

4.5 LAND USE

This section reviews existing land uses in the vicinity of the proposed Riverfront Project (Project), and reviews applicable plans, policies and regulations that pertain to the proposed (Project) as identified for review in the State CEQA Guidelines.

Public and agency comments related to land use were received during the public scoping period in response to the Notice of Preparation (NOP). Issues raised in these comments include:

- ❑ The California Coastal Commission (CCC) staff states that the General Plan 2030 EIR cannot be used to evaluate Project impacts on coastal resources because neither the General Plan 2030 nor its EIR are formally adopted into the City’s Local Coastal Program (LCP). The Project’s EIR could help the process of determining how the Project potentially impacts coastal resources by aligning some elements of the EIR scope towards the City’s LCP.
- ❑ CCC staff ask that the EIR provide a table showing how the Project meets the Downtown Plan development standards and explain the basis for proposed exceptions.
- ❑ CCC staff question whether the Project’s proposed height increase is permissible by the LCP and ask that Project consistency with LCP policies to protect water quality be analyzed.
- ❑ A member of the public indicated that the *San Lorenzo Urban River Plan (SLURP)* and *Lower San Lorenzo River and Lagoon Enhancement Plan* are not considered or addressed in the NOP.

To the extent that issues identified in public comments involve potentially significant effects on the environment according to the California Environmental Quality Act (CEQA) and/or are raised by responsible agencies, they are identified and addressed within this EIR. Public comments received during the public scoping period are included in Appendix A.

The CCC’s comment regarding evaluation of impacts on coastal resources is noted. Environmental impacts are properly assessed in accordance with CEQA and professional analyses as provided in this EIR and in the Environmental Checklist in Appendix B. The CEQA process is explained on pages 9 to 14 of Appendix B and summarized in Chapter 1, Introduction, of this EIR. As explained, in analyzing a proposed project for the purposes of CEQA, 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 EIR, or other CEQA provisions, it can be determined that one or more effects have been adequately analyzed in an earlier EIR or negative declaration (State CEQA Guidelines section 15063(c)(3)(D)). The City considered earlier analyses in the certified *General Plan 2030* and *Downtown Plan* Amendments EIRs when it prepared an Environmental Checklist for the proposed Project to determine whether impact analyses in these EIRs had adequately addressed any potential impacts of the proposed Project, consistent with the provisions of Public Resources Code section 21083.3 and CEQA Guidelines section 15183. See Chapter 1 and Appendix B of this EIR for further explanation.

This section addresses LCP policies as related to CEQA standards or thresholds of significance, but a full review of Project consistency with the LCP will also be provided as part of the City’s review for the Project. Similarly, CEQA does not require evaluation of consistency with land use regulations and policies that were not adopted for the purpose of avoiding or mitigating an environmental impact.

4.5.1 Environmental Setting

Regulatory Setting

State Regulations

Government Code Section 65915 provides requirements in which a residential density bonus may be allowed. 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 development (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]).

Local Regulations

The City of Santa Cruz *General Plan 2030*, the Local Coastal Plan, and Title 24 (Zoning) of the Municipal Code govern land use and development for parcels within City limits. The southern portion of the Project area is located within the coastal zone. (See Figure 2-1 in Chapter 3, Project Description.)

Vicinity Land Uses

The Project site is located within downtown Santa Cruz and is located adjacent to and west of the San Lorenzo River. The Project site currently contains three commercial buildings and at-grade, paved parking lots with associated areas of landscaping. Existing uses on the Project site include a mix of restaurant and service commercial uses and parking lots, including the non-profit movement arts center, The 418 Project.

The area surrounding the Project site is less densely developed in comparison to central downtown areas along Pacific Avenue to the west. The west side of Front Street is comprised

mostly of street-level parking, with a few commercial buildings ranging in height from one-to-three-stories. The Santa Cruz Metro Station (transit center) is located across the street from the Project site. The east side of Front Street is comprised of primarily single-story buildings. Tree coverage is irregular and varied along both sides of the street. The San Lorenzo River is a prominent natural feature on the east side of Front Street, although it is not visible from Front Street due to the existing river levee. The Riverwalk is a paved, multi-use bicycle and pedestrian path on top of the river levee.

Relevant Plans and Zoning Regulations

City of Santa Cruz Plans

City of Santa Cruz General Plan 2030. The Project site is designated “RVC” (Regional Visitor Commercial) in the City’s *General Plan 2030* with a 0.25 to 5.0 floor area ratio (FAR) permitted in the downtown area. 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 indicates that in Downtown Santa Cruz, the RVC designation emphasizes a mix of regional office and retail uses, residential and mixed-use developments, restaurants, and visitor attractions such as entertainment venues. The *General Plan 2030* also indicates that in the downtown area where the RVC land use designation is applied, the *Downtown Plan* provides detailed requirements for the downtown area.

