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PLANNING AND COMMUNITY DEVELOPMENT DEPARTMENT
809 Center Street • Room 206 • Santa Cruz, CA 95060 • www.cityofsantacruz.com
Lee Butler, Director

November 20, 2019

NOTICE OF PREPARATION OF AN ENVIRONMENTAL IMPACT REPORT

RE: Riverfront Project

To Interested Agencies and Persons:

The City of Santa Cruz, as the lead agency, is preparing an Environmental Impact Report on the project described herein. Please respond with written comments regarding the scope and the content of the EIR as it may relate to your agency's area of statutory responsibility or your areas of concern or expertise. Your agency may need to use the EIR prepared by our agency when considering your permit or other approval for the project, if any is required. **Responses are due within 30 days of the receipt of this Notice, as provided by State law.** As such, written responses are requested to be received by 5:00 p.m. on December 19, 2019. The contact person's name and address are listed below. Please include the name and phone number of a contact person at your agency in your response.

*****A public scoping meeting/open house will be held on Wednesday, December 4, 2019 at 5:30 p.m. at the Loudon Nelson Center, Multi-purpose Room, 301 Center St., Santa Cruz, CA 95060, in Santa Cruz. You or members of your agency or organization are invited to attend to provide comments on the scope and content of environmental information to include in the EIR.*****

1. **Project Location.** The approximately 0.98 -acre (42,684 -square-foot) project site encompasses five parcels in downtown Santa Cruz, along Front Street and adjacent to the San Lorenzo River levee, at 418, 428, 440, 504, and 508 Front Street in Santa Cruz, California (APNs 005-151-39, -22, -30, -31, -50). The project site is partially located within the Front Street/Riverfront subarea of the Downtown Plan within the coastal zone, approximately 0.6 miles north of the Monterey Bay. See Location Map at the end of this Notice and Figure 1 in the environmental checklist for the project area boundaries. The environmental checklist can be accessed at:
<http://www.cityofsantacruz.com/government/city-departments/planning-and-community-development/active-planning-applications-and-status/front-st-riverfront-apartments>.

The site is bounded by a parking lot/business just north of Cathcart Street on the north, the Santa Cruz Riverwalk/San Lorenzo River on the east, a commercial building operated as the Santa Cruz

Fellowship Hall on the south, and Front Street on the west. The site currently contains three commercial buildings and at-grade, paved parking lots with associated areas of landscaping that include some large, mature trees.

2. **Project Description.** The proposed project consists of demolition of the existing structures on the site and construction of a seven-story, mixed-use building with 175 residential condos and 11,498 square feet of ground-floor and levee-front commercial space on the property. A total of 20 residential units would be designated as affordable housing, with 15 units for very-low-income households and 5 units for low-income households. The project is eligible for a 35-percent density bonus and the applicant is seeking a 31.6-percent density bonus pursuant to state and local law (Government Code Section 65915 and City of Santa Cruz Municipal Code Chapter 24.16, Part 3). Access to the project site would be provided from two new driveways on Front Street—one at the north end of the site and one at the south end of the site. A parking garage with two levels (one at grade with Front Street [Level 1] and one below ground [Level B-1]) would provide parking for a total of 187 vehicles.

The project would also include placement of approximately 3,500 cubic yards of engineered earthen fill on the west levee slope along San Lorenzo River. The fill would result in creation of a uniform elevation between the existing Santa Cruz Riverwalk and the proposed project. The area of fill occurs along 490 of linear feet of levee and would cover approximately 15,500 square feet.

The following approvals and permits would be required from the City of Santa Cruz: Coastal Permit, Historic and Non-Residential Demolition Authorization Permits, Design Permit, Tentative Map, Special Use Permit, Administrative Use Permit, Revocable License for Outdoor Extension Area, Heritage Tree Removal Permit, and Street Tree Removal.

3. **Project Applicant.** LHH Partners, LLC, P.O. Box 377, Santa Cruz, CA 95061
4. **Probable Environmental Effects of the Project.** After completing a preliminary review of the project, as described in Section 15060 of the CEQA Guidelines, and preparing an environmental checklist for the project, the City has determined that an EIR should be prepared to assess the potentially significant environmental impacts of this project. The City has identified the following possible effects of the project as topics for analysis in the EIR. The City will consider the written comments received in response to this Notice of Preparation in determining whether any additional topics should be studied in the Draft EIR. No other potentially significant impacts were identified based on the reviewed in the environmental checklist. The checklist is available for review on the City's website at: <http://www.cityofsantacruz.com/government/city-departments/planning-and-community-development/active-planning-applications-and-status/front-st-riverfront-apartments>.
 - *Cultural Resources* – Potential impacts to historical resources on the project site will be reviewed. Two of the commercial buildings (418 and 428 Front Street) were found to be individually eligible for listing in the California Register of Historical Resources under Criterion 3 (Architecture), and both buildings are included in the City's Historic Building Survey.

- *Energy* – Potential impacts related to project energy use will be quantified and reviewed.

The City will consider the written comments received in response to this Notice of Preparation in determining whether any additional topics should be studied in the Draft EIR.

4. Contact Person Name and Phone Number:

Samantha Haschert, Senior Planner
City of Santa Cruz Planning and Community Development Department
809 Center Street, Rm. 101
Santa Cruz, CA 95060
Phone: (831) 420-5196
Email: SHaschert@cityofsantacruz.com

Responses to this Notice of Preparation are due by **December 19, 2019**.

Sincerely,



Samantha Haschert
Senior Planner

Attachments:
Location Map

The map shows the city of Santa Cruz, California, with a grid of streets and various landmarks. The Project Site is marked with a red arrow pointing to a location near the intersection of Highway 1 and Highway 17. The map includes labels for various landmarks such as Santa Cruz Harbor, Santa Cruz Beach, and the Mission Lands of Santa Cruz. The Project Site is located in the central part of the city, near the intersection of Highway 1 and Highway 17.

City of Santa Cruz
ENVIRONMENTAL CHECKLIST
FOR DETERMINATION OF CEQA EXEMPTION

I. BACKGROUND

1. **Application No:** CP18-0153
2. **Project Title:** Riverfront Project
3. **Lead Agency Name and Address:**
City of Santa Cruz Planning and Community Development Department
809 Center Street, Room 101
Santa Cruz, CA 95060
4. **Contact Person and Contact Information:**
Samantha Haschert, Senior Planner
(831) 420-5196; SHaschert@cityofsantacruz.com
5. **Project Location:** 418, 428, 440, 504, and 508 Front Street (APNs 005-151-39, -22, -30, -31, -50); see Figure 1.
6. **Project Applicant / Sponsor Name and Address:**
LHH Partners, LLC
P.O. Box 377
Santa Cruz, CA 95061
7. **General Plan Designation:** Regional Visitor Commercial (RVC); the project site is located within the Front Street Riverfront Corridor planning area of the Downtown Plan
8. **Zoning:** Central Business District (CBD), CZ-O – Coastal Zone Overlay, FP-O – Floodplain Overlay
9. **Other Public Agencies Whose Approval is Required:**
 - U.S. Army Corps of Engineers (USACE): Approval of a Section 408 Letter of Permission to allow the placement of fill between the landward side of the San Lorenzo River levee and the proposed building and to allow for the development of an outdoor extension area adjacent to the Santa Cruz Riverwalk path
10. **Have California Native American tribes traditionally and culturally affiliated with the project area requested consultation pursuant to Public Resources Code section 21080.31? No**

II. PROJECT DESCRIPTION

Proposed Uses and Site Plan. The proposed project consists of a Coastal Permit, Historic and Non-Residential Demolition Authorization Permits, Design Permit, Tentative Map, Special Use Permit, Administrative Use Permit, Revocable License for Outdoor Extension Area, Heritage Tree Removal Permit, and Street Tree Removal Permit to remove one street tree and two heritage trees, to combine five parcels, demolish two historic commercial buildings including one of which is listed on the City's Historic Building Survey, and construct a seven-story, mixed-use building with 175 residential condominium units and 11,498 square feet of ground floor and levee front commercial space. A total of 20 residential units would be designated as affordable housing, with 15 units for very-low-income households and 5 units for low-income households. The site is located within the Front Street/Riverfront subarea of the Downtown Plan.

The new mixed-use building would be approximately 188,694-gross-square-foot (GSF). The project would consist of three buildings, including a parking garage with two levels of parking (one partially below ground and one at grade with Front Street), eight ground-floor commercial units (five on Level 1 along Front Street and three on Level 2 along the Riverwalk) totaling approximately 11,498 square feet, and 175 residential dwelling units. The proposed residential units include 53 studios, 89 one-bedroom units, and 33 two-bedroom units (approximately 118,285 square feet) on levels two through seven. In addition, the new buildings would include a total of 6,059 square feet of amenity space, such as a lounge, game room, and fitness space; 2,489 square feet of private rooftop outdoor space for the residential units; and 1,568 square feet of lobby space.

The three buildings would be arranged on the site from north to south and would be separated by two pedestrian passageways, providing two publicly accessible connections and plazas adjacent to the Riverwalk with about 15,493 square feet of new public space. Table 1 lists the project components and their respective sizes. The project site plan is shown on Figures 2A and 2B.

Table 1. Summary of Project Components

Program Space	Dwelling Units	Commercial Units	Size (GSF)
Shared (Basement Level B-1)	0	0	40,728*
Shared (Level 1 Parking Area)	0	0	38,458
Building 1 (North)	40	2	30,752
Building 2 (Middle)	73	5	67,148
Building 3 (South)	62	1	52,336
Total	175	8	188,694

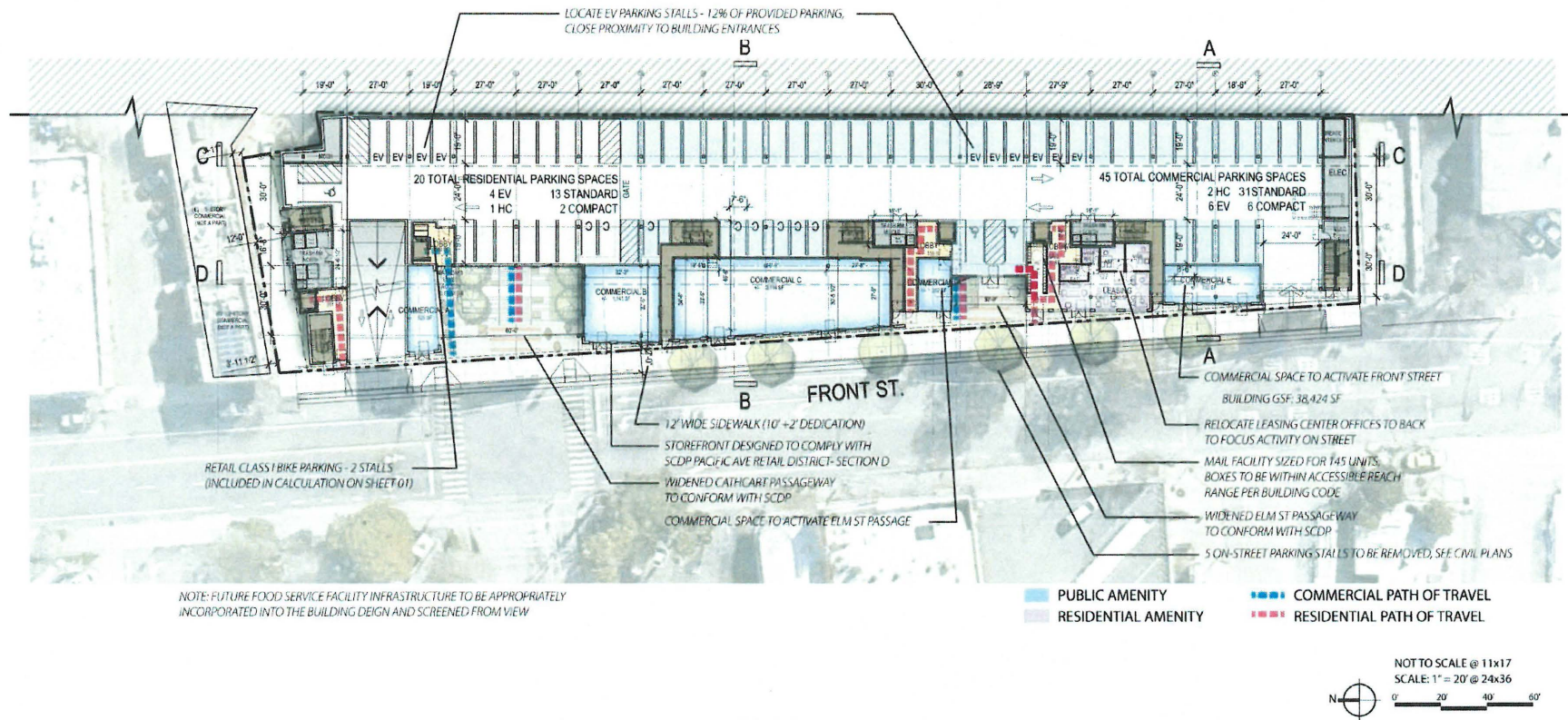
*Note Level B-1 not included in GSF.

FIGURE 1: Project Location



Source: Bing Maps 2019, Dudek 2019.

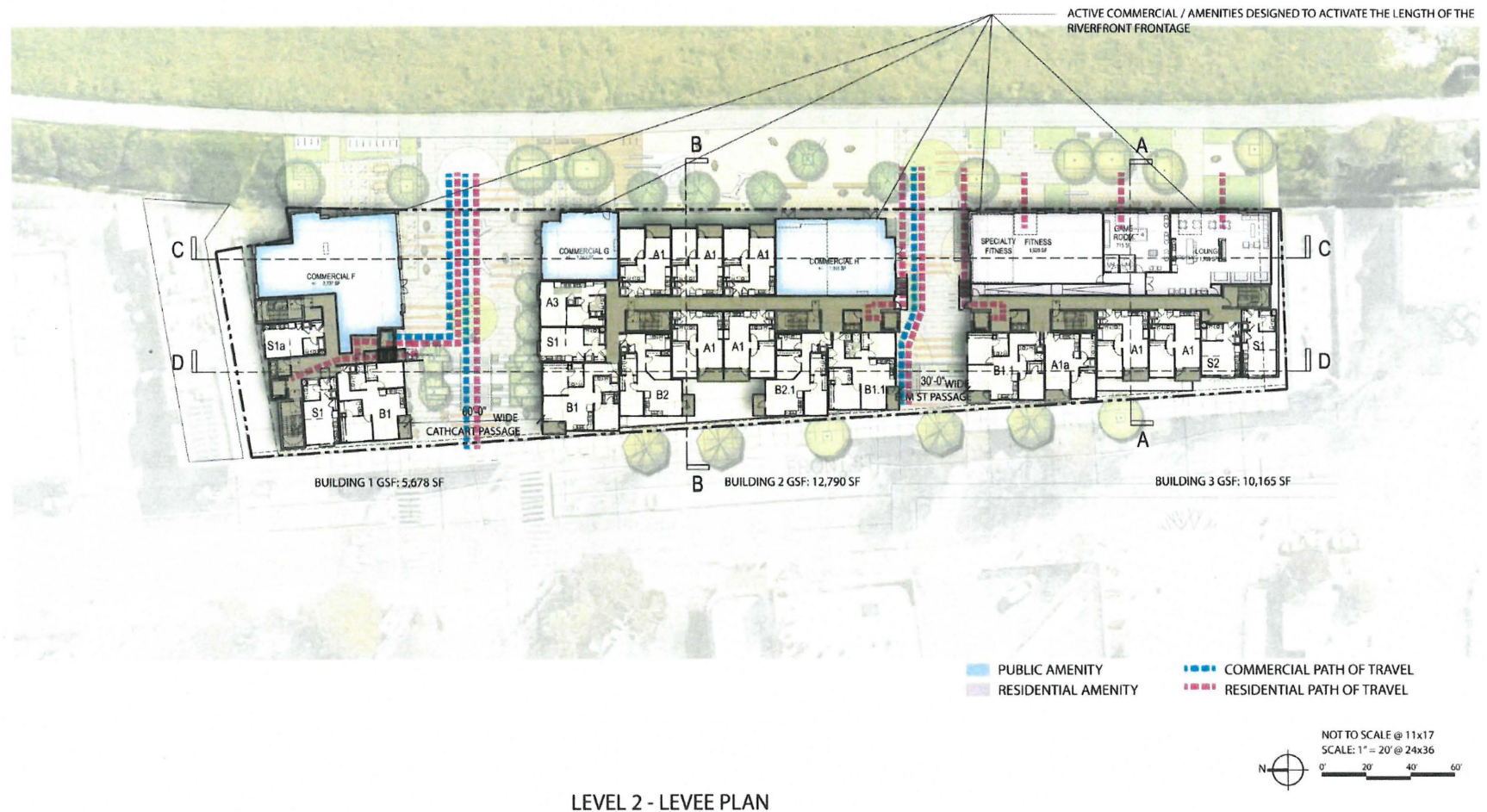
FIGURE 2A: Site Plan – Level 1 (Front Street Level Plan)



LEVEL 1- FRONT STREET LEVEL PLAN

Source: Humphreys & Partners Architects, L.P. 2019.

FIGURE 2B: Site Plan – Level 2 (Levee Plan)



Source: Humphreys & Partners Architects, L.P. 2019.

The project's floor area ratio (FAR) would be 4.4,¹ which is within the allowed FAR for the RVC land use designation established in the General Plan, which allows a FAR of up to 5 in the downtown area.

Density Bonus. The project applicant is seeking a 35-percent density bonus pursuant to state and local law (Government Code Section 65915 and City of Santa Cruz Municipal Code Chapter 24.16, Part 3). A "density bonus" is "a density increase over the otherwise maximum allowable residential density as of the date of application by the applicant to the [municipality]" (Government Code Section 65915[f]). The purpose of this law is to encourage municipalities to offer incentives to housing developers that will "contribute significantly to the economic feasibility of lower income housing in proposed housing developments" (Government Code Section 65917). Government Code Section 65915 mandates that local governments provide a density bonus, if requested by the developer, when a developer agrees to construct any of the following: (1) 10 percent of total units for lower income households; (2) 5 percent of total units for very-low-income households; (3) a senior citizen housing development or mobile home park restricted to older persons, each as defined by separate statute; or (4) 10 percent of units in a common interest development for moderate-income families or persons. (Government Code Section 65915[b][1][A]-[D]).

The project qualifies for the density bonus because 11 percent of the housing units allowed under existing development standards (15 units) would be for very-low-income households. Neither the General Plan nor zone district land use designations regulate density, however, the General Plan specifies maximum floor area ratios, and the CBD zone district references development standards in the Downtown Plan that limit the size of a building and the related density. The Downtown Plan includes standards for the height, bulk, and upper floor setbacks for any new residential/mixed use structure. Under development standards allowed in the Downtown Plan, the applicant determined that 133 units could be developed on the site (SOURCE V.10²), and the City has concurred with this estimate. A 35-percent density permitted per the state density bonus increase would result in 47 additional units for a total of 180 units provided that 11 percent of the allowable 133 units are for very-low-income households. The applicant is requesting an additional 42 units for a total of 175 units, which is 5 units less than the maximum number allowed by State Density Bonus Law. The project qualifies for a density bonus because 11 percent of the allowable 133 units (15 units) would be for very-low income households. Because the project qualifies for a density bonus pursuant to Government Code Section 65915(b)(1)(B) and the applicant has requested it, the City has no discretion about whether to grant the density bonus pursuant to state law.

The density bonus would allow the project to have certain incentives, concessions, and waivers to provide for affordable housing as described in the City's Municipal Code Section

¹FAR calculation for the project: 188,694 GSF building floor area ÷ 42,684SF lot area = 4.4. FAR is the gross floor area permitted on a site divided by the total net area of the site. For example, on a site with 10,000 net square feet of land area, a FAR of 1.0 would allow a maximum of 10,000 gross square feet of building floor area to be built. On the same site, a FAR of 3.5 would allow 35,000 square feet of floor area.

² All references and data sources are listed in Section V of this document.

24.16.255. Additionally, per the Downtown Plan, a project that is located within Additional Height Zone B, is located on a parcel greater than 15,000 square feet, and is eligible for a density bonus is also eligible for additional height up to 70 feet and a maximum of five floors above commercial. Section J.1 of the Downtown Plan also allows for the City to consider slight variations to the Downtown Plan development standards upon demonstration that the resulting project will better achieve plan and community objectives.

The project applicant has requested the following density bonus waivers and incentives/concessions, as well as Design Variations to the Downtown Plan development standards to accommodate the 42-unit bonus and to better achieve plan and community objectives:

- Waiver of building height standards in Additional Height Zone B to increase in maximum building height from 70 feet and 5 stories above ground floor commercial to approximately 81 feet and 6 stories above ground floor commercial
- Waiver of the Skyline Architectural Variation standard to allow the top floor to exceed 60-percent of the area of the floor below and 60-percent of each building's length on Front Street
- Waiver of setback requirements to reduce required setbacks above 50 feet on Front Street and Riverfront frontages
- Design Variation to the Front Street/Riverfront Corridor Development Standards and Design Guidelines in the Downtown Plan to increase the distance between the southernmost pedestrian passageway and the future extension of Elm Street.
- Density Bonus Incentive/Concession to reduce required 10-foot setbacks above 35 feet along pedestrian passageways.

Access and Parking. Access to the project site would be provided from two new driveways on Front Street—one at the north end of the site and one at the south end of the site. Five existing parking stalls would be removed on Front Street.

A parking garage with two levels (one at grade with Front Street [Level 1] and one below ground [Level B-1]) would provide parking for a total of 187 vehicles. A total of 45 commercial (i.e., short-term) parking stalls and 20 residential parking stalls would be provided on Level 1. Level B-1 would contain 122 residential parking stalls, including some spaces configured in tandem stalls. Seventeen of the residential stalls and two of the commercial stalls would be electric vehicle (EV) charging stations. The total 187 vehicle parking spaces proposed would exceed the standards set forth in City Municipal Code Section 24.16.256, which allows for lower parking requirements for housing developments eligible for a density bonus and which provide at least 11 percent very low income units, are within one half mile of a major transit stop, and have unobstructed access to the major transit stop. Projects that meet these criteria are eligible for the reduced parking requirement of 0.5 spaces per bedroom (Section 24.16.256(2)).

For residential units, 175 Class 1 (i.e., secure, weather-protected) bicycle parking spaces would be provided in secure, locked bicycle rooms with the garage and 44 Class 2 (i.e., bike racks) bicycle parking spaces would be provided in 23 bike racks. For commercial uses, two Class 1 bicycle parking spaces would be provided within the building lobby and eight Class 2 bicycle parking spaces would be provided in four racks. The bicycle parking included in the project meets the required amount of bicycle parking spaces per Section 24.12.250 of the City's Municipal Code.

