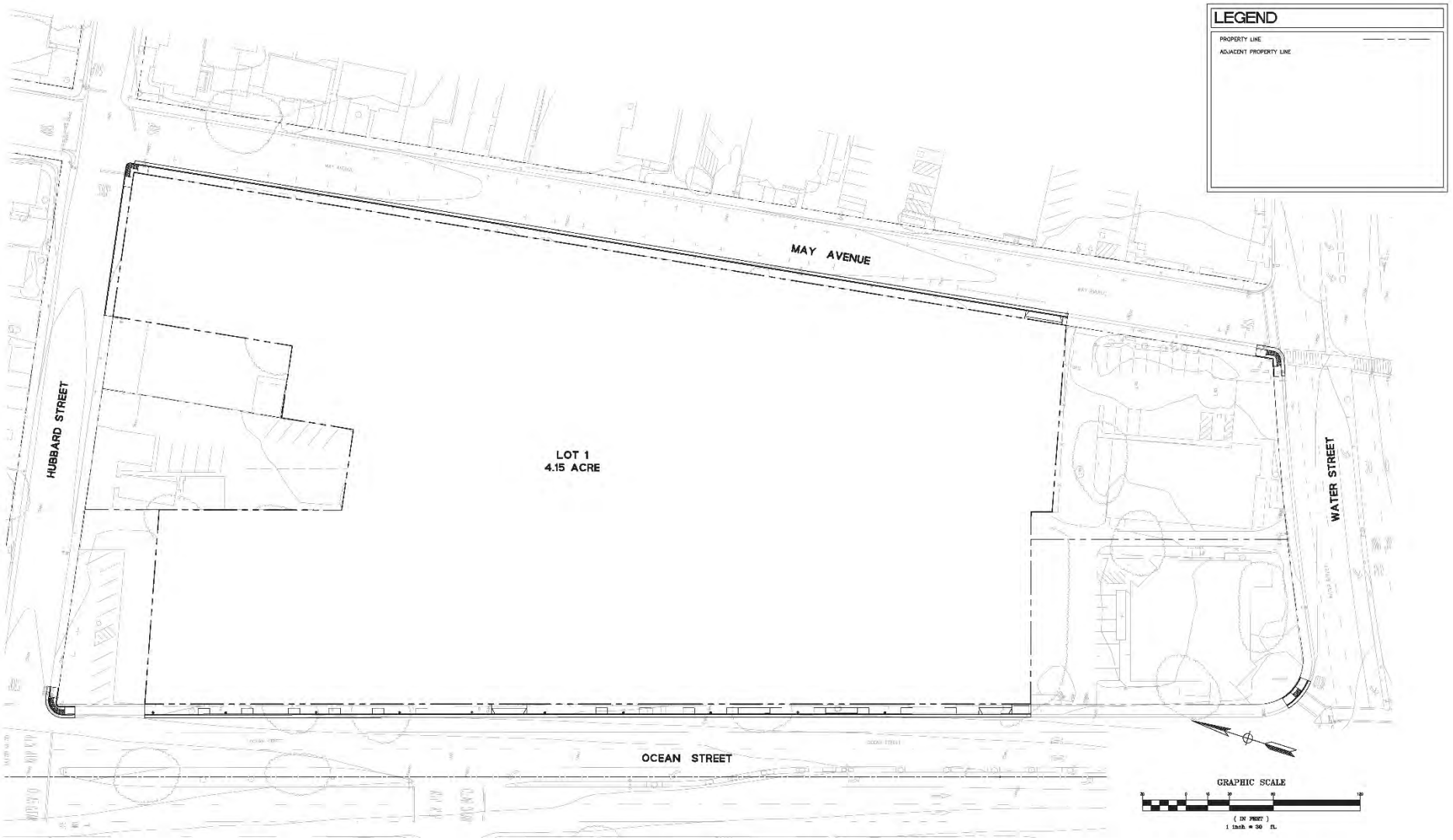
Source: Kimley-Horn, 2024

Figure 1 Project Location

908 Ocean Street
Initial Study

Kimley»Horn

Not to scale

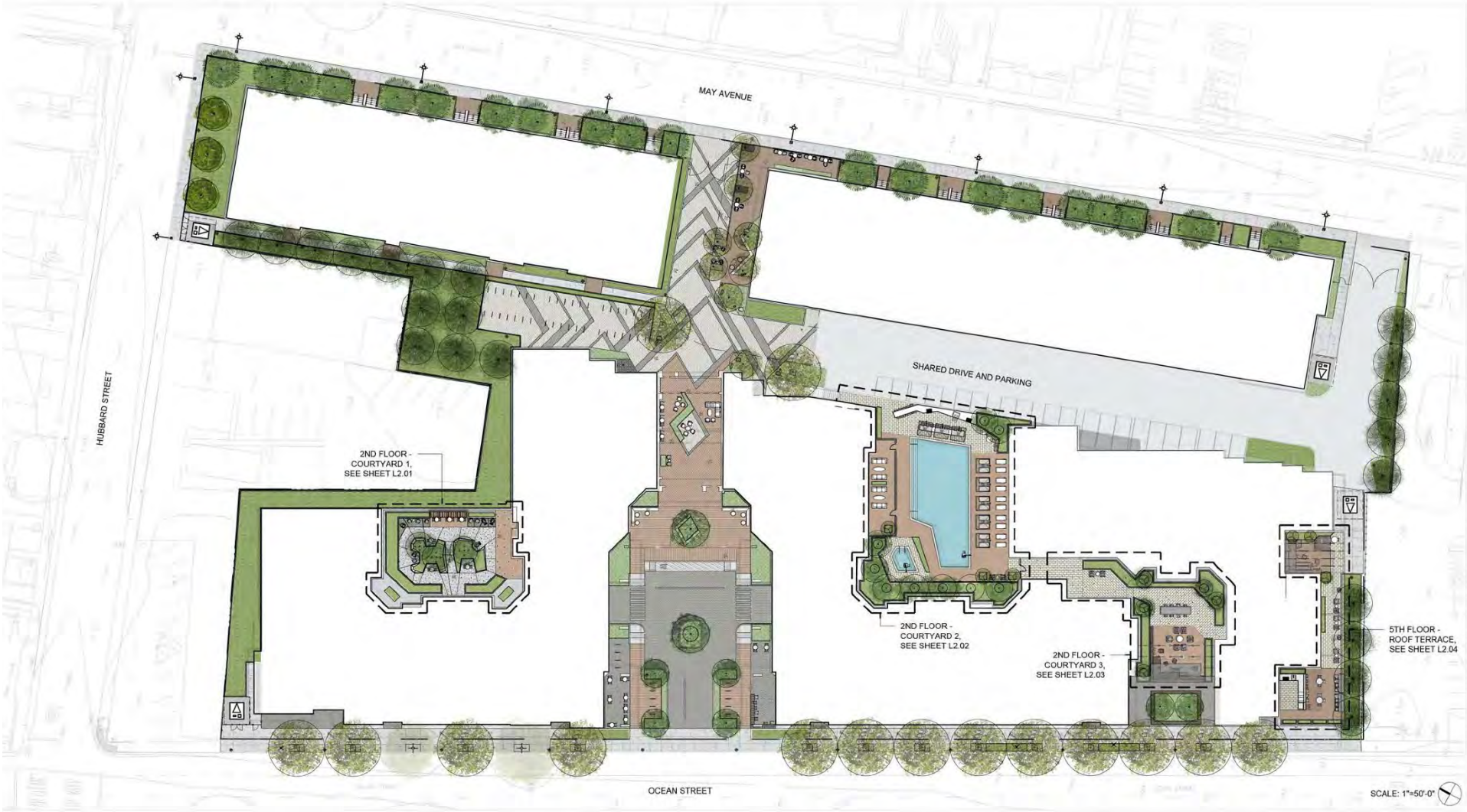


Source: BKF Engineers and High Street Residential 2024

Figure 2 Vesting Tentative Parcel Map

908 Ocean Street

Initial Study



Source: BDE Archiects and High Street Residential 2024

Kimley»Horn

Not to scale

Figure 3 Composite Site Plan

908 Ocean Street

Initial Study

PERSPECTIVE - EAST ON OCEAN 4

PERSPECTIVE - WEST ON OCEAN 2

PERSPECTIVE - PASEO LOOKING INTO LOGGIA 3

PERSPECTIVE - OCEAN FROM BLAINE STREET 1

Source: BDE Archiects and High Street Residential 2024

Kimley»Horn

Figure 4 Project Perspectives from Ocean Street

908 Ocean Street

Initial Study

PERSPECTIVE - BLDG B - EAST ON MAY 2

PERSPECTIVE - BLDG C - HUBBARD & MAY 3

PERSPECTIVE - MIDBLOCK ON MAY AVE 1

Source: BDE Archiects and High Street Residential 2024

Kimley»Horn

Figure 5 Project Perspectives from May Avenue

908 Ocean Street

Initial Study