Local Coastal Program. The approximate southern half of the Project site is located in the coastal zone. The Project site is located within an area where local land use decisions are appealable to the California Coastal Commission. The Project site currently is designated “Regional Visitor Commercial” (RVC) in the City’s certified Local Coastal Program (LCP).

Pursuant to the California Coastal Act, the City has a certified LCP that was certified by the California Coastal Commission (CCC) and has been amended over time. The LCP consists of a land use plan, implementing ordinances and maps applicable to the coastal zone portions of the City, and applies to all private and public projects located within the coastal zone. The Land Use Plan consists of text; policies, programs and maps; Area Plan coastal policies and maps; and a Coastal Access Plan. The Implementation Plan consists of ordinances and regulations used to implement the Land Use Plan, including sections in the Zoning Code. The LCP applies to private and public projects located within the coastal zone. Development within the coastal zone is subject to provisions of the City’s certified LCP.

Over the years, the City has adopted area and resource management plans that affect portions of the coastal zone. “Area Plans” provide a more focused review of a specific area than provided in the General Plan. In addition to area plans, resource management plans have been adopted for some of the City’s open space properties. Some of these plans are also included in the certified LCP. Plans included in the LCP that are applicable to the proposed Project include the Downtown Plan and the Citywide-Creeks and Wetlands Management Plan. Both are summarized below. In

addition, in 2004, the CCC approved an amendment to the City’s LCP that replaced certified LCP Land Use Plan policies of the San Lorenzo River Enhancement and Design Plan (previously adopted by the City Council in 1987 and 1990) with new policies developed from recommendations in the San Lorenzo Urban River Plan (SLURP). A summary of the SLURP also is provided below. In addition, the LCP was amended in 2019 by the CCC in which a provision was added to the Santa Cruz Municipal Code section 24.16.262 regarding density bonuses. Specifically, this section indicates that “State density bonus law provides that it shall not be construed to supersede or in any way alter or lessen the effect or application of the California Coastal Act of 1976.”

The *Downtown Recovery Plan* (DRP) was written to guide the rebuilding of Downtown Santa Cruz after the 1989 Loma Prieta earthquake. The plan was adopted by the City Council in 1991, and at the same time, the Council rescinded the “Downtown Area Plan” (that had been adopted by the Council in 1991 as a specific plan) as an element of the LCP with an amendment to the LCP to add a policy directing the preparation of an area plan for the South-of-Laurel Street area. Chapter 4 of the Downtown Plan is incorporated by reference in the Commercial Business Zone (CBD) zone district, and the district is part of the implementation section of the LCP. The CCC approved amendments to the LCP in March 2018, which amended land use policies in the downtown area and the CBD zone district development standards consistent with amendments the City approved to the Downtown Plan as further described below.

The *City-Wide Creeks and Wetlands Management Plan* was prepared pursuant to Policy EQ 4.2 and its accompanying programs in the 1994 General Plan/LCP. The Creeks Plan was adopted by the City Council to provide a comprehensive approach to managing all creeks and wetlands within the City. The CCC took final action on approving the Creeks Plan in 2008 as a LCP amendment; this action applies to only those portions of the Creeks Plan within the coastal zone.

Zoning Code. The Project site is zoned “Commercial Business District” (CBD), Coastal Zone Overlay (CZ-O), and Floodplain Overlay (FP-O). This district implements the Land Use Plan, Development Standards and Design Guidelines of the Downtown Plan. It is intended to refine the Plan in the area of land use and regulations. It supports the purpose of the Downtown Plan, in the context of the General Plan, which aims to make downtown the urban center of the city, with the many functions a city center serves. This section of the Zoning Ordinance is also part of the LCP Implementation Plan. The Downtown Plan and CBD is divided into four subareas, in order to enhance the character of each by special consideration of the character of each. The Lower Pacific Avenue subdistrict has been added and consists of the CBD District South of Laurel Street. The Lower Pacific Avenue subdistrict is intended to implement the policies of the South of Laurel Plan and is separate from the Downtown Plan. The project study area is located with the Front Street/Riverfront subdistrict.

The City of Santa Cruz Municipal Code Chapter 24.16, Part 3 provides provisions regarding application of density bonuses to residential projects in the City. The purposes of this chapter are: (1) to provide incentives for the production of housing for very-low-income, low-income, moderate-income, and senior households; (2) to provide incentives for the creation of rental

housing serving lower-income households; (3) to provide incentives for the construction of child care centers serving very-low-, low-, and moderate-income households; and (4) to implement California Government Code Sections 65915, 65915.5, 65915.7, and 65917 as required by Government Code Section 65915(a). In enacting this part, it is also the intent of the city of Santa Cruz to implement the goals, objectives, and policies of the city's General Plan Housing Element to encourage the construction of affordable housing in the city. Further, it is the intent of the city of Santa Cruz to encourage the development of rental housing in order to serve an economically diverse community and to mitigate the trend, as documented in the General Plan Housing Element, that only limited rental unit development occurs without public assistance.