Levee/Riverwalk Improvements. The project would also include placement of approximately 3,500 cubic yards of engineered earthen fill on the west levee slope along San Lorenzo River. The fill would result in creation of a uniform elevation between the existing Santa Cruz Riverwalk and the proposed project. The area of fill occurs along 490 of linear feet of levee and would cover approximately 15,500 square feet. Surface and interior drainage improvements and landscaping features are incorporated into the plan. This area would be used to provide public open space adjacent to the Riverwalk during project operation. A retaining wall would be constructed laterally along the outer edge of levee right-of-way on the project site, extending approximately 20 feet below existing grade along the eastern edge of the building to support the levee fill and the project's belowground parking. Two "wing" walls would be constructed at each end of the fill area perpendicular to the levee along the landside slope to retain the engineered fill. The placement of fill requires approval of a Section 408 Letter of Permission by the Army Corps of Engineers.

III. ENVIRONMENTAL SETTING

The approximately 0.98-acre (42,684-square-foot) project site encompasses five parcels in downtown Santa Cruz, along Front Street and adjacent to the San Lorenzo River levee, at 418, 428, 440, 504, and 508 Front Street in Santa Cruz, California as shown on Figure 1. The project site is located within the coastal zone, approximately 0.6 miles north of the Monterey Bay. The project is located within the Front Street/Riverfront Subarea of the Downtown Plan.

The project site is bounded by a parking lot/business just north of Cathcart Street on the north, the Santa Cruz Riverwalk/San Lorenzo River on the east, a commercial building operating as the Santa Cruz Fellowship Hall on the south, and Front Street on the west. The site is located in the developed, mostly commercial downtown area.

The site currently contains three commercial buildings and at-grade, paved parking lots with associated areas of landscaping that include some large, mature trees. Existing uses on the project site include a café, parking lot, coffee store, yoga center, gymnastics business, and restaurant, total approximately 20,000 square feet.

Paved impervious surface area on the site consists of 43,711 square feet (approximately 75 percent). A total of 32 existing trees are located on or adjacent to the project site, including trees on the project site, street trees on Front Street, and trees planted on the landward side of the on the San Lorenzo River levee, and include the following species:

- 9 cork oak (*Quercus suber*)
- 5 California sycamore (*Platanus racemosa*)
- 4 box elder (*Acer negundo*)
- 3 London plane trees (*Platanus acerifolia*)
- 3 red oak (*Quercus rubra*)
- 1 silk tree (*Albizia julibrissin*)
- 1 European white birch (*Betula pendula*)
- 1 California buckeye (*Aesculus californica*)
- 1 Italian stone pine (*Pinus pinea*)
- 1 coast live oak (*Quercus agrifolia*)
- 1 Fremont cottonwood (*Populus fremontii*)
- 1 bigleaf maple (*Acer macrophyllum*)
- 1 red-leaf photinia (*Photinia fraseri*).

IV. ENVIRONMENTAL CHECKLIST

A. Introduction and Background

In analyzing a proposed 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 tiering, program environmental impact report (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)). If an earlier analysis is used, the Initial Study checklist discussion should identify: a) the earlier analyses and state where they are available for review; b) identify which effects were 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; and c) 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.

CEQA also allows a lead agency to avoid repeating analyses that were already provided in a certified General Plan EIR for a development project that is consistent with the General Plan. Public Resources Code section 21083.3 and its parallel CEQA Guidelines provision, section 15183, provide for streamlined environmental review for projects consistent with the General Plan for which an EIR was certified. Pursuant to section 21083.3(b), if a development project is consistent with the general plan for which an environmental impact report was certified, the application of CEQA shall be limited to effects on the environment which are “peculiar to the parcel or to the project” and which were not addressed as significant effects in the prior environmental impact report, or which substantial new information shows will be more significant than described in the prior environmental impact report. Subsection (d) further indicates that an effect of a project upon the environment shall not be considered “peculiar to the parcel or to the project,” “if uniformly applied development policies or standards” have been previously adopted by the city or county, with a finding based upon substantial

evidence, that the development policies or standards will substantially mitigate that environmental effect when applied to future projects, unless substantial new information shows that the policies or standards would not substantially mitigate the environmental effect. Under these provisions of CEQA, a project that is consistent with a General Plan that was adopted pursuant to a certified EIR, could be potentially partially or wholly exempt from further CEQA analyses.

Section 15183 of the State CEQA Guidelines provides further guidance related to Public Resources Code section 21083. Specifically, if a project is consistent with an agency's General Plan for which an EIR has been certified, the agency shall limit its examination of environmental effects to those which the agency determines, in an initial study or other analysis:

- (1) Are peculiar to the project or the parcel on which the project would be located;
- (2) Were not analyzed as significant effects in a prior EIR on the zoning action, general plan, or community plan, with which the project is consistent;
- (3) Are potentially significant off-site impacts and cumulative impacts which were not discussed in the prior EIR prepared for the general plan, community plan, or zoning action; or
- (4) Are previously identified significant effects which, as a result of substantial new information which was not known at the time the EIR was certified, are determined to have a more severe adverse impact than discussed in the prior EIR. (State CEQA Guidelines section 15183(b).)

Guidelines section 15183, subdivision (c) further provides that "if an impact is not peculiar to the parcel or to the project, has been addressed as a significant effect in the prior EIR, or can be substantially mitigated by the imposition of uniformly applied development policies or standards,..., then an additional EIR need not be prepared for the project solely on the basis of that impact." "[D]evelopment policies or standards need not apply throughout the entire city or county, but can apply only within the zoning district in which the project is located...such policies or standards need not be part of the general plan or any community plan, but can be found within another pertinent planning document such as a zoning ordinance." (Guidelines, § 15183, subd. (f).)

B. Use of Earlier Analyses

General Plan 2030. On June 26, 2012, the Santa Cruz City Council adopted the *General Plan 2030* after certifying an EIR for the plan. The *General Plan 2030* EIR includes the Draft EIR volume (September 2011) and the Final EIR volume (April 2012). The General Plan EIR reviewed all of the topics included on the Appendix G environmental checklist in the State CEQA Guidelines as well as all sections required to be included in an EIR.

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. 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. Mitigation measures adopted for the General Plan also would be a part of future development projects, as relevant, and supplemented, as may be necessary, with any site-specific mitigation measures identified in the subsequent environmental review process.

As indicated above, pursuant to Public Resources Code section 21083.3, certain aspects of a development project that are consistent with a General Plan for which an EIR was certified may be exempt from additional CEQA analyses of issues that were adequately covered in the EIR. The project site is designated Regional Visitor Commercial (RVC) in the City's *General Plan 2030* and is zoned Central Business District (CBD). The proposed mixed-use project is consistent with the General Plan land use designation. According to the General Plan, this designation "applies to areas that emphasize a variety of commercial uses that serve Santa Cruz residents as well as visitors. Mixed-use development is strongly encouraged in RVC districts." For the Downtown Santa Cruz Area, the General Plan indicates that the Regional Visitor Commercial designation "emphasizes a mix of regional office and retail uses, residential and mixed-use developments, restaurants, and visitor attractions such as entertainment venues," and that "the Downtown Recovery Plan provides detailed requirements for this area." The General Plan allows a floor area ratio (FAR) for the Regional Visitor Commercial (RVC) land use designation in the downtown area of up to 5.0. The project's proposed FAR is 4.44, which is within the allowed FAR established in the General Plan as amended in 2017 as part of the Downtown Plan Amendments.

While the *General Plan 2030* EIR considered the impacts of repurposing, intensifying, and redeveloping existing developed parcels in the City as a whole, specific future development of the project site was not noted or specifically evaluated in the General Plan 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 buildout of 3,350 new residential units and approximately 1,090,000 square feet of commercial uses throughout the City by the year 2030 (SOURCE V.1b, DEIR volume-page 3-13). Since adoption of the General Plan, approximately 1,735 residential units, including single-family homes and accessory dwelling units, and 595,000 square feet of commercial space have been constructed or approved throughout the City. Thus, the proposed 175 residential units and approximately 11,500 square feet of commercial space would be within the remaining residential and commercial buildout estimates considered in the city-wide General Plan EIR impact analyses.

The proposed project is located within the "Downtown" neighborhood area that was identified in the General Plan EIR for the purposes of evaluating potential growth. The General Plan EIR identified additional development in the downtown area to include 299 residential units, approximately 38,900 square feet of commercial space, and approximately 4,500 square feet of office space. Since adoption of the General Plan, approximately 460 housing

units and 76,475 square feet of commercial space have been constructed, are under construction, or have been approved in the Downtown area. While the proposed project would exceed the buildout estimates considered in the General Plan EIR for the Downtown area, these numbers were estimates, not caps, and the project would still be within city-wide buildout estimates in the General Plan EIR, as well as within the buildout estimates subsequently analyzed in the 2017 Downtown Plan Amendments EIR that is described below.

Downtown Plan. The Santa Cruz City Council approved amendments to the Downtown Plan (formerly Downtown Recovery Plan [DRP]) in November 2017. The DRP was originally adopted in 1991 to guide reconstruction of the downtown after the 1989 Loma Prieta earthquake that destroyed significant portions of the downtown area. The intent of the DRP was to establish policies, development standards and guidelines to direct the recovery process toward the rebuilding after the earthquake. The DRP was adopted as a specific plan (pursuant to California Government Code requirements) to implement policies in the downtown area. Chapter 4 of the Downtown Plan, Development Standards and Design Guidelines, is incorporated by reference in Part 24 of the Zoning Code, the Central Business District (CBD).

A series of amendments to the DRP were proposed in 2017, including a change in the plan's name to "Downtown Plan." A program EIR was prepared pursuant to section 15168 of the State CEQA Guidelines, which evaluated effects of 2017 Plan amendments. The amendments included additional height allowances under specified circumstances and other revised development standards that could lead to potential increased development in the downtown area. Potential future development with the Plan amendments was estimated by City staff as 880 new residential units, 305,007 square feet of commercial uses, and 124,057 square feet of office uses, resulting in a net increase of 711 residential units, approximately 2,200 square feet of office space and a decrease in commercial space of approximately 14,700 square feet, which was evaluated in the EIR.

The package of amendments adopted with the Downtown Plan in 2017 also included text amendments to the General Plan. The General Plan modifications adopted for the Downtown Plan area included an increase in Floor Area Ratio from 3.5 to 5.0. The FAR limit is one of many development standards in the Downtown Plan that work together to address bulk and mass of new construction in the Additional Height Zone B including height and story limitations, building setbacks about specific heights, and architectural skyline variations. The 5.0 FAR was determined to be an appropriate limit for downtown development and to be consistent with the diagrams in the Downtown Plan for the Additional Height Zone B, beginning on page 79 of the Downtown Plan.

The Downtown Plan Amendments EIR evaluated impacts of this level of potential future development and addressed aesthetics, air quality and greenhouse gas emissions, biological resources, cultural and tribal cultural resources, hydrology and water quality, public services, transportation and traffic, water and wastewater utilities, and land use.

The project site is located in the "Area X" potential development area identified in the Downtown Plan Amendments EIR. This area is located on the east side of Front street between Laurel and Soquel. The Downtown Plan EIR estimated that buildout with the Downtown Plan amendments could potentially result in a net increase of approximately 321 residential units and approximately 11,200 square feet of commercial space in this area. Thus, the proposed 175 residential units and 11,498 square feet of commercial space, which is a reduction in current commercial square footage, are within the amount of development considered in the Downtown Plan EIR for all areas evaluated as well as the area in which the proposed project is located.

C. Environmental Checklist Review

The purpose of the checklist presented on the following pages is to evaluate the impact categories covered in the City's certified Downtown Plan Amendments EIR and General Plan EIR to determine whether the project's impacts have been adequately analyzed in the EIRs or whether any new significant impacts peculiar to the project or project site would result. Where an impact resulting from the project was adequately analyzed previously, the review provides a cross-reference to the pages in the Downtown Plan Amendments EIR and/or General Plan EIR where information and analysis may be found relative to the environmental issue listed under each topic. The checklist also identifies whether the project involves new significant impacts or substantially more severe impacts than analyzed in the Downtown Plan Amendments EIR and/or General Plan EIR or new significant impacts not peculiar to the site or project. As indicated above, an impact would not be considered "peculiar" to the site or project if uniformly applied development policies or standards would substantially mitigate an environmental effect. Therefore, the following review includes mitigation measures identified in the Downtown Plan Amendments EIR and/or General Plan EIR that would be applicable to the site or project and/or relevant applicable development policies or standards that would be applied to the project.

The Downtown Plan Amendments EIR and *General Plan 2030* EIR are on file at the City's Planning and Community Development Department, 809 Center Street, Room 101, Santa Cruz, California from 7:30 AM to 12:00 PM and 1:00 to 3:00 PM, Monday through Thursday. The documents are also available for review on the City of Santa Cruz Planning Department's website at:
<http://www.cityofsantacruz.com/Home/Components/BusinessDirectory/BusinessDirectory/102/1775>.

D. Conclusion

Based on the following review, it has been determined that the City's *General Plan 2030* EIR has adequately addressed the following issues, and no further environmental review is required pursuant to Public Resources Code section 21083.3: greenhouse gas emissions; population and housing; public services; recreation; and utilities (wastewater treatment and solid waste disposal).

The following site-specific impacts have been analyzed and determined to be less than significant and/or less than significant with General Plan policies, zoning regulations and/or development standards that are uniformly applied to development projects throughout the City: aesthetics (visual character and light and glare); air quality (project emissions and sensitive receptors); biological resources; cultural resources (archaeological resources); geology and soils; hydrology/water quality (drainage and water quality); noise; transportation/traffic; utilities (water); and cumulative impacts. Thus, pursuant to Public Resources Code section 21083.3 and State CEQA Guidelines section 15183, no further environmental analysis is required.

The following site-specific issues reviewed in this document were within the scope of issues and impacts analyzed in the General Plan EIR, and site-specific analyses did not identify new significant impacts: land use. No impacts peculiar to the project or the project site have been identified related to aesthetics (scenic views and scenic resources), agricultural and forest resources, air quality (conflicts with Air Quality Management Plan and odors), hazards/hazardous materials, hydrology-water quality (groundwater, conflicts with plans), mineral resources, tribal cultural resources, and wildfire.

The following issues require further analysis and will be evaluated in an EIR: cultural resources (historical resources) and energy use.

E. Checklist and Discussion

1. AESTHETICS Would the project:	Where Impact is Addressed in Downtown Plan Amendments EIR	Where Impact is Addressed in General Plan 2030 EIR	Does Project Involve New Significant Impacts or Substantially More Severe Impacts?	Any New Impacts Peculiar to Project or Site?	Relevant General Plan Mitigation Measures or Other Uniformly Applicable Development Standards
a) Have a substantial adverse effect on a scenic vista?	DEIR pp. 4.1-9 to 4.1-10 FEIR pp. 4-41, 43	DEIR pp. 4.3-2 to 4.3-7, 4.3-13 to 4.3-15 FEIR pp. 3-2	No	No	None
b) Substantially damage scenic resources, including but not limited to trees, rock outcroppings, and historic buildings within a state scenic highway?	DEIR p. 4.1-11 FEIR pp. 4-41	DEIR pp. 4.3-14 to 4.3-17	No	No	None
c) In non-urbanized areas, Substantially degrade the existing visual character or quality 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?	DEIR pp. 4.1-11 to 4.1-16 FEIR pp. 4-41-43, 4-74, 4-89	DEIR pp. 4.3-7 to 4.3-8, 4.3-15 to 4.3-19 FEIR pp. 3-2	No	No	Design Review & Permit Requirements Municipal Code section 24.08.400-430
d) Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?	DEIR pp. 4.1-16 to 4.1-17	DEIR pp. 4.3-19 to 4.3-20	No	No	Standard Condition of Approval to prevent offsite lighting

(a) Scenic Views. The project site is located in the developed downtown area of the City of Santa Cruz. The visual character of downtown is defined by existing development along tree-lined streets. The General Plan indicates that prominent scenic views mostly are those that are oriented toward Monterey Bay and the Pacific Ocean or toward the Santa Cruz Mountains that frame the northern boundary of Santa Cruz (SOURCE V.1b, DEIR volume). The project site is not located within any mapped scenic views, and no scenic views are available from the project site. Urban views, including those of the downtown project area, are identified along the San Lorenzo levee (Ibid.). According to maps developed for the City's *General Plan 2030* and included in the General Plan EIR (SOURCE V.1b-DEIR Figure 4.3-1), the project site is within mapped urban views along the levee adjacent to the project site, looking both north and south.

The Downtown Plan Amendments EIR concluded that construction of buildings with increased height and FAR allowed under the Downtown Plan amendments would not obstruct or remove scenic views downtown.

The General Plan EIR concluded that most of the future development accommodated by the General Plan would not be in areas that are part of a public scenic view. The EIR discussed several limited areas in which potential disruption to scenic views could occur with future development, but the project site is not located within these areas. None of the General Plan policies and actions directed toward protection of scenic views is applicable to the project as no scenic views would be affected by the proposed project.

The proposed project would not have an adverse effect on a scenic view as none have been identified, mapped, or observed that include the project site. Thus, the proposed project would not result in impacts peculiar to the project or the site or substantially more severe impacts than evaluated in the Downtown Plan Amendments EIR and the *General Plan 2030* EIR, and no further review is necessary pursuant to CEQA section 21083.3 and the State CEQA Guidelines section 15183.

(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. The project site is developed with three commercial buildings and at-grade, paved parking lots with associated areas of landscaping that include some large, mature trees. There are no structures or features on the project site that would be considered scenic resources.

The project would result in removal of 19 trees within the project limits, including street trees along Front Street and riparian trees located along the San Lorenzo River corridor. The trees do not represent a significant or prominent visual element of the surrounding area, and removal would not substantially alter the visual character of the area. While any tree may possess aesthetic qualities, the trees that would be removed are not unusual for the species nor are they visually distinctive or prominent from a wide area.

The Downtown Plan Amendments EIR determined that development allowed under the Downtown Plan amendments would not have an adverse effect on scenic resources as none are present in the downtown area. The General Plan EIR concluded that, with implementation of General Plan policies and actions, future infill development accommodated by the Plan would not result in significant impacts to scenic resources. The General Plan seeks to preserve natural features that visually define areas and provide scenic benefits (CD1.1), as well as to protect significant vegetation that provides scenic value (CD 4.3.3).

Despite the fact that some of the trees proposed to be removed are of heritage size as defined by City regulations, the trees proposed for removal are not visible from a wide-ranging area, are not visually prominent or distinctive, and are not considered scenic resources. Moreover, removed street trees would be required to be replaced and removed heritage trees are subject to replacement in accordance with City requirements. Therefore, the proposed project would not result in impacts to scenic resources that would be peculiar to the project or the site or substantially more severe than evaluated in the Downtown Plan Amendments EIR and the General Plan EIR, and no further review is necessary pursuant to CEQA section 21083.3 and the State CEQA Guidelines section 15183.

(c) Effects on Visual Character. The project area is located within downtown Santa Cruz in an area that is defined by existing development with deciduous street trees along both sides of Front Street. The streetscape is characterized by a mix of older, single-story buildings. The project site is located across the street from the Santa Cruz Metro Transit Center that serves areas within the City and County. The project site is located within the “Additional Height Zone B” as designated in the Downtown Plan in which building heights of up to 70 feet may be permitted.

As set forth in the General Plan, the Downtown Plan provides the detailed development requirements for the Downtown area. The Downtown Plan Amendments EIR analyzed potential aesthetics impacts related to allowing increased heights in the downtown area, including the project site, although no site-specific development plans for any particular parcel were available or reviewed. The Downtown Plan allows development with taller buildings. However, the Plan as amended includes standards such as building recesses, required upper floor setbacks, and recessed breaks to promote the appearance of multiple buildings of varying heights, and to avoid the development of monolithic building. As a result, the Downtown Plan concluded that building mass would be broken up and there would not be full site area coverage where additional heights may be allowed. The Downtown Plan also includes design guidelines and standards that address architectural features, including building facades and windows, as well as building materials, colors, and lighting. Furthermore, the Downtown Plan Amendments EIR indicated that the continued landscaping with street trees along Pacific Avenue and Front Street would further screen upper floors, soften views of building mass from distant views, and maintain pedestrian-level building scale. The Downtown Plan Amendments EIR concluded that with implementation of requirements to limit the footprint of taller building area, provision of recesses, implementation of design treatments to minimize building mass, and compliance with the Downtown Plan development standards and design guidelines, potential intensified development resulting from potential additional allowed heights would not significantly alter the visual character of the downtown area.

This conclusion also 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 residential project on an infill site in a transit priority area (approximately 70 feet from the Santa Cruz Metro Transit Center on Pacific Avenue).

As described in Section II, Project Description, the project qualifies for a density bonus pursuant to Government Code Section 65915(b)(1)(B) due to its provision of affordable housing units (11 percent of the units would be for very-low-income households). The density bonus would allow the project to have a maximum building height of 81 feet pursuant to the Waivers and Modifications in Municipal Code Section 24.16.255 Part 4. This height exceeds the maximum 70-foot building height limit permitted in the Downtown Plan in Additional Height Zone B. In addition, the project applicant has requested waivers and modifications to the building setback requirements in the Downtown Plan

in order to accommodate the low-income housing units. However, per state law, the density bonus is not a discretionary approval and the City must grant it, if requested and if the project qualifies. The project applicant has also requested a Design Variation to the Downtown Plan development standards that would allow for the southernmost pedestrian passageway to be located further than 50-feet from the future extension of Elm St. This Design Variation request is not the same as the Waiver request or an incentive/concession in that it is a discretionary action and is not associated with the Density Bonus request.

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 infill development to protect “distinctive design characteristics” and landmarks of neighborhoods (CD2.1, CD2.3) in combination with continued application design review as part of Design Permit approvals. There are no known landmarks or “distinctive design characteristics” in the downtown neighborhood in which the project is located, but the project is subject to approval of a Design Permit as set forth in the Downtown Plan. Thus, an approved Design Permit, including findings pursuant to Municipal Code section 24.08.430, would be considered an application of a uniformly applied development standard.

Therefore, the proposed project would not result in aesthetic impacts peculiar to the project or the site or substantially more severe impacts than evaluated in the Downtown Plan Amendments EIR and the *General Plan 2030* EIR, and the additional height and reduced stepbacks requested as Density Bonus waivers in order to accommodate affordable housing units is not a discretionary action and was noted as a potential exception to the development standards in the Downtown Plan EIR, and no further review is necessary pursuant to CEQA section 21083.3 and the State CEQA Guidelines section 15183. Notwithstanding this conclusion, the project qualifies as a mixed-use residential project and “infill site” within a “transit priority” area pursuant to Public Resources Code section 21099, which provides that aesthetic impacts of such projects shall not be considered significant impacts on the environment under CEQA, although design review and Design Permit would still be required pursuant to local City requirements and regulations. Additionally, an approved Design Permit, including findings pursuant to Municipal Code Section 24.08.430 would be considered application of uniformly applied development standards.

