

CITY OF SANTA CRUZ
Notice of Exemption

To: Clerk of the Board
County of Santa Cruz
Governmental Center
701 Ocean Street
Santa Cruz, CA 95060

Office of Planning and Research
1400 Tenth Street, Room 121
Sacramento, CA 95814

From: City of Santa Cruz, Planning Dept., 809 Center Street, Room 206, Santa Cruz, CA 95060

Project Title: Food Bin – 1130 Mission Street Project

Assessor's
Project Address: 1130 Mission Street
Parcel No.: 006-203-24, -25

Project Location: City of Santa Cruz
County of: Santa Cruz

Project Description: The project consists of a Nonresidential Demolition Authorization Permit to demolish two commercial buildings, Boundary Adjustment to combine two parcels, and a Design Permit, Special Use Permit, Watercourse Development Permit and Heritage Tree Removal Permit to construct a five-story mixed-use building consisting of 2,627 square feet of ground floor commercial space and 48 single room occupancy (SRO) residential units above. The project also includes a request for density bonus including waivers to exceed building height, setbacks, and FAR, as well as proposes to utilize AB2097 to reduce on-site parking. The proposed mixed-use development would provide 12 parking spaces, 6 new trees, landscaping, and open space for residents. The project would connect to the existing City water, storm drain, and sanitary sewer infrastructure.

Name of Person or Agency Carrying Out Project: Jamileh Cannon, Workbench

Name of Public Agency Approving Project: City of Santa Cruz

Exempt Status: (check one)

- Ministerial Project (Section 21080(b)(1); 15268).
- Categorically Exempt (Section 15332).
- Declared Emergency (Section 21080(b)(3); 15269(a)).
- Emergency Project (Section 21080(b)(4); 15269(b)(c)).
- Statutory Exemption (Code/Section _____).
- The project clearly will not have a significant effect on the environment (15061(b)(3)).

Reasons why project is exempt: The project has been determined to be exempt from the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section 15332 (Categorical Exemption, Class 32, Infill Development Projects) as explained below. CEQA provides several “categorical exemptions” which are applicable to categories of projects and activities that the Natural Resource Agency has determined generally do not pose a risk of significant impacts on the environment.

The Class 32 categorical exemption is for “infill development” projects that meet the following criteria:

- (a) The project is consistent with the applicable general plan designation and all applicable general plan policies as well as with applicable zoning designation and regulations;
- (b) The proposed development occurs within city limits on a project site of no more than five acres substantially surrounded by urban uses;
- (c) The project site has no value as habitat for endangered, rare or threatened species;
- (d) Approval of the project would not result in any significant effects relating to traffic, noise, air quality, or water quality; and
- (e) The site can be adequately served by all required utilities and public services.

The proposed project meets all of the foregoing criteria to claim the application of the infill exemption because the project is consistent with the General Plan 2030 land use designation and policies. City staff review has found the project consistent with zoning designations and regulations. Therefore, the project is consistent with the General Plan and zoning pursuant to subdivision (a) of section 15332.

The project site is located within City limits, is currently developed, and is substantially surrounded by existing developed uses that are considered urban uses in the downtown area. The City meets the definition of an urbanized area in the CEQA Guidelines. The project site is .287 acres with proposed offsite improvements, which is less than the maximum five acres as required for this exemption under subdivision (b) of section 15332.

The project site is currently developed and surrounded by development. The project site is not located within mapped areas of potential sensitive habitat as depicted in the City’s General Plan on maps developed for the City’s General Plan 2030 and included in the General Plan EIR, but is adjacent to riparian habitat along Laurel Creek. The project site is completely developed and does not contain sensitive or other habitat. The stretch of Laurel Creek adjacent to the site is an open channel, with a mixture of natural and concrete-lined side slopes and is comprised of non-native landscaping and non-native forbs and vines. The value of the riparian corridor to native wildlife is moderated due to its small size and the lack of native riparian vegetation that would provide cover and forage for native wildlife. However, it provides value due to the year-round presence of surface water and the structure of the woody vegetation likely provides perching, roosting, and nesting sites for several bird species. Common wildlife species adapted to urban land uses are expected to inhabit the creek and the adjacent landscaping. Approximately 68 square feet of the building will overhang the riparian corridor (16 feet above grade); however, this feature will not impact any existing riparian woodland vegetation. No special status plant species have been recorded for this property, and no special status species were observed and the potential presence of is considered very low due to the lack of suitable substrates/habitats and developed condition of the site. The majority of the proposed development will occur within areas supporting existing structures, parking areas, and non-native landscaping. The removal of this vegetation is not considered a significant impact to local or regional botanical resources. Therefore, the project site has no value as habitat for rare, threatened, or endangered species under subdivision (c) of section 15332.

The project would not result in significant impacts related to traffic, noise, air quality or water quality. The project therefore meets the criteria set forth in subdivision (d) of section 15332 as summarized below. The project would not result in significant impacts related to traffic transportation based on transportation reviews. No significant impacts related to noise would result from project operations or construction. Air emissions would not exceed adopted criteria air pollutant emissions thresholds, and the project would not result in conflicts with the Monterey Bay Air Resources District’s adopted Air Quality Management Plan. The project is consistent with City regulations and requirements regarding

stormwater management for construction and operation, and the project would not result in significant impacts to water quality.

The site can be adequately served by all required utilities and public services, as existing utility infrastructure already serves the project area, thus meeting the criteria in subdivision (e) of section 15332.

The City has further considered whether the project is subject to any of the exceptions to the use of a categorical exemption found at CEQA Guidelines Section 15300.2. This section prohibits the use of categorical exemptions under the following circumstances:

- (a) for certain classes of categorical exemptions (including Class 5 but not Class 32), due to locations with particularly sensitive environmental conditions;
- (b) when the cumulative impact of successive projects of the same type in the same place, over time, is significant;
- (c) where there is a reasonable possibility that the activity will have a significant effect on the environment due to unusual circumstances;
- (d) where the project may result in damage to scenic resources, including but not limited to, trees, historic buildings, rock outcroppings, or similar resources, within a highway officially designated as a state scenic highway;
- (e) where the project is located on a state designated hazardous waste site; and (f) where the project may cause a substantial adverse change in the significance of a historical resource.

None of the exceptions to the exemptions under Section 15300.2 apply to the project in that the project site is not located in a mapped environmentally sensitive area, the project is not part of a larger project that could result in a cumulative impact, there are no unusual circumstances associated with the project or subject parcel, the project will not result in damage to resources associated with an officially designated scenic highway, the project site is not included on any lists compiled pursuant to Section 65962.5 of the Government Code related to Hazardous Waste Sites, and the project will not result in substantial adverse changes in the significance of a historical resource site in that there are no known historic resources on the property.

For all of these reasons, the City is able to document that the project qualifies for the Categorical Exemption found at CEQA Guidelines section 15332 for infill development projects, respectively, and that none of the potential exceptions to the use of a categorical exemption, as set forth in CEQA Guidelines section 15300.2, apply to this project or the project site.

Lead Agency

Contact Person: Ryan Bane

Phone: (831) 420-5141

Department: Planning & Community Development

Address: 809 Center Street, Room 206
Santa Cruz, CA 95060

Signature:  _____

Date: 5/30/24

Title: Senior Planner

Signed by Lead Agency

Signed by Applicant

If filed by applicant:

1. Attach certified document of exemption finding.
2. Has a notice of exemption been filed by the public agency approving the project? Yes No

Date Received for filing at County Clerk: _____

Date Received for filing at OPR: _____

Project Location