Downtown Plan. The Project site is located within the boundaries of the Downtown Plan. The Plan covers the area between the San Lorenzo River on the east, Center Street on the west, Laurel Street on the south, and just north of Water Street on the north. Only the lower portion of the plan area (generally just south of Cathcart Street) is located within the coastal zone.

As indicated above, the DRP was adopted in 1991 to guide reconstruction after the 1989 Loma Prieta earthquake as the earthquake destroyed significant portions of downtown Santa Cruz. The intent 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), and the CBD district is part of the LCP implementation regulations.

The DRP has been modified several times over the past 25 years with significant amendments adopted in 2017. The amendments approved in 2017 included changing the name of the Plan to "Downtown Plan" since post-earthquake recovery had been achieved and included revisions to development standards, including provisions for additional height allowances under specified circumstances in the downtown area. 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 allowable Floor Area Ratio from 3.5 to 5.0. The FAR limit is one of many development and design 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 *Downtown Plan* identifies four subareas, each with its own distinct characteristics. The Project site is located within the Front Street/Riverfront Corridor that forms an eastern edge to the Pacific Avenue Retail District and creates a transition between the more intensive commercial district and the riverfront. The role of Front Street as an important arterial distributing traffic to, through, and around the downtown has caused it to evolve as a destination retail district, with a major supermarket, drug store, and a specialty retail center backing up to the river. This role is one that is complementary to the more intensive, specialized, and pedestrian-oriented nature of Pacific

Avenue, and its maintenance and enhancement is encouraged in the *Downtown Plan*. Ground-level commercial uses, including destination retail uses, personal service, financial, and office-related uses, are permitted uses along the street. Permitted upper-level uses include office and residential, and river-oriented commercial uses connecting to the Riverwalk are strongly encouraged. The *Downtown Plan* indicates that this mix of uses serves to reinforce the downtown as a place to live, shop and work; as well as enhances the pedestrian environment and feeling of security along the river. The *Downtown Plan* requires at least 60 percent of the square footage of development within these areas (not including parking) to be provided in residential uses.

Major recommendations of the City's 1988 *San Lorenzo River Design Plan*, the 2003 *San Lorenzo Urban River Plan*, and the 2010 "River/Front and Lower Pacific Design Guidelines and Development Incentives Study", all promote enhancing the recreational resource of the river within the downtown and to orient Front Street development in a more positive way to the river. The *Downtown Plan* includes development standards that promote better access and incentives to redevelop the Front Street/Riverfront Corridor properties, consistent with these previous adopted plans.

San Lorenzo River Urban River Plan (SLURP). The SLURP is the outcome of a planning process initiated by City Council in 1999 to update previous plans for the San Lorenzo River, Jessie Street Marsh, and Branciforte Creek that guided flood control, vegetation restoration and public access improvements along the San Lorenzo River. The plan, adopted by City Council in 2003, articulates a community vision for the corridor encompassing the lower San Lorenzo River, Branciforte Creek and Jessie Street Marsh as both a wildlife area and as a community recreation and public open space amenity. It contains recommendations for habitat enhancement, public access, river trail amenities, recreational use, public art and community programs, as well as ideas to promote river-oriented development.

The Project site is within the "Transitional Reach" of the San Lorenzo River in the SLURP and is also located along the "Front Street Riverfront Area" that is identified in the SLURP as a significant riverfront area that is a prime opportunity site to engage the community with the river with improved public access being a primary goal of the SLURP. The Front Street Riverfront area extends from Laurel Street north to South River Street.

Sustainable Communities Strategy

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.

At the heart of SB 375 is the requirement to coordinate transportation investments with land use patterns such that the region makes informed decisions about where to invest the region’s limited resources and simultaneously reduces greenhouse gases by providing more direct access to destinations as well as by providing alternative transportation options (AMBAG 2018). The Plan is required to analyze where people are going and how they want to get there in order to build a transportation network that addresses the mobility and accessibility needs of the region. One strategy included in the Plan to achieve this goal is more focused growth in high quality transit corridors. Another strategy is to provide more travel choices as well as a safe and efficient transportation system with improved access to jobs and education for the region’s residents.

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. Opportunity Areas are places in the region with the highest chance for successful sustainable growth in the future. This effort also identified TPAs as locations that have both supportive land use densities and high quality transit service/connections for each Opportunity Area. Opportunity Areas are used to identify a set of potential Transit Priority Projects that supports the SCS.

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.

Santa Cruz County Regional Transportation Plan

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.