(d) Light and Glare. The project would not result in introduction of a major new source of light or glare, although there would be introduction of windows and typical exterior building lighting. This type of lighting would be oriented so as to not create off-site light. Festoon lighting, hanging lanterns, and other overhead site lighting would accent outdoor areas. Exterior building lighting would be further reviewed by City staff as part of the Design Permit review.

The Downtown Plan Amendments EIR indicated that exterior building lighting would be further reviewed as part of the Design Permit review for future site-specific developments, which would be conditioned to install lighting such that it is directed downward and would not create light onto adjacent properties. The Downtown Recovery Plan requires buildings to provide low-level lighting in the building façade. Therefore, the EIR concluded that the Plan amendments and future development

would not result in a significant impact related to creation of a new source of substantial light or glare.

The General Plan 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. Exterior lighting would be included as part of the development, but would be typical of residential and commercial lighting, 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. Furthermore, the Design Permit review that is required for most larger development projects would ensure project compliance with City standards and regulations.

Therefore, the proposed project would not result in new or substantially more severe light and glare impacts than evaluated in the Downtown Plan Amendments EIR and the *General Plan 2030* EIR. Details of lighting would be reviewed by City staff as part of the Design Permit. A standard condition of approval requires all exterior lighting required to be shielded to contain the light source in a downward direction and avoid glare and illumination of adjacent properties. An approved Design Permit, including findings pursuant to Municipal Code Section 24.08.430 and inclusion of a standard condition of approval regarding shielding of exterior lighting would be considered application of uniformly applied development standards. There would be no light and glare impacts peculiar to the project or the site with uniformly applied development standards imposed as part of the design review process. Thus, no further review is necessary pursuant to CEQA section 21083.3 and the State CEQA Guidelines section 15183.

2. AGRICULTURE AND FOREST RESOURCES ³	Where Impact is Addressed in Downtown Plan Amendments EIR	Where Impact is Addressed in General Plan 2030 EIR	Does Project Involve New Significant Impacts or Substantially More Severe Impacts?	Any New Impacts Peculiar to Project or Site?	Relevant General Plan Mitigation Measures or Other Uniformly Applicable Development Standards
Would the project:					
a) Convert Prime Farmland, Unique Farmland, or Farmland of Statewide	DEIR Appendix A p.23	DEIR pp. 4.15-3, 4.15-6 to 4.15-8	No	No	None

³ 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.

2. AGRICULTURE AND FOREST RESOURCES ³	Where Impact is Addressed in Downtown Plan Amendments EIR	Where Impact is Addressed in General Plan 2030 EIR	Does Project Involve New Significant Impacts or Substantially More Severe Impacts?	Any New Impacts Peculiar to Project or Site?	Relevant General Plan Mitigation Measures or Other Uniformly Applicable Development Standards
Would the project: 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?					
b) Conflict with existing zoning for agricultural use, or a Williamson Act contract?	DEIR Appendix A p.23	DEIR pp. 4.15-3, 4.15-6 to 4.15-8	No	No	None
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))?	DEIR Appendix A p.23	DEIR pp. 4.15-3, 4.15-5 to 4.15-6	No	No	None
d) Result in the loss of forest land or conversion of forest land to non-forest use?	DEIR Appendix A p.23	DEIR pp. 4.15-3, 4.15-5 to 4.15-6	No	No	None
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?	DEIR Appendix A p.23	DEIR pp. 4.15-3, 4.15-5 to 4.15-8	No	No	None

The project site is located within the developed urban area of the City of Santa Cruz. The project site does not contain prime farmland or other agricultural lands as mapped on the State Farmland Mapping and Monitoring Program (SOURCE V.1b, DEIR Figure 4.15-1). The site is not designated for agricultural uses in the City's General Plan and is not located adjacent to agricultural lands. The project site is not zoned Timberland Preserve.

The Downtown Plan Amendments EIR noted that no agricultural lands or timber resources are located in the downtown area. The General Plan EIR concluded that impacts to agriculture and forest resources would not occur or would be less than significant as a result of future development accommodated by the General Plan.

The proposed project would not result in conversion of agricultural or forest lands, as these resources are not present on or adjacent to the project site. Therefore, the proposed project would not result

in impacts on agriculture and forest resources that would be peculiar to the project or the site or substantially more severe than evaluated in the Downtown Plan Amendments EIR and the General Plan 2030 EIR, and no further review is necessary pursuant to CEQA section 21083.3 and the State CEQA Guidelines section 15183.

3. AIR QUALITY ⁴ Would the project:	Where Impact is Addressed in Downtown Plan Amendments EIR	Where Impact is Addressed in General Plan 2030 EIR	Does Project Involve New Significant Impacts or Substantially More Severe Impacts?	Any New Impacts Peculiar to Project or Site?	Relevant General Plan Mitigation Measures or Other Uniformly Applicable Development Standards
a) Conflict with or obstruct implementation of the applicable air quality plan?	DEIR pp. 4.2-17 to 4.2-18	DEIR pp. 4.11-11 to 4.11-12, 4.11-15 to 4.11-18 FEIR p. 3-24	No	No	GP EIR Mitigation 4.11-1
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?	DEIR pp. 4.2-19 to 4.2-21 DEIR p. 5-8	DEIR pp. 4.11-6 to 4.11-7, 4.11-9 to 4.11-10, 4.11-18 to 4.11-34 FEIR pp. 3-24 to 3-26	No	No	GP Policies & Actions HZ 2.2, HZ2.2.1, HZ2.2.2, LU1.2, LU1.2.1 that require project level reviews
c) Expose sensitive receptors to substantial pollutant concentrations?	DEIR Appendix A pp. 25 to 26	DEIR pp. 4.11-7 to 4.11-8, 4.11-10 to 4.11-11, 4.11-18, 4.11-24 to 4.11-26	No	No	None
d) Result in other emissions (such as those leading to odors) adversely affecting a substantial number of people?	DEIR Appendix A p. 26	DEIR pp. 4.11-26 to 4.11-27	No	No	None

(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

⁴ 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.

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.5).

The MBARD has an approved procedure for determining whether a residential project conflicts with the District's adopted AQMP that uses the Association of Monterey Bay Area Governments' (AMBAG's) adopted housing unit forecast. The City had 23,801 existing dwelling units as of January 1, 2019 (SOURCE V.4), and approximately 726 residential units are under construction or have been approved. With the addition of these units, the City's housing units would total 24,527 dwelling units. With existing units and the proposed project's increase of 175 residential units, there would be a total of 24,702 dwelling units within the City, which is below the AMBAG 2018 Regional Growth Forecast of 26,365 dwelling units for the year 2020. Therefore, the proposed project would be consistent with the AQMP, and would not conflict with or obstruct implementation of the AQMP.

The Downtown Plan Amendments EIR determined that growth that could be accommodated by the Downtown Plan amendments would be within the AMBAG forecast at the time and, thus, would not conflict with or obstruct implementation of the AQMP (based on the 2014 Regional Growth Forecast). The most recent AMBAG Regional Growth Forecast was adopted in June 2018; housing units allowed by the Downtown Plan amendments would remain within forecasted levels.

The *General Plan 2030* EIR concluded that future development accommodated by the Plan could result in development of dwelling units that exceed regional projections, which could result in conflicts with the AQMP according to the MBARD's methodology for determining consistency. The General Plan EIR includes a mitigation measure (Mitigation 4.11-1) that directs City staff to work with AMBAG staff in future updates of population and housing forecasts and indicates that the potential population growth and housing unit increase exceedance would not occur for at least 10+ years, if it occurs at all. Subsequent to adoption of the General Plan, AMBAG updated and adopted regional population and housing forecasts in June 2014 and in June 2018. At this time, the City's residential population and existing and approved housing units do not exceed regional housing forecasts, and the proposed project would not result in an exceedance of the regional housing forecast. Thus, there would be no impact related to conflicts with the current adopted AQMP.

Given the foregoing, the proposed project would not result in impacts related to conflicts with the AQMP that would be peculiar to the project or the site or substantially more severe than evaluated in the Downtown Plan Amendments EIR and *General Plan 2030* EIR, and no further review is necessary pursuant to CEQA section 21083.3 and the State CEQA Guidelines section 15183.

(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 (O₃), nitrogen dioxide (NO₂), carbon monoxide (CO), sulfur dioxide (SO₂), inhalable particulates (PM₁₀), fine particulates (PM_{2.5}), and lead. High O₃ 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 O₃. 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 MBARD and includes Santa Cruz, Monterey, and San Benito Counties. The NCCAB is designated attainment for the federal PM₁₀ and SO₂ standards, and is designated attainment/unclassified for the other federal standards. The NCCAB is designated attainment for the state PM_{2.5}, NO₂, SO₂, and lead standards, and is designated unclassified for CO in Santa Cruz County. The NCCAB has nonattainment designations for state O₃ and PM₁₀ standards.

The MBARD 2012-2015 AQMP, adopted March 15, 2017, identifies a continued trend of declining O₃ 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 O₃ standard during the three-year period reviewed (SOURCE V.5).

The Downtown Plan Amendments EIR concluded that future development accommodated by the Downtown Plan amendments would result in construction-related emissions of air pollutants, but that the impact would be less than significant with implementation of General Plan policies and MBARD-recommended measures to control construction emissions, as applicable. The Downtown Plan Amendments EIR determined that operational emissions would not exceed emissions thresholds.

The *General Plan 2030* EIR concluded that future development accommodated by the Plan could result in air pollutant emissions, but overall future emissions of ozone precursor pollutants are projected to decrease or remain nearly unchanged over the next 20 years, and thus, project-level emissions would not contribute to existing or potential future violations of air quality standards related to O₃. Furthermore, General Plan Actions LU1.2, LU1.2.1 and HZ2.2.1 (as modified by the General Plan EIR), require future project-level review and implementation of mitigation measures if warranted, consistent with the adopted standards in the MBARD’s CEQA Guidelines. The General Plan EIR concluded that with implementation of the General Plan policies and actions and compliance with MBUAPCD requirements and air quality control measures, contributions to air pollutant emissions would be less than significant.

The proposed project would result in construction of an approximately 188,694-GSF mixed-use residential/commercial building with 175 residential units and 11,498 square feet of commercial space. The project would indirectly generate air pollutant emissions through new regional vehicle trips. The proposed project size is substantially below the MBARD’s screening levels for condominium/townhouse uses (1,195 dwelling units), general office uses (930,000 square feet), restaurant uses (59,000 square feet), and regional shopping center uses (120,000 square feet), which are used to determine potential significant ozone impacts as set forth in the MBAED’s *CEQA Air Quality Guidelines* (SOURCE V.6a). Therefore, project emissions would not be considered substantial or result in an air quality violation. However, the California Emissions Estimator Model (CalEEMod) emissions model was used to estimate operational emissions in the downtown area as part of the Downtown Plan Amendments EIR. The modeling results for the Downtown Plan Amendments EIR show that daily emissions associated with growth in the Downtown Plan Amendment area would not

exceed the MBARD significance thresholds for criteria pollutant emissions, resulting in a less-than-significant impact. As indicated in Section IV.B, the project size is within the level estimated and evaluated in the Downtown Plan Amendments EIR.

Project construction could result in generation of dust and PM₁₀ emissions as a result of site excavation and grading. According to MBARD's *CEQA Air Quality Guidelines* (SOURCE V.6a), 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 PM₁₀ significance threshold of 82 pounds per day. The project site is approximately 1.3 acres in size, including the area of fill along the levee, which is below the screening-level threshold. Thus, no significant dust generation or PM₁₀ emissions impacts would be expected to occur with project grading or placement of fill on the levee.

Therefore, potential emissions would be less than significant compared to the MBARD's adopted CEQA significance thresholds, and the project would not violate current air quality standards or expose sensitive receptors to substantial pollutant concentrations. The proposed project would not result in impacts peculiar to the project or the site, or substantially more severe impacts than evaluated in the Downtown Plan Amendments EIR and the General Plan EIR, and no further review is necessary pursuant to CEQA section 21083.3 and the State CEQA Guidelines section 15183.

According to the MBARD *CEQA Air Quality Guidelines*, projects that are consistent with the AQMP would not result in cumulative impacts as regional emissions have been factored into the AQMP. The MBARD prepares air quality plans which address attainment of the state and federal emission standards, and incorporate growth forecasts developed by AMBAG. As indicated in subsection 3(a) above, the proposed project is would not conflict with or obstruct the implementation of the AQMP, which takes into account cumulative development within the City. Therefore, the proposed project would not result in a cumulatively considerable criteria pollutant increase.

(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 schools; daycare centers; and healthcare facilities such as hospitals or retirement and nursing homes. A sensitive receptor includes long term care hospitals, hospices, prisons, and dormitories or similar live-in housing (SOURCE V.6a). There are no sensitive receptors adjacent to the site. The closest sensitive receptors are residential uses in a building at Pacific and Cathcart Streets, approximately 200 feet to the southwest of the project site. The proposed project would not introduce a new source of stationary emissions, and thus, would not expose sensitive receptors to substantial pollutant concentrations.

Diesel Particulate Emissions. Diesel particulate matter was identified as a toxic air contaminant (TAC) by the State of California in 1998. The Downtown Plan Amendments EIR concluded that future construction in the area could result in exposure of sensitive receptors to diesel particulate matter, though the impact would be less than significant. The *General Plan 2030* EIR discusses construction-related impacts in which diesel particulate matter could be emitted from construction equipment. The impact was found to be less than significant due to the California Air Resources Board's ongoing adoption of 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. The EIR also noted that the California Code of Regulations, Title 13, section 2486(c)(1) prohibits idling of a diesel engine for more than five minutes in any location, thereby further limiting particulate matter emissions. Additionally, emissions during construction are of a short-term duration in comparison to life-long exposure and health risks. Construction-related diesel emissions at the project site would be of limited duration (i.e., primarily during grading) and temporary. Thus, project construction would not expose sensitive receptors to potential exposure of sensitive receptors to diesel emissions and associated risks are considered a less-than-significant impact. Since the proposed project is within the amount of development considered in the Downtown Plan Amendments EIR, within the overall buildout analyzed in the General Plan EIR, and no new significant impacts have been identified, no further environmental analysis regarding diesel particulate emissions is required pursuant to Public Resources Code section 21083.3 and the State CEQA Guidelines section 15183.

Asbestos Exposure. Existing state, federal, and local regulations require demolition activities to minimize asbestos released into the air. The National Emissions Standards for Hazardous Air Pollutants (NESHAPS) as set forth in the Code of Federal Regulations—40 CFR Part 61—is designed to prevent “visible emissions” of asbestos when buildings are renovated or demolished. Under federal law, a building must be inspected for asbestos prior to demolition or renovation, and federal and state agencies must be notified prior to demolition. According to the California Air Resources Control board, removal and disposal of asbestos procedures and controls must be specified in the notification form.

The MBARD enforces the Asbestos NESHAP regulation with authority delegated by the U.S. EPA. Rule 424 adopts the Federal Asbestos NESHAP by reference. Surveys for asbestos must be conducted prior to demolition or renovation activities that would disturb materials that might contain asbestos. A copy of the asbestos survey must be included with the required notification to the District, which also collects fees for demolition and/or renovation activities which are subject to the Asbestos NESHAP. Rule 306 includes a fee schedule based on the type of NESHAP activity being conducted.

The asbestos NESHAP specifies work practices to be followed during demolition of all structures that contain, or may contain asbestos. These work practices have been designed to effectively reduce airborne asbestos to safe levels, and the project must comply with the NESHAP. NESHAP specifies work practice requirements to limit asbestos emissions from building demolition and renovation activities, including the removal and associated disturbance of asbestos containing materials. The requirements for demolition and renovation activities include asbestos surveying, notification, asbestos containing materials removal procedures and time schedules, asbestos containing materials handling and clean-up procedures, and storage, disposal, and landfilling requirements for asbestos-containing waste materials. All operators are required to maintain records, including waste shipment records, and are required to use appropriate warning labels, signs, and markings.

The Downtown Plan Amendments EIR concluded that implementation of the Downtown Plan amendments would not result in exposure to hazardous materials. The General Plan EIR concluded that new development accommodated by the General Plan could result in exposure to hazardous materials but, with adherence to federal, state, and local regulations, impacts would be less than significant. The project would require demolition of the existing buildings on the site prior to new

construction. Given the age of the structures on site, asbestos containing materials may be encountered during demolition activities. Friable asbestos has been identified as a hazardous airborne contaminant. With implementation of required EPA, CARB, and MBARD regulations, airborne asbestos would not be generated in unhealthy amounts during demolition and impacts would be less than significant. The project Conditions of Approval include proof of asbestos surveys and MBARD notification if required prior to the issuance of a demolition permit. Any building materials classified as hazardous materials would be disposed of in conformance with federal, state, and local laws. Thus, with implementation of uniformly applied development standards and regulations that require preparation of environmental site assessments, the proposed project would not result in significant impacts related to asbestos exposure not otherwise addressed in the Downtown Plan Amendments EIR or General Plan EIR or peculiar to the project or site. No further review is necessary pursuant to CEQA section 21083.3 and the State CEQA Guidelines section 15183.

(d) Odors. According to the MBARD *CEQA Air Quality Guidelines* (SOURCE V.6a), land uses associated with odor complaints typically include landfills, agricultural uses, wastewater treatment plants, food processing plants, chemical plants, and refineries. The proposed project does not include any uses associated with odors.

4. BIOLOGICAL RESOURCES	Where Impact is Addressed in Downtown Plan Amendments EIR	Where Impact is Addressed in General Plan 2030 EIR	Does Project Involve New Significant Impacts or Substantially More Severe Impacts?	Any New Impacts Peculiar to Project or Site?	Relevant General Plan Mitigation Measures or Other Uniformly Applicable Development Standards
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?	DEIR pp. 4.3-17 to 4.3-18	DEIR pp. 4.8-13 to 4.8-14, 4.8-16 to 4.8-21, 4.8-41, 4.8-43 to 4.8-44, 4.8-48 to 4.8-51 FEIR pp. 3-22, 3-25 to 3-40	No	No	None
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?	DEIR pp. 4.3-18 to 4.3-22 FEIR p. 2-4 to 2-5, 3-2	DEIR pp. 4.8-14 to 4.8-15, 4.8-24, 4.8-26 to 4.8-30, 4.8-22, 4.8-38 to 4.8-41, 4.8-48 to 4.8-51 FEIR p. 3-22	No	No	None
c) Have a substantial adverse effect on state or federally protected wetlands (including, but not limited to, marsh, vernal pool, coastal, etc.) through	DEIR p. 4.3-17	DEIR pp. 4.8-15, 4.8-41, 4.8-38 to 4.8-39, 4.8-48 to 4.8-51	No	No	None

4. BIOLOGICAL RESOURCES	Where Impact is Addressed in Downtown Plan Amendments EIR	Where Impact is Addressed in General Plan 2030 EIR	Does Project Involve New Significant Impacts or Substantially More Severe Impacts?	Any New Impacts Peculiar to Project or Site?	Relevant General Plan Mitigation Measures or Other Uniformly Applicable Development Standards
Would the project: direct removal, filling, hydrological interruption, or other means?					
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?	DEIR pp. 4.3-17, 4.3-22	DEIR pp. 4.8-22 to 4.8-25, 4.8-41, 4.8-44 to 4.8-45	No	No	GP Action NRC2.2.1 and Project Assessment Protocols for Pre-construction bird nesting surveys Downtown Plan EIR MM 4.3.3
e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?	DEIR p. 4.3-17	DEIR pp. 4.8-41, 4.8-45 to 4.8-47	No	No	Heritage Tree Removal Permit and required replacement trees
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?	DEIR pp. 4.3-17	DEIR pp. 4.5-11 to 4.5-12, 4.8-25 to 4.8-26, 4.8-37 FEIR p. 3-23	Not Applicable	Not Applicable	None

(a-c) Special-Status Species, Sensitive Habitat. The project site is developed primarily with impervious surfaces and buildings, with some scattered trees and landscaping. According to maps developed for the City's *General Plan 2030* and included in the General Plan EIR, the project site is adjacent to sensitive riparian habitat along the San Lorenzo River within the existing levee (SOURCE V.1b, DEIR Figure 4.8-3). No special status species were identified along the levee where placement of fill is proposed (SOURCE V.13). Therefore, special-status plant or wildlife species could be present on the river side of the levee, but not within the project site.

The Downtown Plan Amendments EIR concluded that, while increased building heights in the downtown area would result in increased shading of riparian and aquatic habitat—particularly during winter months—however, increased shading would have a less-than-significant impact on special-status species. However, the Downtown Plan Amendments EIR determined that increased building heights adjacent to the San Lorenzo River could result in impacts to birds from two causes: (1) an increase in the area of glass that would result in mortality to birds mistaking the reflective glass as safe passage to habitat beyond, and (2) an increase in the amount of lighting and the resultant potential for mortality of birds related to disorientation during migration. Mitigation 4.3-2 was

included in the Downtown Plan Amendments EIR to address potential impacts to birds related to increased building heights adjacent to the San Lorenzo River, which would be applicable to the project. Mitigation 4.3-2 required inclusion of seven standards in the Downtown Plan for design guidance, which are included in the Downtown Plan. A review of the project was conducted by a biologist to review project consistency with these standards and overall found the project's design to be consistent as summarized below.

- *Minimize the overall amount of glass on building exteriors facing the San Lorenzo River.* The plans suggest that the amount of exterior glass on the building fronts facing the San Lorenzo River would be limited overall, with the overall amount of glass below 50% for each building.
- *Avoid mirrors and large areas of reflective glass.* The plans include notes about bird-safe measures to be incorporated into the building design, stating that the project would use window glazing treatments that create a visual barrier for birds for the majority of the glazing within the first 40 feet of ground-level façade facing the Riverwalk. In addition, the design avoids incorporating large areas of glass, with various structural elements between glass panes at the ground levels of the buildings and upper levels relying mostly on double windows rather than continual expanses of glass. None of the building designs incorporate any large, flat expanses, at single or multiple levels, that could reflect the sky in a way to give birds the impression of open sky.
- *Avoid transparent glass skyways, walkways, or entryways, free-standing glass walls, and transparent building corners.* The building designs incorporate no transparent skyways, walkways, entryways, or free-standing glass walls. Some windows are located at the corners of buildings, but all appear to include framing around the windows that provides a visual barrier at building corners. Also, given the inclusion of glazing treatments that create a visual barrier in glass on the side facing the San Lorenzo River, the overall design of the windows should limit bird strikes.
- *Utilize glass/window treatments that create a visual signal or barrier to help alert birds to presence of glass.* Avoid funneling open space to a building façade. The plans describe the incorporation of window treatments that would create visual barriers in the lower 40 feet of the buildings. The building fronts along the San Lorenzo River incorporate relatively shallow spaces that visually accentuate the barrier provided by the buildings (as opposed to supporting flat surfaces and large areas of glass that may reflect the sky and that birds may interpret as open space). These spaces are not deep enough to funnel birds to the building façade.
- *Strategically place landscaping to reduce reflection and views of foliage inside or through glass.* The plans include notes about bird-safe building design that state that the majority of landscaping would be located to allow views from the buildings/designed to keep birds away from the building's façade. Many of the trees on the side facing the San Lorenzo River and shown in the plans are separated from the buildings by at least 12 feet. The conceptual landscape plan does show several trees near the façade of the central building; however, glass surfaces are limited in this area compared to elsewhere along the building fronts and, with the window glazing treatment described above, the design should limit bird strikes. In general, if the final landscape design continues to incorporate the idea of allowing views

outward from the building, which in turn would contribute to keeping birds occupying the landscaping away from the trees, close-up views through glass surfaces would not be provided.