4.5.2 Impacts and Mitigation Measures

Thresholds of Significance

In accordance with the California Environmental Quality Act (CEQA), State CEQA Guidelines (including Appendix G), City of Santa Cruz plans, policies, and/or guidelines, and agency and professional standards,; a project impact would be considered significant if the project would:

- LAND-1 Physically divide an established community; or
- LAND-2 Cause a significant environmental impact due to a conflict with any land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect.

Impacts and Mitigation Measures

Areas of No Project Impact

- LAND-1 *Division of an Established Community.* The Project site is currently developed and is located within a developed urban area of the City. Redevelopment of the Project site with the proposed mixed-used development would not physically divide an established community. Therefore, the Project would result in *no impact*.

Project Impacts

- Impact LAND-2: Conflicts with Policies and Regulations.** The proposed Project would not conflict with policies or regulations adopted for the purpose of avoiding or mitigating an environmental effect, and therefore, would result in *no impact* related to consistency with local plans and policies.

In accordance with Appendix G of the state CEQA Guidelines, the Project was reviewed to identify potential conflicts with policies or regulations adopted for the purpose of avoiding or mitigating an environmental impact. There are no apparent conflicts between the proposed Project and land use plans, policies, or regulations adopted for the purpose of avoiding or mitigating an environmental effect, as summarized in Table 4.9-2 at the end of this section. Review of potential Project conflicts with adopted City and other regional plans is provided below.

General Plan and Zoning. The Project site is designated RVC in the City's *General Plan 2030* and LCP and is zoned CBD with coastal zone and floodplain overlay districts. For the portion of the site that is located within the coastal zone, the City's certified LCP is the governing land use and policy document, which is discussed below. However, the General Plan is the governing land use document for the portion of the site not located in the coastal zone, and there are broader, non-

coastal policies in the General Plan that also are applicable to the portion of the Project in the coastal zone.

The proposed mixed-use Project is consistent with the General Plan and LCP 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. Furthermore, the proposed Project location and uses are consistent with the sustainable transportation and land use planning goals set forth in the City’s Climate Action Plan that encourage higher density development along transit corridors and activity centers to support efficient, accessible, and sustainable transportation options. There are no apparent conflicts between the proposed Project and General Plan policies adopted for the purpose of avoiding or mitigating an environmental effect, as summarized in Table 4.9-2 at the end of this section.

It is noted that there are other policies in these plans which are applicable to the Project, and which address a broader range of land use, project design, circulation, and planning concerns. Project consistency with local adopted plans and policies will be determined ultimately by the City Council. The Project requires City Council approval under provisions of the *Downtown Plan*, which requires Council approval of projects with more than 60 residential units (per the Downtown Plan Use Chart) and for projects that request the use of Additional Height Zone B to construct a building greater than 50 feet in height. Because the policy language found in any city or county general plan is often susceptible to varying interpretations, it is often difficult to determine, in a draft EIR, whether a proposed project is consistent or inconsistent with such policies. Case law interpreting the Planning and Zoning Law (Gov. Code, § 65000 et seq.) makes it clear that: (i) the ultimate meaning of such policies is to be determined by the elected city council, as opposed to city staff and EIR consultants, applicants, or members of the public; and (ii) the city council’s interpretations of such policies will prevail if they are “reasonable,” even though other reasonable interpretations are also possible (*See No Oil, Inc. v. City of Los Angeles* (1987) 196 Cal.App.3d 223, 245-246, 249). Courts also have recognized that, because general plans often contain numerous policies adopted to effect differing or competing legislative goals, a development project may be “consistent” with a general plan, taken as a whole, even though the project appears to be inconsistent or arguably inconsistent with some specific policies within a given general plan (*Sequoiah Hills Homeowners Association v. City of Oakland* (1993) 23 Cal.App.4th 704, 719). Furthermore, courts strive to “reconcile” or “harmonize” seemingly disparate general plan policies to the extent reasonably possible (*No Oil, supra*, 196 Cal.App.3d at p. 244).

LCP. The Project site is designated RVC in the City’s LCP, and the proposed Project is consistent with the uses permitted in this designation. In the downtown area, this designation in the Downtown Central Business District emphasizes the development of a mix and concentration of regional office and retail uses, residential and mixed-use developments, and also visitor attractions such as major restaurants, retail and entertainment areas. In addition, LCP Land Use

Policy 2.0.3 calls for prioritizing high-density mixed residential and commercial development in the City's Downtown Central Business District.

There are no apparent conflicts between the proposed Project and LCP policies adopted for the purpose of avoiding or mitigating an environmental effect, as summarized in Table 4.9-2 at the end of this section, and as explained below. As discussed on page 4.1-17 of this EIR, the proposed Project is consistent with setback requirements and development standards set forth in the *City-wide Creeks and Wetlands Management Plan*. The Project does not conflict with development standards included in the *Downtown Plan* as explained in the following section, and provides public access to the San Lorenzo River in accordance with requirements of the *Downtown Plan*. It is also noted that the Project is consistent with LCP Community Design Policies 1.1 and 1.1.1 that call for infill and intensification of lands uses consistent with existing neighborhood or commercial district patterns in developed areas and focus development in the central core and along arterial and mass transit corridors. The Project is also consistent with LCP Land Use Policy 2.0.3 that calls for prioritizing high-density mixed residential and commercial development in the City's - Downtown Central Business District.

In response to CCC comments on the NOP, further discussion regarding Project consistency with LCP policies is provided below.

Visual Resources. LCP Community Design Policy 2.2 calls for preservation of important public views and viewsheds by ensuring that the scale, bulk and setback of new development does not impede or disrupt them. The LCP does not provide further guidance of what important public views would be, although LCP Map CD-3 identifies a scenic viewpoint toward the San Lorenzo River at Laurel Street. The Project would not block views of the river. The Project is located adjacent to San Lorenzo River, which is not visible from Front Street, and views of the river from the Soquel Avenue and Laurel Street Bridges would not be obstructed by the proposed Project. Photo simulations of the Project prepared by the applicant are provided in Figure 4.5-1. As can be seen, views of the San Lorenzo River would not be obstructed from Laurel Street or Soquel Avenue Bridges or along the Riverwalk.

It is noted that the General Plan indicates that generally views of the ocean and distant mountain views are scenic views in the City. The certified Downtown Plan Amendments EIR found that future development along the river with potential increased building heights to 70 feet would obscure a portion of distant mountain views, but this would also occur under the allowed existing base heights of 50 feet. The proposed Project height of 81 feet would not result in greater blockage of limited distant mountain views than was already evaluated and disclosed in the Downtown Plan Amendments EIR with buildings at a 70-foot height. However, these areas are limited, and most distant mountain views would be maintained as shown on Figure 4.5-1.

The LCP (Map CD-3) identifies Beach Hill as part of an urban skyline with “visually distinctive structures.” The Downtown Plan Amendments EIR concluded that depending on the actual height and extent of future development, a portion of the distant view of Beach Hill could be blocked.

However, from the levee or Soquel Avenue bridge, the view of Beach Hill is primarily of the upper canopy and not the older Victorian structures that are identified as “distinctive” in the LCP. Furthermore, it is a minor part of the background view from vantage points in which the river is the primary component of views. Therefore, the Downtown Plan Amendments EIR concluded that no significant impacts to scenic views would occur. The proposed Project is within the same footprint as evaluated in the Downtown Plan Amendments EIR and would not result in blockage of different distant views, although the building height would be 10 feet taller than analyzed in the Downtown Plan Amendments EIR. See the following section regarding Project consistency with Downtown Plan development standards, which are part of the City’s LCP, and explanation of Project-requested variations.

Water Quality. As explained in Chapter 3, Project Description, of this EIR, the Project site is currently developed and paved; the Project would result in a net increase of 12,384 square feet over the entire site. The Project would be required to comply with Tiers 1 through 4 (Site Design, Water Quality Treatment, Runoff Retention, and Peak Management) of the City’s Stormwater Management Program. The Project plans include on-site drainage structures to collect and treat stormwater runoff, including a bioretention basin and perk-filter manhole. All of the site runoff from impervious areas would be treated via the proposed on-site bioretention system 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 Project. Project plans include approximately 2,100 square feet of pervious landscaping to minimize stormwater runoff. The Project stormwater plan includes a monitoring and maintenance schedule for the storm drain system components, including the bioretention basin and other landscaping features. Therefore, the Project stormwater runoff would not result in water quality impacts to the adjacent San Lorenzo River and would not conflict with LCP policies regarding water quality as summarized on Table 4.5-2. See also discussion of Project impacts in Appendix B of this EIR.

Environmentally Sensitive Habitat. As discussed in Section 4.1, Biological Resources, of this EIR, the Project would not result in impacts to adjacent sensitive San Lorenzo River riparian or aquatic impacts, and as indicated above, the Project is consistent with setback provisions of the *City-wide Creeks and Wetlands Management Plan*. Therefore, the Project would not result in conflicts with LCP policies regarding sensitive habitat.