- *Avoid or minimize up-lighting and spotlights and Turn non-emergency lighting off (such as by automatic shutoff), or shield it, at night to minimize light from buildings that is visible to birds, especially during bird migration season (February - May and August - November).* The plans state that exterior illumination would be thoughtfully designed to minimize light pollution and that the project would avoid up-lighting and spotlights and use timers.

In general, the design of the buildings adheres to the spirit of the Guidance for Bird Safe Structures and the City of Santa Cruz Bird-Safe Building Design Standards. In 2018, the City adopted “Bird-Safe Building Design Standards” that that would apply to any portions of buildings that require design review and are located within 300 feet of specified General Plan land use designations, including waterways mapped in the City-wide Creeks and Wetlands Management These standards specify window and lighting treatments for buildings located near specified habitat areas in order to ensure that new buildings provide a safe design to prevent bird collisions in areas near natural features. If the final design of the buildings (including glass and windows), landscaping, and lighting is consistent with the current, conceptual plans and plans submitted for building permit issuance include window glazing treatments that create a visual barrier for birds for the majority of the glazing within the first 40 feet of the ground-level façade facing the Riverwalk, this project should remain consistent with the guidance.

The General Plan EIR concluded that future development accommodated by the *General Plan 2030* adjacent to streams and riparian habitats could result in impacts to sensitive riparian habitat areas , but that impacts would be less than significant with implementation of General Plan goals, policies, and actions and compliance with local regulations and plans, particularly the *City-Wide Creeks and Wetlands Management Plan*. As indicated above, the project site is located adjacent to the San Lorenzo River and would be subject to General Plan goals, policies, and actions and compliance with local regulations and plans, particularly the *City-Wide Creeks and Wetlands Management Plan*.

The Downtown Plan Amendments EIR also concluded that future development would not result in indirect impacts to adjacent San Lorenzo River riparian or aquatic sensitive habitat with compliance with setbacks established in existing City plans. The *City-wide Creeks and Wetlands Management Plan* references the *San Lorenzo Urban River Plan* as the guiding management plan for the area. The SLURP recommends a 10-foot setback between development and the western edge of the river levee, which also is a SLURP LCP policy. The Downtown Plan requires that residential and outdoor commercial uses adjacent to the Riverwalk not be sited closer than 10 feet from the western edge of the physical walkway, except where “people-oriented” commercial uses incorporate public access points to the Riverwalk. The proposed project complies with this provision with a setback of approximately 35 feet between the closest point of the proposed building and the western edge of the 12-foot wide Riverwalk path.

Therefore, no impacts to sensitive habitat or special-status species would occur as a result of the project. There would be no significant impacts or impacts peculiar to the project or the site, no further review is necessary pursuant to CEQA Section 21083.3 and CEQA Guidelines Section 15183.

(d) Wildlife Movement/Breeding. The project site is adjacent to the primary watercourse within the City, the San Lorenzo River. The Downtown Plan Amendments EIR concluded that future redevelopment of the existing urban downtown area would not affect wildlife movement as it would occur within the existing development footprint. The General Plan EIR concluded that with implementation of the proposed *General Plan 2030* goals, policies and actions, as well as future environmental review of specific development projects and compliance with local regulations and plans, potential impacts related to wildlife movement would be considered less than significant. 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. Projects adjacent to watercourses would be subject to setback requirements set forth in the City's Creeks and Wetlands Management Plan; therefore, these requirements would be applicable to the project.

The trees on and adjacent to the project site provide potential nesting for migratory birds; migratory birds are protected by the Migratory Bird Treaty Act (MBTA). The project would require the removal of 19 trees within the project limits, including street trees on Front Street and trees along the San Lorenzo River corridor. Tree removal during the breeding season (generally March 1 to August 1) has the potential to destroy bird nests, eggs or chicks if any are present during the removal. However, General Plan NCR2.2.1 establishes 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. Implementation of a pre-construction nesting survey and recommendations is a standard project condition of approval that is included in the project conditions of approval. The General Plan EIR concluded that potential impacts of future development that could directly or indirectly interfere with wildlife breeding/nesting would be less than significant with implementation of the General Plan policies and actions for resource protection, which include pre-construction nesting bird surveys. The project also would be subject to mitigation measures in the Downtown Plan Amendments EIR. Mitigation Measure 4.3.3 requires that a pre-construction nesting survey be conducted by a qualified wildlife biologist if construction, including tree removal, adjacent to the San Lorenzo River is scheduled to begin during the nesting season.

Therefore, potential project impacts would be considered less than significant with application of uniformly applied development standards (compliance with Mitigation 4.3-3 in the Downtown Plan Amendments EIR and General Plan Action NRC2.2.1 requiring evaluation and mitigation of impacts to sensitive habitat. A pre-construction nesting bird survey is included as a project condition of approval. There would be no significant nesting bird impacts or other wildlife impacts peculiar to the project or the site, and no further review is necessary pursuant to CEQA Section 21083.3 and CEQA Guidelines Section 15183.

(e-f) Conflicts with Local Plans. The proposed project would result in removal of 19 trees, 4 of which are heritage trees pursuant to City regulations. These include trees within on the site, street trees and trees on the landward side of the river levee. 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. Heritage trees are defined by size, historical significance, and/or horticultural significance; generally, trees with a 14-inch diameter or larger are heritage trees. Tree removal would be subject to approval of a tree removal permit pursuant to the City's Heritage Tree Ordinance and Street Tree Ordinance. Approval of a heritage tree removal permit automatically requires replacement trees. Removal of trees that is consistent with the criteria, provisions, and requirements set forth in City regulations would not result in a conflict with a local ordinance. City regulations, including Local Coastal Program (LCP) policy 6.1.2, require tree replacement for removal of a street tree to consist of one replaced 15-gallon tree, or for removal of a heritage tree to consist of replanting six 15-gallon or two 24-inch size specimen for each heritage tree approved for removal. In-lieu fees may also be accepted that to go to the City's Tree Trust Fund for off-site planting of trees. The project would include tree replacement in accordance with City regulations.

The project would retain 13 trees on and directly adjacent to the project site. . In addition, the project landscaping plan includes planting 21 trees including 2 24-inch box size specimens and 12 15-gallon sized specimens in the following tree species: Chinese pistache (*Pistachia chinensis*), London plane tree (*Platanus acerifolia* 'Columbia'), Hungarian oak (*Quercus frainetto* 'Forest Green'), southern live oak (*Quercus virginiana*), and Drake Chinese elm (*Ulmus parvifolia* 'Drake'). For each street tree removed along Front Street, the project would include planting of one replacement tree in a species listed on the City's Approved Street Tree List.

Tree removal, planting, and vegetation management at the levee fill area is also subject to the Army Corps of Engineers (ACOE) Guidelines for Landscape Planting and Vegetation Management at Levees, Floodwalls, Embankment Dams, and Appurtenant Structures (ETL 1110-2—583) and Interim Guidance for Section 3013 of the Water Resources Reform and Development Act of 2014, Vegetation Management Policy. In addition to management of flood risk and the impacts of vegetation on the structural integrity of the levee, the ACOE also considers the impacts of levee landscaping with regard to the preservation, protection, and enhancement of natural resources. The levee landscape plans were developed in accordance with the ACOE requirements in that no vegetation is proposed for removal on the riverside of the levee and all of the trees planted on the new levee fill area will be located within concrete lined planters that will protect the roots from penetrating the 15-foot "Vegetation Free Zone", as measured from the levee crown. The landscaping plans were submitted for ACOE review as a part of the project application for a Section 408 Letter of Permission.

The *General Plan 2030* EIR concluded that development accommodated by the General Plan could result in the removal of heritage trees; however, with implementation of General Plan goals, policies, and actions, as well as compliance with local regulations and plans, impacts would be less than significant. Removal of trees that is consistent with City regulations and requirements would not be considered a significant impact of the project or an impact peculiar to the project. Approval of a tree removal permit automatically requires replacement trees or payment of in-lieu fees as set forth above. Measures to protect the proposed retained trees, as recommended by the project arborist report, would be implemented during construction as a standard condition of approval. Thus, the proposed project would not result in new significant impacts related to conflicts with local ordinances or impacts peculiar to the project or the site with the application of uniformly applied development

standards set forth in the tree regulations, and no further review is necessary pursuant to CEQA Section 21083.3 and CEQA Guidelines Section 15183.

(f) Habitat Conservation Plans. There are no adopted Habitat Conservation or Natural Community Conservation Plans in the project vicinity or within the City.

5. CULTURAL RESOURCES					
Would the project:	Where Impact is Addressed in Downtown Plan Amendments EIR	Where Impact is Addressed in General Plan 2030 EIR	Does Project Involve New Significant Impacts or Substantially More Severe Impacts?	Any New Impacts Peculiar to Project or Site?	Relevant General Plan Mitigation Measures or Other Uniformly Applicable Development Standards
a) Cause a substantial adverse change in the significance of a historical resource as defined in Section 15064.5?	DEIR pp. 4.4-13 to 4.4-14	DEIR pp. 4.9-12 to 4.9-14, 4.9-15, 4.9-21, 4.9-23 to 4.9-24	Yes	Yes	None
b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to Section 15064.5?	DEIR pp. 4.4-12 to 4.4-13	DEIR pp. 4.9-10 to 4.9-12, 4.9-19 to 4.9-23	No	No	GP EIR Mitigation 4.9-1 and Municipal Code section 24.12.430
c) Disturb any human remains, including those interred outside of formal cemeteries?	DEIR pp. 4.4-12 to 4.4-13	DEIR pp. 4.9-10 to 4.9-12, 4.9-19 to 4.9-23	No	No	GP EIR Mitigation 4.9-1 and Municipal Code section 24.12.430

(a) Historical Resources. According to maps developed for the City's *General Plan 2030* and included in the General Plan EIR, the project site is not located within a designated historic district (SOURCE V.1b, DEIR Figure 4.9-4). California Department of Parks and Recreation (DPR) historic survey forms were completed in 2009 for two of the commercial buildings on the project site at 418 and 428 Front Street. Both buildings were found to be individually eligible for listing in the California Register of Historical Resources under Criterion 3 (Architecture), and both buildings are included in the City's Historic Building Survey. Therefore, the project site contains historical resources, resulting in potential impacts peculiar to the project regarding historical resources, which requires further analysis that will be evaluated in an EIR.

(b-c) Archaeological Resources. According to maps developed for the City's *General Plan 2030* and included in the General Plan EIR, the project site is located in an area identified as sensitive for archaeological and historical archaeological resources (SOURCE V.1b, DEIR Figures 4.9-1 and 4.9-3). An archaeology review was conducted for the project site in August 2018 by BASIN Research Associates (SOURCE V.11). A field inventory was not completed due to the urban nature of the project site and lack of native soil exposures. The archaeology review included a records and literature search of the California Historical Resources Information System (CHRIS) at the Northwest Information Center (NWIC) and a search of the Native American Heritage Commission (NAHC) Sacred Lands File. Based

on the archival research and limited literature review, no prehistoric, combined prehistoric/historic, and/or historic era archaeological sites have been recorded or reported in or within 500 feet of the project site. One built environment resource (P-44-000227 Hotel Metropole) and two historic districts (P-44- 000853 Pacific Avenue Historic District; and, P-44-000939 Santa Cruz Downtown Historic District) are within 500 feet of the project site.

Based on the archaeology review, the project site appears to have a low sensitivity for both prehistoric and historic archaeological materials. No prehistoric sites are known and development since turn of the 20th century does not appear to have exposed any prehistoric cultural materials. Historic archaeological resources associated with turn of the century and later commercial and retail enterprises within the project site could be present including former foundations, trash disposal pits, and isolated historic artifacts, although overbank flooding of the adjacent San Lorenzo River at various times could have removed any materials. However, it is probable that any turn of the 20th century historic deposits will not contain information needed to answer important scientific research questions or provide data pertinent to the early and middle 20th century history of the City of Santa Cruz. Thus, there appears to a low potential for the exposure of significant historic resources and/or unique archaeological sites during ground disturbing construction (SOURCE V.11).

Section 24.12.430 of the City's Municipal Code sets forth the procedure to follow in the event that previously unknown prehistoric or cultural features are discovered during construction. Under provisions of this Code section, work shall be halted within 100 feet of the find and the Planning Director shall be immediately notified to determine the appropriate course of action, including implementation of potential mitigation measures. 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.

The Downtown Plan Amendments EIR concluded that compliance with City regulations and General Plan policies and actions (described below) would result in less-than-significant impacts on archaeological resources. The General Plan EIR concluded that new development accommodated by the plan would result in construction that could result in impacts to buried archaeological resources. However, implementation of the proposed General Plan policies and actions, compliance with local and state regulations, and General Plan EIR Mitigation 4.9-1 would reduce potential impacts to a less-than-significant level. Mitigation 4.9-1 added an Action to the General Plan (HA1.2.2), which establishes a procedure for preparing archaeological investigations for development within areas designated as "sensitive" or "highly sensitive" and implementing site-specific mitigation measures if significant impacts are identified, with which the proposed project has complied.

An archaeological report and follow-up testing were conducted consistent with the requirements of the *General Plan 2030* policies and actions (HA1.2.2) as set forth in the General Plan EIR. The project archaeological investigation did not identify sensitive resources, and therefore, the project would not result in archaeological impacts peculiar to the site or project. In addition, implementation of standards set forth in the City's Municipal Code (Section 24.12.430) related to potential discovery of unidentified archaeological resources during construction would be considered application of

uniformly applied development standards. Discovery of unidentified (e.g., buried) cultural resources during any construction would be subject to this requirement as a standard condition of approval. Thus, the proposed project would not result in significant impacts to archaeological resources not otherwise addressed in the General Plan EIR or impacts peculiar to the project or the site with the application of uniformly applied development standards. No further review is necessary pursuant to CEQA section 21083.3 and the State CEQA Guidelines section 15183.

6. ENERGY Would the project:	Where Impact is Addressed in Downtown Plan Amendments EIR	Where Impact is Addressed in General Plan 2030 EIR	Does Project Involve New Significant Impacts or Substantially More Severe Impacts?	Any New Impacts Peculiar to Project or Site?	Relevant General Plan Mitigation Measures or Other Uniformly Applicable Development Standards
a Result in potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy resources, during project construction or operation?	DEIR pp. 5-1 to 5-3	DEIR pp. 4.6-27 to 4.6-29, 4.6-45 to 4.6-46, 5-4 to 5-6	No	No	None
b) Conflict with or obstruct a state or local plan for renewable energy or energy efficiency?	DEIR pp. 5-2 to 5-3	DEIR pp. 4.6-46; 5-5	No	No	None

(a) Energy Use. The General Plan EIR reviewed energy use associated with development accommodated by the General Plan. The estimated energy demand was found to be within state per capita projections for the planning area, and the EIR concluded that overall, the future consumption of electrical and natural gas resources would not represent unnecessary, inefficient, or wasteful use of resources given the implementation of policies that address lighting and energy conservation measures. While the proposed project is within the overall amount of residential and commercial development evaluated in the General Plan EIR, actual energy demand was not calculated for the project site. It is not expected that the proposed project would not result in impacts related to inefficient or wasteful use of energy that would be peculiar to the project or the site or substantially more severe than evaluated in the *General Plan 2030* EIR. However, project energy use will be estimated for construction and operation and evaluated in an EIR.

b) Conflicts with Plans. The proposed project would not result in conflicts with or obstruct a state or local plan for renewable energy or energy efficiency. The proposed project features and design elements are consistent the City's CAP provisions related to energy efficiency as discussed in section IV.E.8. Therefore, no further review is necessary.

7. GEOLOGY AND SOILS	Where Impact is Addressed in Downtown Plan Amendments EIR	Where Impact is Addressed in General Plan 2030 EIR	Does Project Involve New Significant Impacts or Substantially More Severe Impacts?	Any New Impacts Peculiar to Project or Site?	Relevant General Plan Mitigation Measures or Other Uniformly Applicable Development Standards
Would the project:					
<p>a) Directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury, or death involving:</p> <p>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?</p> <p>ii) Strong seismic ground shaking?</p> <p>iii) Seismic-related ground failure, including liquefaction?</p> <p>iv) Landslides?</p>	<p>DEIR Appendix A pp. 32 to 33</p> <p>DEIR Appendix A pp. 32 to 33</p> <p>DEIR Appendix A pp. 32 to 33</p> <p>DEIR Appendix A pp. 32 to 33</p>	<p>DEIR pp. 4.10-7 to 4.10-9, 4.10-20</p> <p>DEIR pp. 4.10-6 to 4.10-14, 4.10-21 to 4.10-23</p> <p>DEIR pp. 4.10-12 to 4.10-13, 4.10-21 to 4.10-23</p> <p>DEIR pp. 4.10-13 to 4.10-14, 4.10-22 to 4.10-24</p>	<p>No</p> <p>No</p> <p>No</p> <p>No</p>	<p>No</p> <p>No</p> <p>No</p> <p>No</p>	<p>None</p> <p>California Building Code Seismic Design Criteria</p> <p>City Municipal Code section 24.14.070 regarding required geotechnical investigations</p> <p>None</p>
<p>b) Result in substantial soil erosion or the loss of topsoil?</p>	<p>DEIR Appendix A p. 33</p>	<p>DEIR pp. 4.10-17 to 4.10-18, 4.10-25 to 4.10-26</p>	<p>No</p>	<p>No</p>	<p>City Municipal Code section 24.14.060 and Chapter 18.45 regarding grading and erosion control plans</p>
<p>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?</p>	<p>DEIR Appendix A pp. 32 to 33</p>	<p>DEIR pp. 4.10-5 to 4.10-6, 4.10-15 to 4.10-16, 4.10-24 to 4.10-25</p>	<p>No</p>	<p>No</p>	<p>None</p>

7. GEOLOGY AND SOILS	Where Impact is Addressed in Downtown Plan Amendments EIR	Where Impact is Addressed in General Plan 2030 EIR	Does Project Involve New Significant Impacts or Substantially More Severe Impacts?	Any New Impacts Peculiar to Project or Site?	Relevant General Plan Mitigation Measures or Other Uniformly Applicable Development Standards
Would the project:					
d) Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial risks to life or property?	DEIR Appendix A p. 33	DEIR pp. 4.10-16 to 4.10-17, 4.10-19	No	No	California Building Code Requirements for Geotechnical Reports
e) Have soils incapable of adequately supporting the use of septic tanks or alternative waste water disposal systems where sewers are not available for the disposal of waste water?	DEIR Appendix A p. 33	Not Applicable	Not Applicable	Not Applicable	Not Applicable
f) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?	DEIR pp. 4.4-14	DEIR pp. 4.9-14 to 4.9-16, 4.9-21, 4.9-24 to 4.9-25	No	No	GP EIR Mitigation 4.9-2

(a-i) Fault Rupture. The project site is located in a seismically active region of California, which has the potential 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 11.5 miles to the northeast, and the San Gregorio, approximately 10 miles to the southwest. There are no active fault zones or risk of fault rupture within the City (SOURCE V.1b, DEIR volume). Therefore, fault rupture through the site would not occur.

(a-ii – iv, c) Seismic and Geologic Hazards. The project could be subject to strong seismic shaking during an earthquake on regional faults. According to maps developed as part of the City's *General Plan 2030* and included in the General Plan EIR, the project site is located in an area identified as being subject to liquefaction hazards (SOURCE V.1b, DEIR Figure 4.10-4), but not landslides (SOURCE V.1b, DEIR Figure 4.10-3). The project site is developed and located on a level site.

Project construction and associated population could expose structures and people to seismic hazards, particularly seismic shaking and liquefaction. The Downtown Plan Amendments EIR and General Plan EIR concluded that adherence to existing regulations and standards, including the California Building Code (CBC) and policies and actions established in the *General Plan 2030*, would minimize harm to people and structures from adverse geologic events and conditions. Buildings would be required to 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.

Section 24.14.070 of the City's Municipal Code requires preparation of a site-specific geotechnical investigation for all development, except less than four units, in areas identified in the General Plan as having a high liquefaction potential to assess the degree of potential liquefaction and recommend appropriate design/mitigation measures. General Plan Action HZ6.3.6 requires site-specific geologic investigations by qualified professionals for proposed development in potential liquefaction areas shown on the Liquefaction Hazard Map to assess potential liquefaction hazards, and require developments to incorporate the design and other mitigation measures recommended by the investigations.

Geotechnical investigations were conducted for the project in 2016 by TRC (SOURCE V.18) and in October 2018 by AECOM (SOURCE V.8). AECOM's geotechnical investigation focused on potential seepage and slope stability of the levee as a result of the proposed placement of fill on landward side of the levee. Through- and under-seepage has the potential to weaken levee foundations. However, the geotechnical evaluation concluded that the proposed project would not have an adverse effect on the integrity and performance of the San Lorenzo River West Project Levee with regard to under-seepage and slope stability problems (SOURCE V.8). A stormwater bioretention feature is proposed at the southern end of the levee, consisting of small vegetated areas and pervious pavers. This feature would have a liner, and stormwater that infiltrates through the vegetation would be captured by a storm drain. Stormwater would not infiltrate through the proposed fill. Landscaping on the top of the levee is proposed by the adjacent development project to be small shrubs and trees that are planted in containers, thus eliminating irrigation runoff into the fill area (SOURCE V.19).

The project geotechnical investigation prepared by TRC included two soils borings and testing. Subsurface materials on the project site encountered during geotechnical borings consisted of interbedded layers of loose to medium dense silty sand, and loose to very dense poorly graded sand to a depth of approximately 25 to 26 feet. Below 25 to 26 feet, the borings encountered hard sandy silt bedrock of the Purisima Formation (SOURCE V.18).