Coastal Hazards. LCP policies call for restricting or prohibiting uses in undeveloped flood areas and maintaining floodplain and floodway regulations in developed flood areas (Safety 3.1.1), minimizing the alteration of natural flood plains, stream channels and natural protective barriers that accommodate or channel floodwaters (3.1.2), and controlling filling, grading, dredging, and other development that may increase flood potential (3.1.3). As explained in Appendix, the Project would not result in these conditions, and therefore, would not conflict with LCP policies. As explained in the Project Environmental Checklist (see Appendix B), 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. This project raised the river levees and rehabilitated the three downtown bridges (over the San Lorenzo River) to increase flood flow capacity. Under the A99 designation, new buildings and improvements are no longer mandated to meet FEMA flood construction requirements. Based on the City's *Climate Adaptation Plan Update 2018-2023*, adopted by the City Council in October 2018, 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 (City of Santa Cruz, 2018)

Downtown Plan. Review of the Project by City staff indicates that the Project is consistent with the development standards set forth in the Downtown Plan, which are also part of the City's LCP. Relevant standards include those identified for as "Front Street/Riverfront Corridor Development Standards and Design Guidelines" and performance criteria identified for the "Additional Height Zone B." An overview of Project consistency with the Downtown Plan key development standards is provided in Table 4.5-1.

As explained in Chapter 3, Project Description, the Project is requesting a 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 from the required 50 feet to 80 feet. In addition, the Project is requesting "concessions/incentives" and "waivers" as permitted by Municipal Code section 24.16.455 as part of the density bonus provisions enacted pursuant to state law as summarized on Table 4.5-1 related to building height and upper floor setbacks.

Per the Downtown Plan, building heights shall not exceed 50 in the Front Street/Riverfront Corridor. However, a project that is located within Additional Height Zone B and is located on a parcel greater than 15,000 square feet, is eligible for additional height up to 70 feet over the base allowed height of 50 feet and five floors above required ground-floor commercial with a recommendation of approval of a Design Permit by the Director of Planning and final approval by the City Council. The Project is eligible for the additional height permitted in Additional Height Zone B given its parcel size, and the Project includes a request to the City Council for this additional height to 70 feet as permitted in the *Downtown Plan*. The additional height allowed in the Downtown Plan must be approved by the City Council. In addition, the applicant is requesting approval of 11 feet in height beyond the 70 foot height allowance (81 feet maximum) as part of a proposed density bonus as explained in Chapter 3, Project Description.

**TABLE 4.5-1: Summary of Project Consistency with Key Downtown Plan
Front Street/Riverfront District Development Standards**

Standard	Requirement	Proposed Project
Additional Height	Allow buildings up to 70 feet for properties that meet specific Performance Criteria for Additional Height Zone B that promote high quality public access to the river, appropriate treatment of the riverfront edge and commitment to manage and maintain riverfront open space. (H.2a)	Project requests of the use of increased building height standards as permitted in Additional Height Zone B from 50 feet to 70 feet. The Project also includes a waiver of building height standards in accordance with density bonus provisions to allow for an additional 11 feet above the 70 foot height limit. The resulting Project would be approximately 81 feet and 6 stories above ground floor commercial.
Upper Level Building Stepbacks	<p>Require at least 50% of Front Street frontages to step back by 10 feet above a height of 50 feet. (E.1c)</p> <p>Require a stepback of 10 feet above 50 feet on frontages facing the Riverwalk. (E.1d)</p> <p>Buildings adjacent to publicly accessible passageways shall step back at least 10 feet from the street for any height above 35 feet. (E.1c)</p>	<p>Project requests waiver under density bonus provisions to reduce required 10 foot stepback on at least 50% of the Front Street building frontage.</p> <p>Project requests waiver under density bonus provisions to reduce required stepback above 50 feet on the Riverwalk frontage to between 0 and 10 feet.</p> <p>Project requests concession/incentive under density bonus provisions to reduce the required 10 foot stepback above 35 feet in height along the pedestrian passageways to allow for the elevator towers to step back 0 feet above 35' in height.</p>
Riverwalk Setback	Residential or outdoor commercial uses adjacent to the Riverwalk shall be no closer than 10 feet from the western edge of the physical walkway. (E.4a)	Project buildings are set back approximately 35 feet from the western edge of the Riverwalk.
Public Passageway Width	The width of publicly accessible pedestrian connections shall be no less than 60 feet near terminus of Cathcart Street and 30 feet at or near extension of Elm Street. (E.5c)	Project provides passageways at required widths.
Building Recessed Breaks	Require any portion of the building mass that exceeds the maximum base height of 50 feet to establish a separation or break that is open to the sky, measuring at least 15 feet along the streetfront property with a depth no less than 10 feet. (H.2di)	Project provides a recessed break of approximately 25 feet wide and 20 feet deep in the center building in addition to the two public passageways between the buildings.
CONTINUED ON NEXT PAGE		

Standard	Requirement	Proposed Project
<i>Skyline Architectural Variation Standards</i>	Require the top floor of any building to not exceed 60% of the floor area below or 60% of the building length as measured along Front Street or the Riverwalk. Variation to the 60% floor area standard can be considered for projects that incorporate publicly accessible pedestrian connections to the Riverwalk. (H.2dii)	Project requests waiver underdensity bonus provisions to allow the top floor to exceed 60 percent of the area of the floor below (at proposed 100 percent at the north building, 81.5 percent at the center building, and 81 percent at the south building) and to exceed 60 percent of each building’s length on Front Street (at proposed 81 percent at the north building, 88 percent at the center building, and 92.8 percent at the south building)
<i>Public Connections to River</i>	Require all new development to physically dedicate and/or to make a fair share financial contribution to the creation of publicly accessible connections along or near the extensions of Cathcart, Maple and Elm Streets, at widths of 60, 50 and 30 feet respectively. (E.5)	The Project includes two pedestrian passageways that will provide publicly accessible connections. at required widths.

Pursuant to state law, the City must grant requested concessions/incentives and waivers, of which height is one, as part of the density bonus if the applicant can demonstrate that the requested concession/incentive results in identifiable and actual cost reductions to provide for affordable ownership costs or affordable rents or, in the case that a waiver is requested, if it can be demonstrated that the development standard will have the effect of physically precluding the construction of a housing development eligible for a density bonus at the density permitted under density bonus provisions. This is also consistent with the City’s LCP, which was amended in 2019 by the CCC in which a provision was added to the Santa Cruz Municipal Code section 24.16.262 regarding density bonuses. Specifically, this section indicates that “State density bonus law provides that it shall not be construed to supersede or in any way alter or lessen the effect or application of the California Coastal Act of 1976.” This Municipal Code section states:

2. For development within the coastal zone, the requested density bonus and any requested incentive, concession, waiver, modification, modified parking standard, or commercial development bonus shall be consistent with state density bonus criteria. All applicable requirements of the certified Santa Cruz local coastal program shall be met (including but not limited to sensitive habitat, agriculture, public viewshed, public recreational access, and open space), with the exception of the numeric standards changed through state density bonus provisions.

It is the City's interpretation that "numeric standards" include height, setbacks, and other development standards measured in numeric forms. While the CCC recognizes that some of the more quantitative LCP policies (such as height) may be relaxed through the use of the Density Bonus Law, the Project must still comply with the more qualitative LCP policies, such as protection of public views, provision of public access, and protection of environmentally sensitive habitat. As discussed above, the Project is consistent with the City's LCP.

San Lorenzo Urban River Plan. As previously indicated, the Project site is located within the "transitional" reach of the San Lorenzo River identified in the City-adopted SLURP. The SLURP does not include policies or development standards. It does provide recommendations for three "focus sites" on the east side of the San Lorenzo River, none of which are applicable to the proposed Project. The Project site also is included in the area identified as the "Front Street Riverfront Area," in which the SLURP provides specific design recommendations/guidelines for the Front Street Riverfront Area. The Project is generally consistent with the SLURP's recommendations that are applicable to the Project. The SLURP recommends maintaining the Downtown Plan development standards with which the Project is consistent as discussed above. The Project is consistent with the recommendation to maintain a 10-foot setback area between residential and commercial uses adjacent to the levee trail from the western edge of the trail and with filling the setback area to raise the adjacent ground-level use to the same elevation as the levee trail. The Plan indicates that this area should also incorporate outdoor public seating or visually accessible garden space for residential development. The Project includes outdoor areas along the Riverwalk consistent with the Downtown Plan requirements. The SLURP also indicates that trees planted as part of the San Lorenzo Flood Control Improvement Project should be maintained and incorporated into new development. The Project does include outdoor seating and landscaping, although existing planted trees on the land side of the levee would be removed. However, the Project landscaping plan includes replanting trees. The SLURP also recommends preserving views along Front Street to and from Beach Hill, a "significant historic" feature, and as discussed above, the Project would not adversely affect views to/from Beach Hill.

Consistency with Regional Plans. The State CEQA Guidelines section 15125(d) require that a discussion be provided regarding any inconsistencies between a proposed project and applicable general and regional plans. Examples of other regional plans include air quality plans, water quality control plans, regional transportation plans, regional housing allocation plans, habitat conservation plans and regional land use plans. As discussed on pages 21 to 22 in Appendix B of this EIR, the Project would not conflict with the Monterey Bay Unified Air Pollution Control District's "Air Quality Management Plan". There are no provisions in the current Basin Plan¹ (water quality) that are applicable to the proposed Project as discussed on page 53 in Appendix B of this EIR. There are no Habitat Conservation Plans in the Project area or other regional plans with which the project may be in conflict. Applicable regional transportation plans are discussed on pages 62-65 of Appendix B of this EIR. The proposed Project consists of largely residential development and does not conflict with regional housing allocation plans. Additionally, the Project is consistent with

¹ Regional Water Quality Control Board, Central Coast Region. June 2011. "Water Quality Control Plan for the Central Coastal Basin."

AMBAG’s Sustainable Communities Strategy and is located within an identified SCS “opportunity area.”

Mitigation Measures

No mitigation measures are required as a significant impact has not been identified.