The project would require excavation to a depth of approximately 11 feet below ground surface (existing grade) to accommodate the partially below-grade parking garage. The geotechnical investigation prepared for the project site (SOURCE V.18) encountered groundwater at depths ranging from 7.75 to 12.25 feet below grade. Because the groundwater depth measured at the time of geotechnical drilling may not reflect a stabilized level, a design groundwater depth of 5 feet was deemed appropriate for purposes of liquefaction potential (SOURCE V.18). The liquefaction analysis indicated that several sand and silt layers below the design groundwater depth may theoretically liquefy, resulting in approximately 5 to 9.75 inches of total settlement for the top 50 feet. Differential settlements were estimated to be on the order of 0.75 inches in 50 horizontal feet. The investigation also concluded that the proximity to the San Lorenzo River and potential for liquefaction could result in up to moderate to high lateral spreading on localized areas of the site on the order of several feet.

A subsequent geotechnical review was conducted by Rockridge Geotechnical (SOURCE V.16) regarding the most appropriate foundation type and ground improvement methods for the proposed project due to potential liquefaction and lateral spreading. The project would result in construction of a seven-story residential building over one level of below-grade parking with a finished floor about 13

feet below sidewalk grade on Front Street. Because the site slopes gently down to the east, the first level above the garage will be at grade along Front Street and about 10 feet below grade at the rear of the building (SOURCE V.16).

The TRC report indicates the loose to medium dense sand and silty sand below the groundwater table is susceptible to liquefaction during a large earthquake. Estimated free-field settlements resulting from post-liquefaction reconsolidation presented in the TRC report range from 4.9 to 15.2 inches. The report also states there is a moderate to high potential for lateral spreading to occur towards the nearby San Lorenzo River during a large earthquake, but that no significant evidence of lateral spreading towards the river was report as a result of the October 17, 1989 Loma Prieta Earthquake (U.S. Geological Survey Professional Paper 1551-B, 1998 as cited in SOURCE V.16). The Rockridge Geotechnical review concurred with the findings of the TRC report that the loose to medium dense sand and silty sand below the groundwater table is susceptible to liquefaction during a large earthquake. Soil susceptible to lateral spreading is generally limited to the top 10 to 18 feet of soil at the boring locations. Although the soil below these depths may liquefy, it is sufficiently dense to resist lateral spreading (Ibid).

A mat foundation on soil strengthened with ground improvement has been recommended for the project (SOURCE V.16) to address effects of liquefaction within the building footprint and potential for building damage from lateral spreading that occurs outside the building footprint. The ground improvement method recommended for the project would consist of drilled displacement columns (DDCs) by pumping a sand-cement mixture into drilled holes. The required size, spacing, length, and strength of columns would be determined at the building permit stage, but it estimated that these columns would be spaced at six feet on center and would extend at least five feet into the Purisma formation which is approximately 24 to 68 feet below existing grade or approximately 10 to 60 feet below the foundation subgrade. With this foundation type, it is estimated that total static settlement of a building supported on DDCs will be less than one inch and differential settlement would be less than 3/4 inch over a horizontal distance of 30 feet (SOURCE V.16).

With implementation of the recommendations in the geotechnical investigations prepared for the project, impacts related to seismic and geologic hazards would be less than significant. The General Plan EIR concluded that with adherence to existing regulations and standards, including preparation of geotechnical investigations and adherence to the California Building 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). The requirement to prepare a project geotechnical investigation and implement the recommendations would be considered application of a uniformly applied development standard. Thus, the proposed project would not result in new significant impacts related to seismic and geologic hazards not otherwise addressed in the Downtown Plan Amendments EIR and the General Plan EIR or impacts peculiar to the project or the site with the application of uniformly applied development standards for required geological and geotechnical investigations and implementation of recommendations contained in these reports. No further review is necessary pursuant to CEQA section 21083.3 and the State CEQA Guidelines section 15183.

(b) Erosion. According to maps developed as part of the City's *General Plan 2030* and included in the General Plan EIR, soils at the project site consist primarily of Baywood loamy sand, 0 to 2 percent

slopes (SOURCE V.1b, DEIR Figure 4.10-6). As described in the General Plan EIR, Baywood soils are not rated as having a high to very high erosion potential (SOURCE V.1b, DEIR volume). The project proposes a below-grade parking garage that will require a 11-foot-deep excavation, which would result in approximately 16,500 cubic yards of excavated material. The project plans include an erosion control plan that includes measures to manage excavated soils, prevent sediments from entering storm drains, and completing revegetation of disturbed areas. See subsection 10(a) below regarding potential water quality impacts due to grading.

The Downtown Plan Amendments EIR noted that the project area is not located in an area subject to high erosion and the amendments to the Downtown Plan would not change the development footprint, thus no impacts would occur related to erosion with implementation of the Downtown Plan amendments. The General Plan 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. With implementation of required erosion control plans and uniformly applied grading and erosion control standards and requirements set forth in the City's Municipal Code Chapter 18.45, the project would not result in new significant erosion impacts not otherwise addressed in the Downtown Plan Amendments EIR and the General Plan EIR or peculiar to the project or site. No further review is necessary pursuant to CEQA section 21083.3 and the State CEQA Guidelines section 15183.

(d) Expansive Soils. Expansive soils contain large amounts of clays that expand when wetted and contract when dried. As described above, soils at the project site consist of Baywood loamy sand. According to the U.S. Department of Agriculture, Soil Conservation Service's Soil Survey of Santa Cruz County, this soil type has a low expansion potential.

The project geotechnical report indicated that some moderately expansive clay is present on site (SOURCE V.18). Implementation of recommendations set forth in the project geotechnical report is required by the California Building Code and City regulations and policies, which would ensure that potential exposure to geotechnical hazards would be mitigated.

The Downtown Plan Amendments EIR noted that, with implementation of the Downtown Plan amendments, the overall building footprints and area of future development would remain unchanged and, thus, would not result in impacts related to soils. The General Plan 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 California Building Code requirements and Section 24.14.070 of the City's Municipal Code (requirement for geotechnical investigations), which would ensure that buildings are designed and to prevent structural damages based on project-specific geotechnical investigations. Thus, with implementation of the foregoing uniformly applied development standards and regulations that require preparation of geotechnical report and implementation of recommendations set forth in the geotechnical investigation, the proposed project would not result in significant impacts not otherwise addressed in the Downtown Plan Amendments EIR and the General Plan EIR or peculiar to the project or site. No further review is necessary pursuant to CEQA section 21083.3 and the State CEQA Guidelines section 15183.

(e) Use of Septic Systems. The project would be connected to City sanitary sewers and would not use septic systems.

(f) Paleontological Resources. According to maps developed for the City's *General Plan 2030* and included in the General Plan EIR, the project site is within an area mapped as Holocene alluvium formations (SOURCE V.1b, DEIR Figure 4.9-5). Although the Holocene alluvium formation is generally considered too young to contain paleontological resources, it is considered moderately sensitive for paleontological resources because it is underlain by sedimentary geologic units that have a high paleontological sensitivity (SOURCE V.1b, DEIR volume).

The Downtown Plan Amendments EIR found that, with adherence to City procedures described in the General Plan, impacts to paleontological resources would be less than significant. The General Plan EIR Mitigation 4.9-2 added General Plan Action HA1.2.3 which 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 in accordance with the recommendations of the evaluating paleontologist. Treatment may include, but is not limited to, specimen recovery and curation or thorough documentation. This provision was added to the City's Municipal Code (section 24.12.431) and all projects are subject to this requirement. Therefore, with implementation of the General Plan EIR mitigation measure, the proposed project would not result in significant paleontological resource impacts not otherwise addressed in the Downtown Plan Amendments EIR and General Plan EIR. The measure is included as a project condition of approval, which is considered a uniformly applied development standard. No further review is necessary pursuant to CEQA section 21083.3 and the State CEQA Guidelines section 15183.

8. GREENHOUSE GAS EMISSIONS Would the project:	Where Impact is Addressed in Downtown Plan Amendments EIR	Where Impact is Addressed in General Plan 2030 EIR	Does Project Involve New Significant Impacts or Substantially More Severe Impacts?	Any New Impacts Peculiar to Project or Site?	Relevant General Plan Mitigation Measures or Other Uniformly Applicable Development Standards
a) Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?	DEIR pp. 4.2-21 to 4.2-22	DEIR pp. 4.12-13 to 4.12-17, 4.12-21 to 4.12-28 FEIR pp. 3-26 to 3-27	No	No	None
b) Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases?	DEIR pp. 4.2-17 to 4.2-18	DEIR pp. 4.12-18 to 4.12-20, 4.12-29 to 4.12-31	No	No	None

(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).

The State of California passed the Global Warming Solutions Act of 2006 (AB 32), which seeks to reduce GHG emissions generated by California. The Governor's Executive Order S-3-05 and AB 32 (Health & Safety Code, § 38501 et seq.) both seek to achieve 1990 emissions levels by the year 2020. Executive Order S-3-05 further requires that California's GHG emissions be 80 percent below 1990 levels by the year 2050. AB 32 defines GHGs to include carbon dioxide, methane, nitrous oxide, hydrocarbons, perfluorocarbons and sulfur hexafluoride.

The California Air Resources Board (CARB) is the lead agency for implementing AB 32. In accordance with provisions of AB 32, 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 current (2017) Scoping Plan identifies a balanced mix of strategies to meet the State's 2030 GHG limit.

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 October 2012, the City also adopted a "Climate Action Plan" that outlines the actions the City will take over the next 10 years to reduce GHG emissions by 30 percent.

The Downtown Plan Amendments EIR concluded that development accommodated by the Downtown Plan amendments occurring over the next 25 years would result in GHG emissions, but per capita emissions would be substantially lower than known thresholds. Additionally, the emissions would be partially offset by the incorporation of energy and water conserving features and “green” building designs that would be required of future development projects under City and State building regulations. Therefore, the EIR concluded that GHG emissions resulting from additional development in the downtown area, including the project site, would not be considered significant.

The General Plan EIR estimated greenhouse emissions that could result from potential development and buildout accommodated by the plan that included 3,350 residential dwelling units with an associated population increase of 8,040 residents and approximately 3,140,000 additional square feet of new commercial, office, and industrial uses by the year 2030 with an estimated 8,665 new employees. The General Plan EIR analysis determined that the GHG emission levels associated with potential buildout that would be accommodated by the General Plan would not be considered substantial compared to long-term forecasts and state and regional targets, and would be less than forecast statewide per-capita emission rates. Implementation of the proposed *General Plan 2030* policies and actions, including the Climate Action Plan, as well as planned implementation of statewide actions, would further reduce emissions. Therefore, the impact was considered less than significant.

The proposed project would result in an increase of 175 dwelling units and 11,498 square feet of commercial building space within the City. This level of development would be within the overall amount of residential and commercial development evaluated in the General Plan EIR and within remaining potential development as described in Section IV.B. Since the project size (and resulting GHG emissions) is within the total amount of potential residential and commercial development and level of emissions analyzed in the Downtown Plan Amendments EIR and the General Plan EIR, no impacts peculiar to the site or substantially more severe impacts would occur. No further environmental analysis is required pursuant to Public Resources Code section 21083.3 and State CEQA Guidelines section 15193.

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

In October 2012, the Santa Cruz City Council adopted a Climate Action Plan (CAP) that addresses citywide greenhouse emissions and reduction strategies. The CAP outlines the actions the City and its partners may take pertaining to reduction of GHG emissions to meet the goals and implement the policies and actions identified in the *General Plan 2030*. The CAP provides City emissions inventories, identifies an emissions reduction target for the year 2020, and includes measures to reduce energy use, reduce vehicle trips, implement water conservation programs, reduce emissions from waste collection, increase solar systems, and develop public partnerships to aid sustainable practices. Measures are outlined for the following sectors: municipal, residential, commercial, and community programs. Each chapter, as well as Appendix A, provides a table of actions necessary to meet each reduction measure, quantifies the potential GHG emission reduction, and prioritizes implementation based on funding, ease, and current infrastructure. With a couple of exceptions, all measures

establish the year 2020 as the target date to achieve the specified reductions. The CAP includes an Implementation chapter that identifies tracking and reporting of the success of the measures, including City staff responsibilities.

The project would be subject to approval of building permits that meet the California Building Code and City Green Building Code requirements, as well as compliance with City requirements for water conservation fixtures and features, including drought-resistant landscaping. Seventeen electric vehicle charging spaces would also be provided. These measures are consistent with those recommended for residential uses in the CAP related to building and energy efficiency and water conservation. Thus, the project would not conflict with provisions of the CAP.

Furthermore, the proposed project location and uses are consistent with the sustainable transportation and land use planning goals set forth in the City's CAP that encourage higher density development along transit corridors and activity centers to support efficient, accessible, and sustainable transportation options. The Association of Monterey Bay Area Governments (AMBAG), as a metropolitan planning organization (MPO), is required by state and federal laws to develop and adopt a long-range transportation planning document known as a Metropolitan Transportation Plan (MTP). California's 2008 Senate Bill (SB) 375 requires each of the state's 18 metropolitan areas to develop a Sustainable Communities Strategy (SCS)—an integrated transportation, land use, and housing plan that addresses ways to accommodate future population growth and reduce greenhouse gas emissions from cars and light trucks. *Moving Forward Monterey Bay 2040* is the MTP/SCS for the three-county Monterey Bay Area. The MTP/SCS identifies Opportunity Areas with the highest chance for successful sustainable growth in the future. Opportunity Areas are generally located where Transit Priority Areas (TPAs) and Economic Development Areas (EDAs) within the AMBAG region overlap. An Opportunity Area is an area within 0.5 miles of an existing or planned "high-quality transit corridor" (as defined in California Public Resources Code Section 21064.3) that has the potential for transit-oriented development, including mixed use.

The proposed project is located within Opportunity Area SC-2: City of Santa Cruz, Downtown including Water Street and Soquel Avenue. Opportunity Area SC-2 is designated as an existing/planned Opportunity Area as it currently has characteristics of both a TPA and EDA. Key factors considered in Opportunity Area SC-2's boundaries were existing transit and walksheds, and future high-quality transit thresholds, median household income, residential density, activity density, and Place Types. Place Types identified were primarily Urban, Town, and Suburban, which support the high activity densities identified in the area. A series of existing transit and proposed high-quality transit stops were identified throughout the area, primarily along Soquel Avenue, Water Street, and in Downtown Santa Cruz. Transit walksheds meeting the established thresholds were also identified in the area.

Additionally, the Santa Cruz County Regional Transportation Commission's (SCCRTC) *2040 Santa Cruz County Regional Transportation Plan*, adopted in June 2018, provides guidance for transportation policy and projects through the year 2040. The RTP identifies 11 "key destinations" (i.e., employment and commercial centers) within Santa Cruz County. Downtown Santa Cruz is identified as a key destination. The RTP's Target 1A seeks to increase the percentage of people who can travel to key destinations within a 30-minute walk, bike, or transit trip by 20 percent by 2020 and 40 percent by

2035. The proposed project is located within the maximum travel buffer for the Downtown Santa Cruz key destination.

Given the foregoing, the project would not result in impacts related to conflicts with plans related to GHG emissions and reduction strategies that would be peculiar to the site or substantially more severe than described in the Downtown Plan Amendments EIR and the *General Plan 2030* EIR. No further environmental analysis is required pursuant to Public Resources Code section 21083.3 and the State CEQA Guidelines section 15183.

9. HAZARDS AND HAZARDOUS MATERIALS	Where Impact is Addressed in Downtown Plan Amendments EIR	Where Impact is Addressed in General Plan 2030 EIR	Does Project Involve New Significant Impacts or Substantially More Severe Impacts?	Any New Impacts Peculiar to Project or Site?	Relevant General Plan Mitigation Measures or Other Uniformly Applicable Development Standards
Would the project:					
a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?	DEIR Appendix A p. 35	DEIR pp. 4.14-9 to 4.14-10	No	No	None
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?	DEIR Appendix A p. 35	DEIR pp. 4.14-5 to 4.14-7, 4.14-9 to 4.14-11	No	No	None
c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within ¼ miles of an existing or proposed school?	DEIR Appendix A p. 35	DEIR pp. 4.14-12	No	No	None
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?	DEIR Appendix A p. 35	DEIR pp. 4.14-5 to 4.14-7	No	No	None
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 or excessive noise for people residing or working in the project area?	DEIR Appendix A p. 35	Not Applicable	Not Applicable	Not Applicable	Not Applicable

9. HAZARDS AND HAZARDOUS MATERIALS					
	Where Impact is Addressed in Downtown Plan Amendments EIR	Where Impact is Addressed in General Plan 2030 EIR	Does Project Involve New Significant Impacts or Substantially More Severe Impacts?	Any New Impacts Peculiar to Project or Site?	Relevant General Plan Mitigation Measures or Other Uniformly Applicable Development Standards
Would the project:					
f) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?	DEIR Appendix A pp. 35 to 36	DEIR pp. 4.6-2 to 4.6-5, 4.6-33 to 4.6-37	No	No	None
g) Expose people or structures, either directly or indirectly, to a significant risk of loss, injury or death involving wildland fires?	DEIR Appendix A p. 36	DEIR pp. 4.6-3 to 4.6-4, 4.6-34 to 4.6-35	No	No	Standard Fire Department Conditions of Approval

(a-b) Use or Release of Hazardous Materials. The proposed project consists of commercial and residential land uses, which would not involve the routine transport, use, or disposal of hazardous materials or wastes, and would not result in the creation of a public health hazard.

The Downtown Plan Amendments EIR concluded that, as the amendments to the Downtown Plan would not change the area of future development or uses permitted in the area and the amendments to the Downtown Plan would not result in new impacts related to the use or release of hazardous materials. The General Plan EIR concluded that new development accommodated by the General Plan that utilizes hazardous materials or generates hazardous waste would be regulated pursuant to federal, state, and local laws to ensure proper transportation, handling, and disposal. With adherence to local and state regulations, as well as implementation of these proposed policies and actions, the *General Plan 2030's* impacts related to creation of hazards due to hazardous material transport, use, or disposal was considered less than significant. Thus, the proposed project would not result in significant impacts not otherwise addressed in the Downtown Plan Amendments EIR and the General Plan EIR or peculiar to the project or site. No further review is necessary pursuant to CEQA section 21083.3 and the State CEQA Guidelines section 15183.

(c-d) Exposure to Hazardous Materials. A search of databases managed by the Department of Toxic Substances Control (EnviroStor) and the State Water Resources Control Board (GeoTracker) was conducted. The project site is not included on the list of hazardous material sites compiled pursuant to Government Code Section 65962.5. The Downtown Plan Amendments EIR concluded that, as the amendments to the Downtown Plan would not change the area of future development or uses permitted in the area, the amendments to the Downtown Plan would not result in new impacts related to exposure to hazardous materials. The General Plan EIR concluded that new development accommodated by the General Plan could result in exposure to hazardous materials due to proximity to contaminated sites but, with adherence to federal, state, and local regulations, impacts would be less than significant. The proposed project would not result in exposure to hazardous materials and would not result in significant impacts not otherwise addressed in the Downtown Plan Amendments

EIR and the General Plan EIR or peculiar to the project or site. No further review is necessary pursuant to CEQA section 21083.3 and the State CEQA Guidelines section 15183.

(e) Airport Safety. The project site is not located within two miles of a public airport or air strip and would not be subjected to potential aircraft hazards.

(f) Emergency Response. Access to the project site would be provided from two access points to be located on Front Street. The project would not include any changes to existing public roadways that provide emergency access to the site. Therefore, the project would not impair implementation of or physically interfere with an emergency response or evaluation plan, and would not result in an impact. No further review is necessary pursuant to CEQA section 21083.3 and the State CEQA Guidelines section 15183.

(g) Wildland Fire Hazards. According to maps developed for the City's *General Plan 2030* and included in the General Plan EIR, the project site is not located within a fire hazard area (SOURCE V.1b, DEIR Figure 4.6-1). The project site is located within the developed downtown area of Santa Cruz. Thus, the proposed project would not result in significant impacts not otherwise addressed in the Downtown Plan Amendments EIR and the General Plan EIR or peculiar to the project or site. No further review is necessary pursuant to CEQA section 21083.3 and the State CEQA Guidelines section 15183.

10. HYDROLOGY AND WATER QUALITY Would the project:	Where Impact is Addressed in Downtown Plan Amendments EIR	Where Impact is Addressed in General Plan 2030 EIR	Does Project Involve New Significant Impacts or Substantially More Severe Impacts?	Any New Impacts Peculiar to Project or Site?	Relevant General Plan Mitigation Measures or Other Uniformly Applicable Development Standards
a) Violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or ground water quality?	DEIR pp. 4.5-12 to 4.5-13	DEIR pp. 4.6-22, 4.7-8 to 4.7-12, 4.7-24 to 4.7-25	No	No	City Municipal Code Section 24.14.060, and Chapters 16.19 and 18.45 regarding water quality and erosion control
b) Substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the project may impede sustainable groundwater management of the basin?	DEIR Appendix A p. 36	DEIR pp. 4.5-6 to 4.5-7, 4.5-39 to 4.5-42, 4.7-24 to 4.7-25	No	No	City Municipal Code section 24.14.090
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	DEIR pp. 4.5-11 to 4.5-12	DEIR pp. 4.7-5 to 4.7-8, 4.7-22 to 4.7-24	No	No	City Municipal Code Section 24.14.050 and Chapter 16.19

10. HYDROLOGY AND WATER QUALITY					Relevant General Plan Mitigation Measures or Other Uniformly Applicable Development Standards
Would the project:	Where Impact is Addressed in Downtown Plan Amendments EIR	Where Impact is Addressed in General Plan 2030 EIR	Does Project Involve New Significant Impacts or Substantially More Severe Impacts?	Any New Impacts Peculiar to Project or Site?	
<p>the addition of impervious surfaces, in a manner which would:</p> <p>(i) Result in substantial erosion or siltation on- or off-site;</p> <p>(ii) Substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site;</p> <p>(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; or</p> <p>(iv) Impede or redirect flood flows?</p>	<p>DEIR pp. 4.5-11 to 4.5-12</p> <p>DEIR pp. 4.5-11 to 4.5-12</p> <p>DEIR pp. 4.5-13</p>	<p>DEIR pp. 4.7-5 to 4.7-8, 4.7-22 to 4.7-24</p> <p>DEIR pp. 4.7-7 to 4.7-8, 4.7-22 to 4.7-24</p> <p>DEIR pp. 4.7-12 to 4.7-14, 4.7-25 to 4.7-27</p>	<p>No</p> <p>No</p> <p>No</p>	<p>No</p> <p>No</p> <p>No</p>	<p>None</p> <p>General Plan 2030 Action CC5.1.8 and Municipal Code Chapters 16.19 and 24.14 regarding drainage and BMPs</p> <p>General Plan 2030 Actions CC5.1.7, HZ6.4.6, HZ6.4.10</p>
d) In flood hazard, tsunami or seiche zones, risk release of pollutants due to project inundation?	DEIR pp. 4.5-13	DEIR pp. 4.7-15, 4.7-25 to 4.7-26, 4.10-14	No	No	General Plan Policy HZ6.6 and actions
e) Conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan?	DEIR Appendix A p. 36	DEIR pp. 4.7-17	No	No	

(a) Water Quality/Discharges. The proposed project would not involve any waste 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. Phase II regulations also expand the NPDES program to include construction sites of one to five acres (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 required Best Management Practices (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 City Code, shall implement best management practices 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 a 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, as detailed in the latest BMP manual published by the City’s Public Works Department, 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 $\geq 2,500$ square feet of impervious surfaces.

The project would result in 56,095 square feet of new/replaced impervious surface area, which would result in a net increase of 12,384 square feet over the existing 43,711 square feet of impervious surfacing on the project site. Based on the amount of impervious surfaces created by the project, the project would be required to comply Tiers 1 through 4 (Site Design, Water Quality Treatment, Runoff Retention, and Peak Management). However, the project is exempt from Tier 4 requirements because stormwater runoff from the project site discharges into a City storm drain line that outfalls directly into the San Lorenzo River.

The project would include drainage structures to collect and treat stormwater runoff, including a bioretention basin and perk-filter manhole. The bioretention basin would satisfy water quality and runoff retention requirements for new impervious surfaces on the top of filled area on the river levee. The perk-filter manhole would satisfy water quality and runoff treatment requirements of the proposed development project. Site design and runoff reduction at the project site would include minimization of hardscapes/impervious areas and conservation of natural areas, including 2,082 square feet of pervious landscaping to minimize stormwater runoff. All of the site runoff from impervious areas would be treated via the proposed on-site bioretention system and perk-filter manhole. The project stormwater plan includes a monitoring and maintenance schedule for the storm drain system components, including the bioretention basin and other landscaping features.

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 management practices (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. Proposed grading and development on the project site would disturb more than 1 acre and, thus, the project would be subject to the Construction General Permit and preparation of a SWPPP. The City requires proof of a Construction General Permit coverage prior to issuance of the building permit as part of the stormwater review for the building permit application. The City's regulatory requirements and BMPs, as detailed in the "Stormwater Best Management Practices Manual" published by the City's Public Works Department, must be implemented.

The Downtown Plan Amendments EIR and General Plan EIR concluded that potential impacts related to water quality would be less than significant with compliance with City stormwater regulations and BMPs and implementation of SWPPP and erosion control plans as may be required. The General Plan EIR concluded that with implementation of General Plan policies and adherence to City regulations to protect water quality, impacts from future development on water quality, including potential erosion, would be less than significant. The application of uniformly applied standards and regulations contained in the City's Municipal Code regarding implementation of stormwater BMPs, grading requirements and implementation of erosion control plans (Chapters 16.19 and 18.45 and section 24.14.060) would be required, as would preparation and implementation of a SWPPP during construction, which would mitigate potential storm runoff water quality impacts as well as potential erosion and water quality impacts during excavation and construction as discussed above. Thus, the proposed project would not result in significant water quality impacts not otherwise addressed in the Downtown Plan Amendments EIR and the General Plan EIR, and the project would not result in water quality impacts peculiar to the site or project with implementation of uniformly applied development standards. No further review is necessary pursuant to CEQA section 21083.3 and the State CEQA Guidelines section 15183.

(b) Groundwater. The project site is located within a developed area and has existing structures and parking areas. Redevelopment of the site would not affect groundwater supplies or recharge or impede sustainable groundwater management of the basin.

(c[i-iii]) Drainage. The project site is located within a developed urban area. The project site predominantly covered with impervious surfaces (approximately 75 percent). Existing site drainage is from west to east, from Front Street to the base of the San Lorenzo River levee. At the base of the levee, stormwater runoff is conveyed into a City 48-inch storm drain main adjacent to the San Lorenzo River. The City storm drain system flows directly into the San Lorenzo River. There are five pump stations along the river that were installed in order to stormwater through the river levees into the river; three are located on the west side of the river and two on the east side (SOURCE V.1b-DEIR volume). Within Front Street, there are two existing City of Santa Cruz sanitary sewer mains. Both sanitary sewer mains flow to the south. (SOURCE V.12).

On-site stormwater detention also is planned with water treatment. The site is currently covered by 43,711 square feet of impervious surfaces (approximately 75 percent of the site). Total impervious surface area with the project would be 56,095 square feet, resulting in a net increase in impervious surface area on the site of 12,384 square feet square feet, which is an approximate 28percent increase over the existing amount of impervious surface area. The bioretention area is planned with 24 inches of treatment soil that infiltrates storm water and is underlain by a minimum of 12 inches of drain rock to capture the stormwater. The bottom and sides of the bioretention area will be lined to prevent infiltration in the fill area. The area will be equipped with a raised inlet structure and under-drain. The planned drainage improvements would ensure that existing drainage conditions are not altered and that increased uncontrolled runoff would be not allowed to infiltrate into the levee structure (SOURCE V.19).

The project qualifies for reduced retention requirements based on the Urban Sustainability Area and the Highly Altered Channel special circumstances. The project is between one and two acres and meets all the requirements for a one acre parcel and the additional density factors. The project runoff discharges into the existing underground storm drain system that discharges directly to the San Lorenzo River. The project is not subject to Tier 4 peak management requirements, and the Tier 3 retention requirement is limited to increase from the pre- to post development impervious areas (SOURCE V.12).

The project would not change existing drainage patterns. The slight increase in impervious surfaces would be conveyed to existing storm drain facilities, and thus would not result in erosion, siltation, or flooding. According to the storm drainage analysis and review by City staff, the increased stormwater runoff resulting from the project would not exceed the capacity of existing drainage facilities. The placement of fill on the landward side of the San Lorenzo River levee would permanently alter the landside geometry of the levee, but would not alter the river side of the levee or affect surface flows or hydrology. Neither the proposed fill on the landside slope nor the drainage improvements would impact the existing flow area through the San Lorenzo River channel (SOURCE V.19).

The Downtown Plan Amendments EIR and General Plan EIR concluded that potential impacts related to increased stormwater runoff would be a less-than-significant impact with implementation of General Plan policies and actions that require new development to maintain pre-development runoff levels (General Plan Action CC5.1.8). The project's stormwater plan complies with all City stormwater regulations requirements. The General Plan EIR concluded that with implementation of General Plan policies and adherence to City regulations to protect water quality, impacts from future development on water quality, including potential erosion, would be less than significant. The application of uniformly applied standards and regulations contained in the City's Municipal Code regarding implementation of stormwater BMPs, grading requirements and implementation of erosion control plans (Chapters 16.19 and 18.45 and section 24.14.060) would be required, as would preparation and implementation of a SWPPP during construction, which would mitigate potential storm runoff water quality impacts as well as potential erosion and water quality impacts during excavation and construction as discussed above. Thus, the proposed project would not result in significant water quality impacts not otherwise addressed in the Downtown Plan Amendments EIR and the General Plan EIR, and the project would not result in water quality impacts peculiar to the site or project with implementation of uniformly applied development standards. No further review is necessary pursuant to CEQA section 21083.3 and the State CEQA Guidelines section 15183.

(c [iv], d) Flood Hazard Areas and Risk of Release of Pollutants. The downtown area is located within the 100-year floodplain of the San Lorenzo River. The Flood Insurance Rate Map (FIRM) is an official map of a community for which the Federal Insurance and Mitigation Administration has delineated the Special Flood Hazard Area. According to maps prepared for the *General Plan 2030* and included in the General Plan EIR, the project site is located within a flood hazard zone (SOURCE V.1b, DEIR Figure 4.7-1) and a tsunami inundation zone (SOURCE V.1b, DEIR Figure 4.7-2). The site is in FEMA Flood Zone A99, which is an area with a 1-percent annual chance of flooding that will be protected by a federal flood control system where construction has reached specified legal requirements. The City of Santa Cruz has worked to improve the flood capacity of the San Lorenzo River levees over the past twenty years. In 2002, FEMA re-designated much of the downtown and beach area from A11 to the A99 Flood Zone designation in recognition of the significant flood improvements resulting from the San Lorenzo River Flood Control and Environmental Restoration Project. As reported in the General Plan EIR, this project raised the river levees and rehabilitated the three downtown bridges (over the San Lorenzo River) to increase flood flow capacity. Despite recent flood control projects and improved flood rating in much of the down-town and beach area, the risk of flooding is still a concern to the City. Under the A99 designation, new buildings and improvements are no longer mandated to meet FEMA flood construction requirements.

The Downtown Plan Amendments EIR concluded that intensified development permitted by the amendments to the Downtown Plan could result in exposure to flood hazards, including watercourse flooding, sea level rise, and tsunami; however, with compliance with federal flood requirements and implementation of City plans and programs, impacts would be less than significant.

The General Plan EIR found that future development accommodated by the Plan could be subject to flood hazards and tsunami hazards in some areas. General Plan policies and actions and existing City regulations serve to manage development and prevent exposure to flood hazards. With implementation of the proposed policies and actions related to flood control and adherence to other

City plans and regulations, the General Plan EIR concluded that future development would not result in substantial risk of exposure of structures or people to flood hazards and impacts would be less than significant. The proposed project would not result in significant flood hazards not otherwise addressed in the Downtown Plan Amendments EIR or General Plan EIR or peculiar to the site or project with implementation of uniformly applied development standards related to flood hazards. Section 24.14.400 of the City's Municipal Code sets forth requirements and procedures to protect properties against flood hazards and comply with National Flood Insurance Program requirements, which would be considered application of uniformly applied standards. The City's Local Hazard Mitigation Plan also includes the mitigation strategy to protect structure and people from damages or loss of life due to flooding, tsunamis, or dam failures. Therefore, no further review is necessary pursuant to CEQA section 21083.3 and the State CEQA Guidelines section 15183.

Sea Level Rise. The General Plan 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, West Cliff Drive, the City's wastewater treatment facility and the Santa Cruz Harbor (SOURCE V.1b, DEIR volume).

The Downtown Plan Amendments EIR further reviewed sea level rise impacts in the downtown area since portions of downtown have been mapped as being within areas of sea level rise. As sea level continues to rise, seawater could extend farther upstream in the San Lorenzo River flood control channel more frequently, and rising gradually to higher elevations. This would lead to a rise in the water table beneath downtown, likely resulting in the need for more pumping and implementation of other adaptation strategies. Portions of the downtown area are already affected by high tides and closure of the San Lorenzo River mouth, which lead to elevated river levels and water seepage into basements in downtown buildings, resulting in the need for pumping and dewatering during construction (SOURCE V1.d, DEIR volume).

The Downtown Plan Amendments EIR further reviewed this issue in the downtown area and concluded that as sea level continues to rise, seawater could extend farther upstream in the San Lorenzo River flood control channel more frequently, and rising gradually to higher elevations. This would lead to a rise in the water table beneath downtown. This area of the City has always been vulnerable to an elevated water table but this would become a more significant issue in the future, likely resulting in the need for more pumping and implementation of other adaptation strategies. Recommendations include continued monitoring of City pump stations along the San Lorenzo River with installation of additional monitoring wells and increase pumping capacity as necessary (SOURCE V1.d, DEIR volume).

The City's adopted Climate Adaptation Plan includes a high priority action to implement measures to protect downtown from flooding. The *Climate Adaptation Plan Update 2018-2023*, adopted by the City Council in October 2018, further addresses sea level rise. As identified in the 2011 Vulnerability Study and 2017 Sea Level Rise Vulnerability Assessment, the downtown area is threatened by sea level rise, particularly increased coastal storm events in conjunction with rising tides. The Plan Update indicates that the cumulative effect of sea level rise, coastal flooding, and rising tides within the downtown can be accommodated by existing infrastructure to pump flood water from these areas within 10 hours for all scenarios studied in the plan, assuming no power outages and that there is not a significant rain event during the 10 hours. The Plan Update includes Strategy A-14 as high priority that calls for protection of the downtown and beach area from San Lorenzo River flooding; proposed activities included evaluation and raising levees and/or sediment removal in the river to improve water flow.

The project site is located within an area identified as protected from coastal floods and managed for rising high tides to the year 2100. At this time, it appears that potential flood hazards related to sea level rise in the project area are limited due to existing and continued management activities undertaken by the City (SOURCE V.2a). Thus, the proposed project would not result in significant impacts related to sea level rise not otherwise addressed in the Downtown Plan Amendments EIR and General Plan EIR, and the project would not result in water quality impacts peculiar to the site or project with implementation of uniformly applied development standards. No further review is necessary pursuant to CEQA section 21083.3 and the State CEQA Guidelines section 15183.

(e) Conflict with Plans. The project site is located adjacent to the San Lorenzo River. Water quality objectives are included in the Water Quality Control Plan for the Central Coastal Basin (Basin Plan) for protection of surface water and groundwater quality in the Central Coast Region. This Basin Plan lists beneficial uses for surface waters and describes the water quality objectives that must be maintained to allow those uses. The proposed project would not result in new discharges or conflict with provisions in the Basin Plan as all 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 adopted water quality or groundwater plans.

11. LAND USE Would the project:	Where Impact is Addressed in Downtown Plan Amendments EIR	Where Impact is Addressed in General Plan 2030 EIR	Does Project Involve New Significant Impacts or Substantially More Severe Impacts?	Any New Impacts Peculiar to Project or Site?	Relevant General Plan Mitigation Measures or Other Uniformly Applicable Development Standards
a) Physically divide an established community?	DEIR p. 4.9-4	DEIR pp. 4.1-21 to 4.1-22	No	No	None
b) Cause a significant environmental impact due to a conflict with any land use plan, policy, or regulation	DEIR pp. 4.9-5 to 4.9-8	DEIR pp. 4.1-9 to 4.1-14, 4.1-25 to 4.1-27	No	No	None

11. LAND USE	Where Impact is Addressed in Downtown Plan Amendments EIR	Where Impact is Addressed in General Plan 2030 EIR	Does Project Involve New Significant Impacts or Substantially More Severe Impacts?	Any New Impacts Peculiar to Project or Site?	Relevant General Plan Mitigation Measures or Other Uniformly Applicable Development Standards
<p>Would the project:</p> <p>adopted for the purpose of avoiding or mitigating an environmental effect?</p>	FEIR pp. 3-5-37, 4.9-9 to 4.9-11				

(a) Physically Divide an Established Community. The project site is located within a developed urban area of the City and the project would not physically divide an established community.

(b) Conflict with Policies and Regulations. The project site is designated Regional Visitor Commercial (RVC) in the City's *General Plan 2030* and is zoned Central Business District (CBD), Coastal Zone Overlay (CZ-O), Floodplain Overlay (FP-O). The project is partially located within in the coastal zone and is located within an area where local decisions are appealable to the California Coastal Commission.

The proposed mixed-use project is consistent with the General Plan land use designation. According to the General Plan, this designation "applies to areas that emphasize a variety of commercial uses that serve Santa Cruz residents as well as visitors. Mixed-use development is strongly encouraged in RVC districts." The General Plan allows a FAR for the RVC land use designation in the downtown area of up to 5.0. The project's proposed FAR is 4.4, which is within the allowed FAR established in the General Plan as amended in 2017 as part of the Downtown Plan Amendments.

The Downtown Plan Amendments EIR concluded that the amendments to the Downtown Plan would have no impact related to conflicts with policies or regulations adopted for the purpose of avoiding or mitigating an environmental effect. The proposed use is consistent with General Plan and zone district land use designations as discussed in section IV.B and C. Based on the analyses contained in this Environmental Checklist and a review of the *General Plan 2030* and LCP, the proposed project would not result in a conflict with any policies or regulations adopted for the purpose of avoiding or mitigating an environmental impact. The proposed project is consistent with the Downtown Plan and General Plan, and the project would not result in land use impacts peculiar to the site or project with implementation of uniformly applied development standards. No further review is necessary pursuant to CEQA section 21083.3 and the State CEQA Guidelines section 15183.

12. MINERAL RESOURCES					
Would the project:	Where Impact is Addressed in Downtown Plan Amendments EIR	Where Impact is Addressed in General Plan 2030 EIR	Does Project Involve New Significant Impacts or Substantially More Severe Impacts?	Any New Impacts Peculiar to Project or Site?	Relevant General Plan Mitigation Measures or Other Uniformly Applicable Development Standards
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?	DEIR Appendix A p. 16	DEIR pp. 4.15-3 to 4.15-4, 4.15-6	No	No	None
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?	DEIR Appendix A p. 16	DEIR pp. 4.15-3 to 4.15-4, 4.15-6	No	No	None

There are no mineral resources within the City.

13. NOISE					
Would the project result in:	Where Impact is Addressed in Downtown Plan Amendments EIR	Where Impact is Addressed in General Plan 2030 EIR	Does Project Involve New Significant Impacts or Substantially More Severe Impacts?	Any New Impacts Peculiar to Project or Site?	Relevant General Plan Mitigation Measures or Other Uniformly Applicable Development Standards
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?	DEIR Appendix A pp. 38 to 40	DEIR pp. 4.13-4 to 4.13-8, 4.13-10 to 4.13-22	No	No	GP Action HZ3.1.1, HZ3.1.2, HZ3.1.3 & HZ3.1.5
b) Generation of excessive ground borne vibration or ground borne noise levels?	DEIR Appendix A pp. 39 to 40	DEIR pp. 4.13-10, 4.13-20 to 4.13-22	No	No	None
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?	DEIR Appendix A p. 38	Not Applicable	No	No	None

(a) Noise Increases. The primary noise source within the project area is traffic noise along Front Street. According to maps prepared for the *General Plan 2030* and included in the General Plan EIR,

the project site is located within an area within the 60-dBA noise contour for both existing and future (i.e., 2030) conditions (SOURCE V.1b, DEIR Figures 4.13-1 and 4.13-2). As described in the General Plan EIR, State of California Noise Insulation Standards (California Code of Regulations, Title 24, Part 6, Section T25 28) mandate an interior CNEL of 45 dBA for multiple-family dwellings.

The *General Plan 2030* includes goals, policies and actions that set forth measures to avoid and minimize adverse impacts on noise. In particular, noise-land use compatibility standards will be applied to all new residential, commercial and mixed-use projects (HZ3.2.1), and the General Plan seeks to ensure that noise standards are met in the siting of noise-sensitive uses (HZ3.2). The policies also establish an interior noise level of 45 dBA for all residential uses, consistent with state law. The General Plan indicates that exterior noise levels to 65 dBA are normally acceptable for new multi-family development; noise levels to 70 dBA are considered conditionally acceptable and typically require an acoustical study to determine whether additional insulation or window treatments are required. Normal noise attenuation within residential structures with closed windows is about 20 dBA.

The Downtown Plan Amendments EIR found that existing and future ambient noise levels in the downtown area would be within acceptable or conditionally acceptable ranges, and that project-specific noise studies would be required for projects that could be exposed to noise level in excess of those defined as “normally acceptable” per Downtown Recovery Plan EIR Mitigation Measures 4.6-2(a) and 4.6-2(b). The *General Plan 2030* EIR concluded that with implementation of Plan policies and actions, as well as future project-level noise assessments, exposure to noise would be considered less than significant. A project-level noise assessment is a standard condition of approval that is typically conducted at the building permit stage, if needed, as final designs for window and door insulation ratings are made. As the project site is within the 60-dBA future noise contour, impacts related to noise would be less than significant.

A project-specific noise assessment was prepared (SOURCE V.17). Estimated future noise levels at the building facade range from approximately DNL 61 dB at interior, shielded portions of the site to DNL 70 dB, which falls into the City’s normally acceptable to conditionally acceptable land use compatibility categories for multi-family residences. Estimated future noise levels at commercial facades range from approximately DNL 64 to 69 dB, which falls into the City’s normally acceptable to conditionally acceptable categories (Ibid). The study includes design specifications for minimum sound insulation ratings for windows and exterior doors to meet Building Code requirements for interior noise levels.

The project would include mixed-use residential and commercial development with predominantly residential uses; these land uses would not be associated with substantial permanent increases in ambient noise levels. The project would result in a minor traffic increase that would not be of the magnitude to affect ambient noise levels.

There would be a temporary increase in existing noise levels during grading and construction of the project. Noise impacts resulting from construction 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. Noise generated during construction would vary throughout the construction period and on any given day, depending on the construction phase and the type and amount of equipment used at the construction site. The highest noise levels would be generated during grading of the site, with lower noise levels occurring during building construction and finishing. Sensitive noise receptors are located at an apartment complex approximately 200 feet west of the project site. However, as explained in the General Plan EIR, construction sound levels would be intermittent and varied through a single day as well as the duration of project construction. Overall, construction noise levels would be temporary, short-term and fluctuate throughout the construction period. Thus, the project impact related to temporary increased noise levels during construction is considered less than significant.

The Downtown Plan Amendments EIR noted that construction noise would be temporary, short-term, and fluctuate throughout the construction period; because construction noise impacts would be temporary, the impact was determined to be less than significant. The *General Plan 2030* EIR concluded that with implementation of General Plan policies and adherence to City regulations, construction noise impacts from future development would be less than significant. Municipal Code Section 9.36.010 prohibits offense noise between the hours of 10 PM and 8 AM and Section 9.36.020 prohibits unreasonably disturbing noises. Furthermore, Section 24.14.260 prohibits increases of sound levels above five dBA above the local ambient on a residential property. These regulations are intended to prevent increases in ambient noise levels and would be considered uniformly applied regulations to which the proposed Project would be subject to compliance. The proposed project would not result in significant impacts not otherwise addressed in the Downtown Plan Amendments EIR or General Plan EIR or peculiar to the project or site regarding permanent or temporary increases in noise with implementation of uniformly applied development standards. No further review is necessary pursuant to CEQA section 21083.3 and the State CEQA Guidelines section 15183.

(b) Vibration. The proposed residential use would not result in generation of or exposure to vibration as the proposed commercial and residential uses are not known to have activities that would generation sources of vibration. Standard construction activities and equipment would not generate excessive groundborne vibration. A letter prepared by Rockridge Engineering (SOURCE V.16), recommends a method of soils treatment and foundation construction that would minimize vibration on adjacent properties and protect the building and improvements against liquefaction and liquefaction-induced lateral spreading hazards. The ground improvement method recommended for the project would consist of drilled displacement columns (DDCs). DDCs are installed by advancing a continuous flight, hollow-stem auger that mostly displaces the soil then pumping a sand-cement mixture into the hole under pressure as the auger is withdrawn. This installation method results in minimal vibrations during installation and would comparable to other conventional construction equipment.

The *General Plan 2030* includes goals, policies and actions that set forth measures to minimize exposure construction noise levels, the increase in temporary noise levels from construction-related activities, including vibration, would be considered less-than-significant. The project would not result in significant impacts not otherwise addressed in the Downtown Plan Amendments EIR or General Plan EIR or peculiar to the project or site regarding permanent or temporary generation of vibration.

No further review is necessary pursuant to CEQA section 21083.3 and the State CEQA Guidelines section 15183.

(c) Airport Noise. The project site is not located near an airport or private airstrip.

14. POPULATION AND HOUSING	Where Impact is Addressed in Downtown Plan Amendments EIR	Where Impact is Addressed in General Plan 2030 EIR	Does Project Involve New Significant Impacts or Substantially More Severe Impacts?	Any New Impacts Peculiar to Project or Site?	Relevant General Plan Mitigation Measures or Other Uniformly Applicable Development Standards
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)?	DEIR pp. 5-3 to 5-4	DEIR pp. 4.2-2 to 4.2-6, 4.2-12 to 4.2-14	Not Applicable	Not Applicable	None
b) Displace substantial numbers of existing people or housing, necessitating the construction of replacement housing elsewhere?	DEIR Appendix A p. 41	DEIR pp. 4.2-14 to 4.2-15	Not Applicable	Not Applicable	None

(a) Inducement of Substantial Population Growth. The *General Plan 2030* EIR estimated population and housing increases that could result from potential development and buildout accommodated by the plan that included 3,350 residential dwelling units with an associated population increase of 8,040 residents by the year 2030. The project would include construction of 175 new dwelling units and 11,498 square feet of commercial space. The proposed residential units are within the total amount of development envisioned for the project site in the Downtown Plan Amendments EIR and within the total remaining unbuilt residential development analyzed in the General Plan EIR; see discussion in Section IV.B. The project would not induce substantial unplanned population growth as the population accommodated by the project would be consistent with population growth projections developed for the City and the amount of development analyzed in the Downtown Plan Amendments EIR and General Plan EIR (SOURCE V.1b, DEIR volume).

The City had a population of 65,807 people as of January 1, 2019 (SOURCE V.4). Based on the City's existing average household size of 1.83 in the downtown area (SOURCE V.1b, DEIR volume), the proposed project would result in a maximum population increase of approximately 320 people, resulting in a total City population of 66,127 residents when added to the City's existing population. This is within the regional population forecast of 68,381 for the city of Santa Cruz for the year 2020 (SOURCE V.3a). Therefore, the proposed project would not substantially induce unplanned population growth. The Downtown Plan Amendments EIR and General Plan EIR concluded that population resulting from development accommodated by the Downtown Plan amendments and General Plan would be within

historic growth levels and would not result in a significant impact. Since the potential population growth resulting from the proposed project would fall within the total level of development analyzed in the Downtown Plan Amendments EIR and General Plan EIR and is consistent with current regional forecasts, no further environmental analysis is required pursuant to Public Resources Code section 21083.3 and State CEQA Guidelines section 15183.

(b) Displacement of Existing Housing or People. No housing units exist on the project site. The project site consists of existing commercial development and parking lots. Therefore, the project would not result in displacement of housing or residents.

15. PUBLIC SERVICES					
	Where Impact is Addressed in Downtown Plan Amendments EIR	Where Impact is Addressed in General Plan 2030 EIR	Does Project Involve New Significant Impacts or Substantially More Severe Impacts?	Any New Impacts Peculiar to Project or Site?	Relevant General Plan Mitigation Measures or Other Uniformly Applicable Development Standards
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:					
Fire protection?	DEIR pp. 4.6-10 to 4.6-11	DEIR pp. 4.6-2 to 4.6-4, 4.6-33 to 4.6-36 FEIR pp. 3-19	No	No	None
Police protection?	DEIR p. 4.6-11	DEIR pp. 4.6-4 to 4.6-5, 4.6-36 to 4.6-37	No	No	None
Schools?	DEIR pp. 4.6-11 to 4.6-13	DEIR pp. 4.6-20 to 4.6-21, 4.6-40 to 4.6-41	No	No	Payment of School Impact Fees
Parks?	DEIR pp. 4.6-13 to 4.6-15 FEIR pp. 3-4 to 3-5	DEIR pp. 4.6-5 to 4.6-20, 4.6-37 to 4.6-40 FEIR pp. 3-20 to 3-22	No	No	None
Other public facilities?	Not Applicable	Not Applicable	No	No	None

Police and Fire Protection Services. As indicated in Section IV.B, buildout of the project site with the Downtown Plan area for which an EIR was prepared for proposed amendments. The Downtown Plan Amendments EIR estimated a net increase of approximately 711 residential units and a net decrease of approximately 15,000 square feet of commercial space as a result of development accommodated by the amendments to the Downtown Plan. The proposed 175 residential units and 11,498 square feet of commercial space are within the amount of development considered in the Downtown Plan EIR and in the General Plan EIR as discussed in section IV.B, and the proposed project is within the

total and remaining unbuilt residential units and commercial square footage analyzed in the General Plan EIR. Thus, the proposed project would be within the overall amount of development evaluated in the General Plan 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, which was further supported by subsequent analyses in the Downtown Plan Amendment EIR as explained below. Thus, construction of any new public facilities to serve the project would not be warranted with General Plan buildout. Since the proposed project size would fall within the total amount of potential development analyzed in the Downtown Plan Amendments EIR and General Plan EIR and would not result in more severe impacts than disclosed in the EIRs, no further environmental analysis is required regarding these public services pursuant to Public Resources Code section 21083.3 and State CEQA Guidelines section 15183.

School Enrollments. The Downtown Plan Amendments EIR and General Plan EIR concluded that buildout of the Downtown Plan and General Plan could result in potentially significant impacts to schools but, with required payment of school impact fees to fund necessary facility expansion and/or additions in conjunction with potential reuse of the former Natural Bridges Elementary School if needed, the impact would be mitigated to a less-than-significant level. The Downtown Plan Amendments EIR and General Plan EIR concluded that potential addition or expansion of school classroom facilities is not expected to result in significant physical impacts due to the location of existing facilities within developed footprints. As the proposed project would be within the amount of development analyzed in the Downtown Plan Amendments EIR and General Plan EIR and would be required to pay school impact fees, no new or substantially worsened impacts to schools or impacts peculiar to the project or site would occur and no further environmental analysis is required regarding these public services pursuant to Public Resources Code section 21083.3 and State CEQA Guidelines section 15183.

Parks and Recreation. See Section IV.E.15 below regarding impacts to parks and recreational facilities.

16. RECREATION Would the project:	Where Impact is Addressed in Downtown Plan Amendments EIR	Where Impact is Addressed in General Plan 2030 EIR	Does Project Involve New Significant Impacts or Substantially More Severe Impacts?	Any New Impacts Peculiar to Project or Site?	Relevant General Plan Mitigation Measures or Other Uniformly Applicable Development Standards
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?	DEIR pp. 4.6-13 to 4.6-15 FEIR pp. 3-4 to 3-5	DEIR pp. 4.6-5 to 4.6-20, 4.6-37 to 4.6-40	No	No	City Municipal Code Chapter 5.72
b) Include recreational facilities or require the construction or expansion of recreational facilities?	DEIR p. 4.6-10	DEIR pp. 4.6-10 to 4.6-11	No	No	None

(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. In the project area, the San Lorenzo River Walk provides pedestrian and bicycle access to the multi-use path on the river levee.

As indicated in Section IV.B above, the proposed project is within the potential development evaluated in the Downtown Plan Amendments EIR, which concluded that with implementation of the *General Plan 2030* goals, policies and actions that set forth measures to avoid and minimize adverse impacts on parks and recreational facilities and required payment of park fees, the impact of new development on parks and recreational facilities as a result of new development accommodated by the Downtown Plan amendments would be considered less than significant.

The proposed project would be within the overall amount of development evaluated in the General Plan EIR. The General Plan EIR analyses concluded that, while the City does not meet its goal for neighborhood parks of 2.0 acres per 1,000 residents and for community parks of 2.5 acres per 1,000 residents, implementation of General Plan goals, policies, and actions that set forth measures to avoid and minimize adverse impacts on park and recreational facilities, as well as compliance with local regulations, would ensure that impacts to parks and recreational facilities resulting from buildout as a result of the Downtown Plan amendments and General Plan would be less than significant. Furthermore, the City imposes a "Parks and Recreation Facilities Tax" (pursuant to Chapter 5.72 of the Municipal Code) on new residential development (including mobile homes) within the City, payable at the time of issuance of a building permit. The collected taxes collected 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" (section 5.72.100). The Downtown Plan Amendment EIR concluded that with implementation of the proposed *General Plan 2030* goals, policies and actions that set forth measures to avoid and minimize adverse impacts on parks and recreational facilities and required project payment of park fees, impacts of new development in the downtown area would be less than significant. Thus, with implementation of uniformly applied development standards (payment of park fees), the proposed project would not result in significant impacts to parks and recreational facilities not otherwise addressed in the Downtown Plan Amendments EIR and General Plan EIR or peculiar to the project or site. No further review is necessary pursuant to CEQA section 21083.3 and the State CEQA Guidelines section 15183.

(b) New Recreational Facilities. The project does not include public recreational facilities, but does include privately maintained public open space along the San Lorenzo River levee frontage. As indicated above, the General Plan concluded that potential impacts to parks and recreational facilities with growth accommodated by the General Plan would be less than significant. The proposed project would not result in significant impacts to parks and recreational facilities not otherwise addressed in the and General Plan EIR or peculiar to the project or site. No further review is necessary pursuant to CEQA section 21083.3 and the State CEQA Guidelines section 15183.

17. TRANSPORTATION AND TRAFFIC					Relevant General Plan Mitigation Measures or Other Uniformly Applicable Development Standards
Would the project:	Where Impact is Addressed in Downtown Plan Amendments EIR	Where Impact is Addressed in General Plan 2030 EIR	Does Project Involve New Significant Impacts or Substantially More Severe Impacts?	Any New Impacts Peculiar to Project or Site?	
a) Conflict with a program, ordinance or policy addressing the circulation system, including transit, roadway, bicycle and pedestrian facilities?	DEIR pp. 4.7-17 to 4.7-21	DEIR pp. 4.4-2 to 4.4-26, 4.4-31 to 4.4-45	No	No	GP Actions M3.1.3, M3.1.4, M2.3.2 regarding traffic improvements and Traffic Impact Fee Program
b) Would the project conflict or be inconsistent with CEQA Guidelines section 15064.3, subdivision (b)?	4.7-16, 4.7-19 to 4.17-20	Not Applicable	No	No	None
c) Substantially increase hazards due to a geometric design feature (for example, sharp curves or dangerous intersections) or incompatible uses (for example, farm equipment)?	DEIR p. 4.7-21	DEIR pp. 4.4-45 to 4.4-46	No	No	None
d) Result in inadequate emergency access?	DEIR p. 4.7-22	DEIR pp. 4.6-33 to 4.6-37	No	No	None

(a) Conflict with Circulation Plan, Policy, or Ordinance. The project site is located along Front Street in downtown Santa Cruz that is accessed primarily from Pacific Avenue, Front Street, Laurel Street and Soquel Avenue. The Santa Cruz Metropolitan Transit District (SCMTD) provides bus route service in the project area and the Santa Cruz Metro Center is located across the street from the project site. The project site also is in proximity to bike lanes, multi-use paths, transit stops, and a City-sponsored e-bike share program, including the multi-use path along the San Lorenzo River, Class II bike lanes adjacent to vehicle travel lanes, and sidewalks.

Project access would be provided via two driveways on Front Street. Project Driveway #1 would be offset from the existing Cathcart Street alignment and would be side-street stop controlled. Left-turns out of this project driveway would be restricted. All other entering and exiting movements would be permitted. Project Driveway #2 would be aligned with the existing north Metro Station Driveway. The north Metro driveway is currently signalized as a T-intersection. The project proposes to construct a fourth leg on the east side of the road and provide signalization for that approach as well. Southbound left-turns into this southern Project driveway would not be permitted. All other movements would be allowed. The project would also provide 227 on-site vehicle parking spaces (including 27 EV charging stations) and 229 on-site bicycle parking spaces. An ADA-compliant sidewalk would be reconstructed along the Front Street project frontage.

A project transportation impact study (SOURCE V.15a) was completed, which evaluated impacts to the following seven intersections. Traffic count data were collected for each intersection on December 6, 2017.

1. Front Street/Soquel Avenue
2. Front Street/Project Driveway #1 (project only)
3. Front Street/Cathcart Street
4. Front Street/Project Driveway #2/North Transit Center Driveway
5. Front Street/South Transit Center Driveway
6. Front Street/Laurel Street
7. Pacific Avenue/Laurel Street

Four development scenarios were evaluated:

1. Existing (2017) Conditions
2. Existing (2017) Plus Project Conditions
3. Cumulative (2030) Conditions (No Riverfront Project)
4. Cumulative (2030) Plus Project Conditions

The Draft *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 avoid and minimize adverse impacts related to traffic. 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). Caltrans endeavors to maintain a target LOS at the transition between LOS C and D on State highway facilities. Delays for signalized intersections are evaluated for the overall peak hour as an "average." The methodologies for unsignalized intersections also evaluates the delays for the each "critical" movement (e.g. stop sign controlled approaches on the minor street and main line left turn). 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).

All existing study intersections are currently operating within acceptable LOS during the weekday AM and PM peak hour based on City and Caltrans LOS standards (SOURCE V.15a).

The existing uses on the project site generate approximately 910 daily trips, 45 AM peak-hour and 74 PM peak-hour trips. The proposed project would generate approximately 2,334 daily, 217 AM peak-hour, and 186 PM peak-hour trips (SOURCE V.15a). Consistent with the City's Traffic Impact Study (TIS) guidelines, the Project is eligible to receive trip credits for existing uses which includes retail, restaurant, office, and recreational land uses. The City also allows for a 40% trip reduction to account for internal capture, walkability, bike-ability, and the existing Metro Transit Center. A 40% trip reduction was applied to the existing trips and proposed Project trips, consistent with the Santa Cruz Downtown Recovery Plan Amendment – Traffic Study, May 2017 (SOURCE V.15a). Therefore, the traffic analysis is based on the project generating a net of 103 AM peak hour trips, 66 PM peak hour trips, and 854 daily trips (Ibid.).

Under Existing Plus Project Conditions, all study intersections would continue to operate at acceptable levels of service. However, the signalized project driveway would add a phase/movement to the existing signal at the north Metro Center driveway, which would require that cycle lengths, splits, and offsets be updated at the coordinated signalized study intersections of Front Street and Soquel Avenue, Front Street and Cathcart Street, and Front Street and South Metro Center Driveway to allow for the Front Street corridor to remain coordinated (SOURCE V.15a).

The General Plan EIR did not identify any impacted intersections in the downtown area with development accommodated by the General Plan. Subsequent to adoption of the General Plan, the City adopted a series of amendments to the Downtown Plan that could result in additional development in the downtown area beyond what was considered in the General Plan EIR. However, a traffic analysis conducted for the Downtown Plan Amendments EIR found that traffic associated with development resulting from the Downtown Plan amendments, including development of the proposed project site, would not result in degradation of Levels of Service (LOS) to below acceptable levels at the study intersections in the project vicinity under the jurisdiction of the City.

Two regional Caltrans intersections (Highway 1 / Highway 9 and Chestnut Street / Mission Street) would continue operate at LOS E as a result of the Downtown Plan amendments. There are improvements identified for the Highway 1/Highway 9-River Street intersection, which are included in the current City Traffic Impact Fee (TIF) Program, and the Chestnut Street / Mission Street intersection is included in the Regional Transportation Improvement Program (RTIP). These improvements are already required under existing conditions without development resulting from the General Plan or Downtown Plan. Traffic associated with future development in the downtown would not further degrade the LOS at the two Caltrans intersections, and would not substantially increase delay (SOURCE V.2c, DEIR volume). Therefore, the Downtown Plan Amendments EIR concluded that traffic associated with the growth resulting from Downtown Plan amendments would not cause existing or planned intersections to operate at an unacceptable Level of Service (LOS) or further degrade intersections that already operate at an unacceptable LOS, resulting in a less-than-significant impact.

The City's *General Plan 2030* EIR concluded that adoption and implementation of the *General Plan 2030* would accommodate future development that would result in increased vehicle trips and traffic, which would cause changes in some intersection levels of service to unacceptable levels or further deterioration of intersections currently operating at unacceptable levels of service at some locations, but none were identified in the downtown area. With implementation of proposed *General Plan 2030* policies and actions, including road improvements identified in an updated TIF program, intersection operations would be improved to acceptable levels of service, except at eight intersections, which include four regional intersections, including the River Street/Highway 1 and Mission Street/Chestnut Street intersections.

The General Plan EIR found that with implementation of the identified intersection improvements and *General Plan 2030* policies and actions to reduce vehicular traffic, increase vehicle occupancy and support/encourage use of alternative transportation measures, the identified impact could be reduced to a less-than-significant level at the remaining impacted intersections. However, funding

availability likely would remain constrained for major facility improvements and expansion of transit service into the foreseeable future. Thus, implementation of recommended improvements and alternative transportation facilities cannot be assured, and the impact to the intersections identified as operating at unacceptable levels of service under the proposed *General Plan 2030* remains significant.

The project traffic analysis did not identify significant project traffic impacts at any of the study intersections with the updates to cycle lengths, splits, and offsets at the coordinated signalized study intersections described above along the Front Street corridor. Therefore, the proposed project would not result in new significant or more severe significant project traffic impacts than those evaluated in the Downtown Plan Amendments EIR and the General Plan EIR. The project also would be subject to payment of traffic impact fees that are applied uniformly throughout the City to all new development as part of the city-wide TIF program. The project would not conflict with General Plan mobility policies regarding level of service goals, transportation improvements, reduction of vehicle trips, and encouraging multi-modal and alternative transportation systems. The project would not conflict with adopted policies, plans or programs that support alternative transportation. The project includes new ADA-compliant sidewalk on Front Street, bicycle parking, and pedestrian amenities.

The project traffic analysis did not identify significant project traffic impacts at any of the study intersections. Therefore, the proposed project would not result in new significant or more severe significant traffic impacts than those evaluated in the General Plan EIR or Downtown Plan Amendments EIR. Therefore, the proposed project would not result in significant impacts related to conflicts with policies or regulations regarding the City's circulation system or peculiar to the project or site. The project does not conflict with General Plan mobility policies regarding level of service goals, transportation improvements, reduction of vehicle trips, and encouraging multi-modal and alternative transportation systems. The project would not conflict with adopted policies, plans or programs that support alternative transportation. Thus, no further environmental analysis is required pursuant to Public Resources Code section 21083.3 and the State CEQA Guidelines section 15183.

(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 assessed 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.

A lead agency has discretion to choose the most appropriate methodology to evaluate a project's VMT, including whether to express the change in absolute terms, per capita, per household or in any other measure. A lead agency may use models to estimate a project's VMT, and may revise those estimates to reflect professional judgment based on substantial evidence. A lead agency may elect to be governed by the provisions of this section immediately; beginning on July 1, 2020, the provisions

shall apply statewide. The City of Santa Cruz has not yet adopted a VMT threshold and has until July 1, 2020 to do so. Thus, the project would not conflict or be inconsistent with CEQA Guidelines section 15064.3.

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. As described previously, the project site is located approximately 70 feet east of the Santa Cruz Metro Center. Accordingly, the project would have a less-than-significant impact related to VMT.

For informational purposes, a per capita VMT resulting from potential development accommodated by the Downtown Plan amendments was estimated in the Downtown Plan Amendments EIR utilizing trip length information from the California Statewide Travel Demand Model and percentages for different trip types, i.e., home to work, included in the CalEEMod air emissions model. Estimated new net development, including reduction in commercial uses, is estimated to result in a total of weekday VMT of 14,059 trips. Based on U.S. Census data for the downtown area and employee projections in the City's *General Plan 2030* EIR, total residential and employee population is estimated at approximately 1,280, which results in a weekday per capita VMT of 11.0. According to the Santa Cruz County Regional Transportation Commission, VMT per capita within Santa Cruz County is estimated to decrease by 15% from approximately 20 to approximately 18 between 2005 and 2040 (Santa Cruz County Regional Transportation Commission, June 2018). Although no VMT standards have been developed within the City, this preliminary per capita VMT estimate shows that VMT resulting from downtown development, including the project site, would be below existing and projected county-wide estimates, which in large part is a reflection of the project's location downtown and in proximity to transit, bicycle and pedestrian facilities (SOURCE V.1b, DEIR volume).

(c) Design-Safety. The project has been designed in accordance with City requirements, and there are no access designs that would substantially increase hazards. The project would include the construction of two new driveways along Front Street to provide access to the site. The proposed project driveways would satisfy minimum stopping sight distances required for all approached on Front Street and standard safety requirements will be included such as pedestrian warning devices (SOURCE: 15a). The project would include improvements to existing pedestrian and bicycle facilities, including new bicycle parking spaces and a new ADA-compliant sidewalk. Therefore, the project would not result in impacts related to project design that could result in substantial increases in hazards.

(d) Emergency Access. The project has been designed in accordance with City police and fire department requirements and would provide for adequate emergency access.

18. TRIBAL CULTURAL RESOURCES					Relevant General Plan Mitigation Measures or Other Uniformly Applicable Development Standards
Would the project:	Where Impact is Addressed in Downtown Plan Amendments EIR	Where Impact is Addressed in General Plan 2030 EIR	Does Project Involve New Significant Impacts or Substantially More Severe Impacts?	Any New Impacts Peculiar to Project or Site?	
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	DEIR pp. 4.4-12 to 4.4-13	Not Evaluated	Not Applicable	Not Applicable	None
c) 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?	DEIR pp. 4.4-12 to 4.4-13	Not Evaluated	Not Applicable	Not Applicable	GP EIR Mitigation 4.9-1 and Municipal Code section 24.12.430

State Assembly Bill 52, effective July 1, 2015 after the City's adoption of the *General Plan 2030*, recognizes that California Native American prehistoric, historic, archaeological, cultural, and sacred places are essential elements in tribal cultural traditions, heritages, and identities. The law establishes a new category of resources in the California Environmental Quality Act called "tribal cultural resources" that considers the tribal cultural values in addition to the scientific and archaeological values when determining impacts and mitigation. Public Resources Code section 21074 defines a "tribal cultural resource" as either:

- (1) Sites, features, places, cultural landscapes, sacred places, and objects with cultural value to a California Native American tribe that are either of the following:
 - (a) Included or determined to be eligible for inclusion in the California Register of Historical Resources.
 - (b) Included in a local register of historical resources as defined in subdivision (k) of Section 5020.1.
- (2) 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 Section 5024.1.

(a-b) Tribal Cultural Resources and Consultation. 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 Public Resources Code requires a lead agency to consult with any California Native American tribe that requests consultation and is traditionally and culturally affiliated with the geographic area of a proposed project. To date, no such request has been made to the City of Santa Cruz.

The requirements for review of impacts to tribal cultural resources were added after the certification of the certification of the General Plan EIR. While there are no known tribal cultural resources meeting the above definition on the project site, the project site is located within an area identified as being sensitive for archaeological resources (SOURCE V.1b, DEIR Figure 4.9-1). As described above in Section 5, Cultural Resources, the archaeology review conducted for the project site concluded that the site appears to have a low sensitivity for archaeological materials (SOURCE V.11). No prehistoric sites are known and development since turn of the 20th century does not appear to have exposed any prehistoric cultural materials. (SOURCE V.11). Section 24.12.430 of the City’s Municipal Code sets forth the procedure to follow in the event that unknown archaeological materials are unearthed during construction, as described in Section 5 above. Thus, the project would have a less-than-significant impact on tribal cultural resources.

19. UTILITIES AND SERVICE SYSTEMS Would the project:	Where Impact is Addressed in Downtown Plan Amendments EIR	Where Impact is Addressed in General Plan 2030 EIR	Does Project Involve New Significant Impacts or Substantially More Severe Impacts?	Any New Impacts Peculiar to Project or Site?	Relevant General Plan Mitigation Measures or Other Uniformly Applicable Development Standards
a) Require or result in the relocation or construction of new or expanded water, wastewater treatment facilities, or storm water drainage, electric power, natural gas, or telecommunications facilities, the construction or which could cause significant environmental effects?	DEIR p. 4.5-11 to 4.5-12; 4.8-15	DEIR pp. 4.6-21 to 4.6-25, 4.6-41 to 4.6-43, 4.5-29 to 4.5-38 FEIR pp. 3-2 to 3-19	No	No	None
b) Have sufficient water supplies available to serve the project and reasonably foreseeable future development during normal, dry and multiple dry years?	DEIR pp. 4.8-15 to 4.8-16	DEIR pp. 4.5-3 to 4.5-42 FEIR pp. 3-2 to 3-19	No	No	Municipal Code sections 16.02-04 regarding Water Conservation, Plumbing Fixtures, & Water Service Charges

19. UTILITIES AND SERVICE SYSTEMS	Where Impact is Addressed in Downtown Plan Amendments EIR	Where Impact is Addressed in General Plan 2030 EIR	Does Project Involve New Significant Impacts or Substantially More Severe Impacts?	Any New Impacts Peculiar to Project or Site?	Relevant General Plan Mitigation Measures or Other Uniformly Applicable Development Standards
Would the project:					
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?	DEIR p. 4.8-16	DEIR pp. 4.6-21 to 4.6-25, 4.6-41 to 4.6-43	No	No	None
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?	DEIR p. 4.6-15	DEIR pp. 4.6-25 to 4.6-27, 4.6-43 to 4.6-44 FEIR p. 3-22	No	No	None
e) Comply with federal, state, and local management and reduction statutes and regulations related to solid waste?	DEIR p. 4.6-15	DEIR pp. 4.6-25 to 4.6-27	No	No	None

(a) Relocation or Construction of Utilities. The project would be served by existing utilities, and the General Plan 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; see subsection (c) below. Since the size of the proposed project would fall within the total amount of potential development analyzed in the General Plan EIR, the proposed project would not result in more severe impacts than evaluated in the General Plan EIR. The project would not require or result in the relocation or construction of new or expanded water, wastewater treatment, storm water drainage, electric power, natural gas, or telecommunications facilities. No further environmental analysis is required pursuant to Public Resources Code section 21083.3 and the State CEQA Guidelines section 15183.

(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 Downtown Plan Amendments EIR concluded that intensified development in the downtown area as a result of the plan amendments could result in a water demand of approximately 29 MGY, which represents less than one-hundredth of one percent of the total estimated future water demand

within the City's service area. Furthermore, the demand is within the amount of new multi-family dwellings considered in demand forecasts for the 2015 Urban Water Management Plan (UWMP). The Downtown Plan Amendments EIR concluded that that current water supplies are adequate during average and normal years to serve the estimated development in the downtown area. During periods of dry years and drought, water customers would be subject to water curtailment as enacted by the City. A multiple dry year scenario would require more substantial curtailment of all water customers. However, the EIR concluded that the water demand from additional development in the downtown area (less than one hundredth of one percent of the total water service area demand) would not have significant effects on the levels of water supply or curtailment that would be required throughout the service area. Therefore, Downtown Plan Amendments EIR concluded that the impact of increased water demand on water supplies due to the future development in the downtown area would be less than significant (SOURCE V.2d, DEIR volume).

The City's General Plan EIR provides a comprehensive analysis of impacts of water demand within the City's service area, including potential buildout accommodated by the General Plan. The General Plan EIR predicted that water supplies would be adequate in normal years to serve estimated growth within the City of Santa Cruz water service area, although the document acknowledges that the outcome of the pending Habitat Conservation Plan (HCP) may affect supplies. The General Plan EIR concluded that impacts to the City's water supply would be significant and unavoidable during times of prolonged drought and potentially significant during normal years by the year 2030. Measures are identified in General Plan policies and actions to further conserve water, reduce demand and implement a desalination facility to provide a supplemental water supply during droughts.

Subsequent to the City's *General Plan 2030*, the City prepared and adopted the 2015 Urban Water Management Plan (UWMP). The 2015 UWMP reports that water demand in the City's water service area has ranged between nearly 3,800 million gallons per year (MGY) in 2006 to approximately 2,500 MGY in 2015 (SOURCE V.2d). The 2015 water demand was during the second year of a severe drought with water use restrictions and rationing in place. The adopted 2015 UWMP forecasts a 20-year water demand forecast at approximately 3,200 MGY, which is slightly reduced from the estimated 3,500 MGY forecast in the 2010 UWMP that was used in the General Plan EIR analysis due to continuing conservation efforts (*ibid.*). The UWMP predicts a decrease in water use of approximately 100 MGY over the next 20 years despite regional population growth forecasts. The 2015 UWMP estimates a 20-year water supply at about 3,200 MGY in the year 2035 based on deliveries for average years, projected water demands, and available surface water flows consistent with ecosystem protection goals regarding fish habitat.

There are several constraints and challenges that affect the long-term reliability of the City's water supplies that are discussed in the Downtown Plan Amendments EIR and General Plan EIR. The primary constraint relates to potential water shortfalls during multi-year droughts. The City Council included the following recommendations for water augmentation strategies in the 2015 UWMP that were made by the Council-appointed Water Supply Advisory Committee (WSAC):

- Additional water conservation with a goal of achieving an additional 200 to 250 million gallons of demand reduction by the year 2035.

- Passive recharge of regional aquifers by working to develop agreements for delivering surface water as an in lieu supply to the Soquel Creek Water District and/or Scotts Valley Water District so they can “rest their wells”, help aquifers recover and store water that can become available to the City of Santa Cruz Water Department in drought years.
- Active recharge of regional aquifers by using existing and some potential new infrastructure in the regionally shared Purisima aquifer in the Soquel-Aptos basin and/or in the Santa Margarita/Lompico/Butano aquifers in the Scotts Valley area to store water that can be available for use by Santa Cruz in drought years.
- A potable water supply using advanced treated recycled water as its source, as a supplemental or replacement supply in the event the groundwater storage strategies described above prove insufficient to meet the Plan’s goals of cost effectiveness, timeliness and yield. In the event advanced treated recycled water does not meet the needs, desalination would become the last element (City of Santa Cruz, August 2016).

A supply augmentation strategy work plan was developed that is comprised of the following parts: water conservation or demand management; in-lieu water transfers with neighboring agencies; aquifer storage and recovery; and advanced treated recycled water or seawater desalination.

As fully reported in the Downtown Plan Amendments EIR, the initial phase of the supply augmentation strategy involves enhancement of the existing conservation programs as well as evaluation of the feasibility alternative future supply. The City also is working with the Soquel Creek and Scotts Valley Water Districts (SqCWD, SVWD) on an in-lieu transfer project. In-lieu transfers include short-term and long-term projects that would deliver excess City water to SqCWD and/or the SVWD during winter that would reduce pumping from regional aquifers and assist with groundwater recharge and recovery. An aquifer storage and recovery (ASR) study is also underway that is looking at regional options for groundwater injection, storage, and future extraction in order to actively recharge regional aquifers. A portion of the water delivered using in-lieu transfers or ASR facilities would be effectively banked in the aquifers to be extracted and returned to the City when needed in future dry years. The City’s current work plan indicates that the feasibility of both in-lieu and ASR programs are projected to be understood by the end of 2020 (Ibid.).

The Downtown Plan Amendments EIR, General Plan EIR and the subsequently City-adopted 2015 UWMP predict that water supplies would be adequate in normal years to serve estimated growth within the City of Santa Cruz water service area, although the documents acknowledge that the outcome of the pending HCP may affect supplies. The *General Plan 2030* EIR concluded that impacts to the City’s water supply would be significant and unavoidable during times of drought and potentially during normal years by the year 2030 with growth and development within the City’s water service area if recent water use trends change. Measures are identified in General Plan policies and actions to further conserve water, reduce demand and implement a supplemental water supply during droughts.

The 2015 UWMP adopted after the adoption of the General also calls for continued water conservation and a supplemental water source, although the 2015 UWMP modified and expanded the range of strategies for developing a supplemental water use than previously considered at the

time the General Plan EIR was prepared. The 2015 UWMP documents a trend of declining water demand since the year 2000, and total water demand is projected to decline over the 20-year UWMP period due to continued implementation of conservation programs and other measures. However, projections for the year 2035 estimate a shortfall of approximately 40 MGY during normal periods, 528 MGY during single dry year periods, and 1,639 MGY during multiple dry year periods (SOURCE V.2d).

Furthermore, the City continues to administer its water conservation program, has completed a Conservation Master Plan, and is implementing a water augmentation plan. The City has defined water supply augmentation strategies that are being studied in order to provide increased production between 2020 and 2035 to address potential drought shortages. The plan includes the pursuit of the following portfolio of options: continued and enhanced conservation programs; passive recharge of regional aquifers; active recharge of regional aquifers; and a potable supply using advanced treated recycled wastewater or desalinated water if recycled water did not meet City needs. These prospective sources are still under evaluation. A water transfer pilot program is underway for the passive recharge strategy.

As indicated in section IV.B above, the proposed project is within the development envisioned for the site in the Downtown Plan EIR and within the total and remaining unbuilt residential units and commercial square footage considered in the General Plan EIR. The proposed project would not result in new significant impacts or more significant water impacts than analyzed in the Downtown Plan Amendments EIR and General Plan EIR. Nor would the project result in water supply impacts peculiar to the site or project that were not considered in the General Plan EIR. Thus, since the water demand generated by the proposed project would fall within the total level of water demand estimated and as analyzed in the General Plan EIR, no further environmental analysis is required pursuant to Public Resource Code section 21083.3. Furthermore, the project would be subject to uniformly applied development standards that include requirements for installation of water conservation fixtures and landscaping for new construction. In addition, the project would pay the required "System Development Charge" for the required new service connection. This charge as set forth in Chapter 16.14 of the City's Municipal Code is intended to mitigate the water supply impacts caused by new development in the City of Santa Cruz water service area, and the funds are used for construction of public water system improvements and conservation programs.

(b) Wastewater Treatment Capacity. The project would be served by existing utilities, and the General Plan 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 IV.B above, the proposed project is within the development envisioned for the site in the Downtown Plan EIR and within the total and remaining unbuilt residential units and commercial square footage considered in the General Plan EIR. The EIR analyses concluded that impacts of potential development and buildout accommodated by the General Plan would be less than significant for wastewater treatment (b, e), solid waste disposal (f), and energy use. Since the size of the proposed project would fall within the total amount of potential development analyzed in the Downtown Plan Amendments EIR and General Plan EIR, the proposed project would not result in more severe impacts than evaluated in the Downtown Plan Amendments EIR and General Plan EIR. No further environmental analysis is required

regarding wastewater treatment and solid waste pursuant to Public Resources Code section 21083.3 and State CEQA Guidelines section 15183.

(d-e) Solid Waste Disposal. The project would be served by existing utilities, and the General Plan 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 IV.B above, the proposed project is within the total and remaining unbuilt residential units and commercial square footage. 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. Since the size of the proposed project would fall within the total amount of potential development analyzed in the General Plan EIR, the proposed project would not result in more severe impacts than evaluated in the General Plan EIR. No further environmental analysis is required regarding solid waste pursuant to Public Resources Code section 21083.3.

20. WILDFIRE If located in or near state responsibility areas or lands classified as very high fire hazard severity zones, would the project:	Where Impact is Addressed in Downtown Plan Amendments EIR	Where Impact is Addressed in General Plan 2030 EIR	Does Project Involve New Significant Impacts or Substantially More Severe Impacts?	Any New Impacts Peculiar to Project or Site?	Relevant General Plan Mitigation Measures or Other Uniformly Applicable Development Standards
a) Substantially impair an adopted emergency response plan or emergency evacuation?	DEIR Appendix A pp. 35-36	DEIR pp. 4.6-2 to 4.6-5, 4.6-33 to 4.6-37	No	No	None
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?	DEIR Appendix A pp. 36	Not Evaluated	Not Applicable	Not Applicable	None
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?	DEIR Appendix A pp. 36	Not Evaluated	Not Applicable	Not Applicable	None
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?	DEIR Appendix A pp. 36	Not Evaluated	Not Applicable	Not Applicable	None

(a) Emergency Plans. The project site is not located in or near a state responsibility area or lands classified as very high fire hazard severity zones. See also Section 9(f).

(b-d) Wildfire Impacts and Exposure. The project site is not located in or near a state responsibility area or lands classified as very high fire hazard severity zones; see also 9(g). The site is flat and surrounding by development in an urban setting. Therefore no impacts would occur.

21. MANDATORY FINDINGS OF SIGNIFICANCE					
Would the project:	Where Impact is Addressed in Downtown Plan Amendments EIR	Where Impact is Addressed in General Plan 2030 EIR	Does Project Involve New Significant Impacts or Substantially More Severe Impacts?	Any New Impacts Peculiar to Project or Site?	Relevant General Plan Mitigation Measures or Other Uniformly Applicable Development Standards
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, 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?	DEIR pp. 4.3-17 to 4.3-22, 4.4-12 to 4.4-13	DEIR pp. 4.8-13 to 4.8-21, 4.8-24, 4.8-26 to 4.8-30, 4.8-41, 4.8-38 to 4.8-44, 4.8-48 to 4.8-51, 4.9-10 to 4.9-12, 4.9-19 to 4.9-23 FEIR pp. 3-22, 3-25 to 3-40	No	No	GP Action NRC2.2.1 & Project Assessment Protocols for Special Status Species; GP EIR Mitigation 4.9-1 and Municipal Code section 24.12.430
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.)	DEIR pp. 5-4 to 5-14	DEIR pp. 5-8 to 5-36 FEIR pp. 3-27 to 3-33	No	No	Downtown Plan EIR Mitigation 5.1
c) Have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?	DEIR Appendix A pp. 43, 38 to 39	DEIR pp. 4.13-4 to 4.13-8, 4.13-10 to 4.13-20	No	No	None

(a) Quality of the Environment. The project would not degrade the quality of the environment or otherwise affect fish and wildlife habitat as discussed in section 4 (Biological Resources) of this Environmental Checklist review. As discussed in section 5 (Cultural Resources), the project would have no significant effect on cultural resources with implementation of uniformly applied

development standards, regulations and policies and would not result in elimination of important examples of a major period of California history or prehistory.

(b) Cumulative Impacts. The Downtown Plan Amendments EIR identified significant cumulative impacts related to traffic, water supply, and schools, but the concluded that the downtown development would not be cumulatively considerable, except for cumulative traffic impacts.

The *General Plan 2030* EIR identified potential significant cumulative impacts related to traffic, water supply, population, and noise. The proposed project would not contribute to cumulative noise impacts since the project site is not located in proximity to the road segments subject to the cumulative noise impact (Westside industrial area). As indicated in Section IV.E.13, regional population forecasts have been revised since certification of the *General Plan 2030* EIR, and cumulative development as a result of development accommodated by the General Plan, as well as additional development accommodated by the Downtown Plan Amendments EIR would not exceed regional population forecasts for the year 2030, and therefore, no significant cumulative impacts are not anticipated related to population.

The proposed project would contribute to significant cumulative impacts related to water supply. The Downtown Plan Amendments EIR updated the General Plan EIR cumulative analysis to reflect potential additional development in the downtown area, including the project site, and no other new significant cumulative impacts were identified. Downtown Plan Amendments EIR concluded that development would result in the increased water demand, but would not substantially exacerbate water supply reliability in the future or during a drought because the amount of additional demand when spread across all service area customers would not result in any noticeable increase in the curtailment in customer use that would otherwise be implemented during drought conditions. In addition, the proposed project will pay the required "System Development Charge" for the required new service connection. This charge as set forth in Chapter 16.14 of the City's Municipal Code is intended to mitigate the water supply impacts caused by new development in the City of Santa Cruz water service area, and the funds are used for construction of public water system improvements and conservation programs. The project payment of the System Development Charge and implementation of other water conservation measures would mitigate the project's contribution to cumulative water supply impacts. Therefore, the project's incremental contribution to a significant cumulative water supply impact would not be cumulatively considerable.

The proposed project would not result in new or substantially more serve significant impacts related to water supply than analyzed in the Downtown Plan Amendments EIR and General Plan EIR. Nor would the project result in impacts peculiar to the site or project that were not considered in the General Plan EIR. Since the potential project contribution to cumulative impacts falls within the total level of those analyzed in the Downtown Plan Amendments EIR and General Plan EIR, no further environmental analysis is required pursuant to Public Resource Code section 21083.3 and CEQA Guidelines section 15183.

The proposed project would contribute to significant cumulative traffic impacts at intersections that would not meet City LOS standards. The Downtown Plan Amendments EIR identified significant cumulative impacts at the following additional intersections: Front Street/Laurel Street, Pacific

Avenue/Laurel Street, and Front Street/Soquel Avenue. Cumulative traffic along state highways would contribute to existing and future unacceptable levels of service as identified in the General Plan EIR. The *General Plan 2030* EIR identified significant cumulative impacts in the project vicinity at the following intersections: Highway 1/Highway 9, Chestnut Street/Mission Street, and Ocean Street/Water Street.

Improvements are planned as part of the City's TIF program at three intersections: Ocean Street/Water Street, Highway 1/ Highway 9, and Chestnut Street/Mission Street, but would not improve operations to an acceptable LOS, although delays may be reduced. The other three impacted intersections are not included in the City's TIF program as significant cumulative impacts were not identified as part of the *General Plan 2030* EIR analysis. However, the Downtown Plan Amendments EIR identified improvements for each of these intersections that would improve LOS to acceptable levels.

The proposed project would contribute to significant cumulative traffic impacts at six locations in the project vicinity and along state highways. The proposed project would be required to pay the City's traffic impact fee, although identified improvements would not mitigate cumulative impacts to a less-than-significant level at three intersections: Ocean Street/Water Street, Highway 1/ Highway 9, and Chestnut Street/Mission Street as discussed in the *General Plan 2030* and Downtown Plan Amendments EIRs, although the project's contribution would not be cumulatively considerable.

Intersection operations could be improved at the other three impacted intersections that the project would contribute cumulative trips. The Downtown Plan Amendments EIR requires payment of fair-share contributions for improvements at the following intersections: Front/Soquel, Front/Laurel and Front/Pacific. With implementation of Mitigation 5-1, significant cumulative impacts at three intersections would be mitigated, and the project's contribution would not be cumulatively considerable. The project would be required to pay traffic impact fees. There are no new significant cumulative impacts to which the project would contribute that have not been addressed in the General Plan EIR, as updated by the Downtown Plan Amendments EIR. Therefore, the proposed project would not result in new significant impacts or substantially more severe impacts than analyzed in the General Plan EIR and as updated in the Downtown Plan Amendments EIR for the downtown area. Nor would the project result in water supply impacts peculiar to the project or site with implementation of uniformly applied development standards. No further review is necessary pursuant to CEQA section 21083.3 and State CEQA Guidelines section 15183.

(c) Substantial Adverse Effects on Human Beings. No environmental effects have been identified that would have direct or indirect adverse effects on human beings.

V. REFERENCES AND DATA SOURCE LIST

Agency Plans and Studies

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2. City of Santa Cruz Adopted Plans.
 - a. Adopted October 2018. *Climate Adaptation Plan Update 2018-2023*.
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 - c. October 2017. *Downtown Plan Amendments FEIR*. SCH# 2017022050. Certified November 14, 2017. Includes Draft EIR document, dated July 2017. Available online at <http://www.cityofsantacruz.com/government/city-departments/planning-and-community-development/environmental-documents>
 - d. Adopted August 2016. *2015 Urban Water Management Plan*. Prepared by City of Santa Cruz Water Department.
 - e. Adopted October 25, 1994 with subsequent amendments. *The City of Santa Cruz General Plan and Local Coastal Program 1990-2005*. [Local Coastal Program portion] Available online at: <http://www.cityofsantacruz.com/government/city-departments/planning-and-community-development/general-plan>
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- b. Adopted April 1996-Revised February 2016. *Guidelines for Implementing the California Environmental Quality Act*.
- 7. Santa Cruz County Regional Transportation Commission. Adopted June 2018. *2040 Santa Cruz County Regional Transportation Plan*.

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 - b. May 6, 2009 DPR 523A Form for 428 Front Street, Santa Cruz, CA.
- 10. Arent Fox. June 7, 2019. Letter to City of Santa Cruz Planning and Community Development Department regarding "Riverfront Project-Density Bonus Request."
- 11. Basin Research Associates. August 13, 2018. "Archaeology Review – City of Santa Cruz Application CP18-0024: 418, 428, 440, 504, and 508 Front Street."
- 12. BKF Engineers. December 3, 2018. "Storm Water Control Plan, Riverfront Apartments, 418-508 Front Street, Santa Cruz, California, Santa Cruz County."
- 13. Dudek. March 20, 2019. "Federally-listed Species Assessment, San Lorenzo River Levee Fill Placement."
- 14. Kurt Fouts, Arborist Consultant. Revised September 9, 2018. Arborist Report – Preliminary Tree Resource Analysis, Construction Impact & Protection Plan for Riverfront Apartments.
- 15. Kimley-Horn.
 - a. August 10, 2018. Memorandum: Riverfront Trip Generation and Driveway Evaluation.
 - b. July 2019. Transportation Impact Study – Final for Riverfront Apartments Mixed-Use Project.
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19. City of Santa Cruz. September 2019. " Environmental Assessment 408 Permission for the San Lorenzo River Levee Fill Placement, City of Santa Cruz, California." Prepared for U.S. Army Corps of Engineers, San Francisco District. Prepared by Dudek.

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