TABLE 4.5-2: Potential Project Conflicts with City of Santa Cruz General Plan and LCP Policies

[POLICIES RELATED TO MITIGATING ENVIRONMENTAL IMPACTS]

Element	Policy Number	Policy	Potential Conflict
General Plan 2030			
HISTORIC PRESERVATION, ARTS AND CULTURE	HA1.2.2	HA1.2.2 Require preparation of archaeological investigations on sites proposed for development within areas identified as “Highly Sensitive” or “Sensitive” on the “Areas of Historical Archaeological Sensitivity” map, except for exempt uses within “Sensitive” areas as described below, prior to approval of development permits.	NO CONFLICT: Archaeological investigation was conducted for the Project.
COMMUNITY DESIGN	CD1.2	Ensure that the scale, bulk and setbacks of new development preserve important public scenic views and vistas.	NO CONFLICT: Future development would not impact public scenic views. The river is not visible from the downtown area and the building would not block any public views of the river along the river levee or from the designated scenic viewsheds in the General Plan.
	CD3.2	Ensure that the scale, bulk and setbacks of new development preserve public views of city landmarks where possible.	NO CONFLICT: Future development would not affect public views of City landmarks as none exist in the vicinity of the Project.
LAND USE	LU1.2	Ensure that growth and development does not lead to the overdraft of any water source, the creation of unacceptable levels of air pollution, or the loss of prime agricultural land.	NO CONFLICT: Project impacts have been evaluated and Project would not lead to water source overdraft, significant air pollution or loss of prime agricultural land.
	LU1.2.1	Environmental review for specific projects shall be accompanied by sufficient technical data and reviewed by appropriate departments.	NO CONFLICT: Project technical studies and EIR have been reviewed by City staff.
	LU1.3	Ensure that facilities and services required by a development are available, proportionate, and appropriate to development densities and use intensities.	NO CONFLICT: Public services are available.
	LU1.4	Ensure that new development pays its proportional share of the costs of expanded infrastructure needed to serve new development. Cf. M3.1.5, ED2.3.1.	NO CONFLICT: No expansion of infrastructure is needed to serve the Project.

TABLE 4.5-2: Potential Project Conflicts with City of Santa Cruz General Plan and LCP Policies

[POLICIES RELATED TO MITIGATING ENVIRONMENTAL IMPACTS]

Element	Policy Number	Policy	Potential Conflict
	LU4.1.1	Support compact mixed-use development Downtown, along primary transportation corridors, and in employment centers.	NO CONFLICT: Project consists of mixed-use development that will help meet this Action's goal to facilitate alternative transportation and/or minimize transportation demand as a "transit-priority" project under CEQA.
MOBILITY	M3.1.3	Strive to maintain the established "level of service" D or better at signalized intersections.	NO CONFLICT: Project traffic would not result in a decrease in level of service below D at any signalized intersection.
	M3.3.4	Mitigate safety, noise, and air quality impacts from roadways on adjacent land uses through setbacks, landscaping, and other measures.	NO CONFLICT WITH MITIGATION: No significant air emission impacts were identified. Inclusion of structural design features to attenuate exterior noise levels is required for new development in the downtown area as set forth in the Downtown Plan Amendments EIR mitigation measures and which is a standard condition of approval that would be applied to the Project.
CIVIC AND COMMUNITY FACILITIES	CC5.1.8	Require new development to maintain predevelopment runoff levels.	NO CONFLICT: Project is consistent with City's stormwater management regulations.
	CC6.17	Require new developments to design service areas that encourage recycling.	NO CONFLICT: The Project includes an on-site trash enclosure that includes areas for recycling facilities and that was designed in accordance with the Department of Public Works Refuse Container Storage Facility Standard Design Policy.
HAZARDS, SAFETY AND NOISE	HZ2.2.1	Require future development projects to implement applicable Monterey Bay Unified Air Pollution Control District (MBUAPCD) control measure and/ or air quality mitigations in the design of new projects as set forth in the District's "CEQA Guidelines."	NO CONFLICT: No significant air emission impacts were identified, and no mitigation is required.
	HZ3.1.1	Require land uses to operate at noise levels that do not significantly increase surrounding ambient noise.	NO CONFLICT: No significant impacts were identified related to Project increases in ambient noise levels.

TABLE 4.5-2: Potential Project Conflicts with City of Santa Cruz General Plan and LCP Policies

[POLICIES RELATED TO MITIGATING ENVIRONMENTAL IMPACTS]

Element	Policy Number	Policy	Potential Conflict
	HZ3.1.3	Ensure that construction activities are managed to minimize overall noise impacts on surrounding land uses.	NO CONFLICT: Inclusion of standard City Project Conditions of Approval limit construction hours.
	HZ3.1.6	Require evaluation of noise mitigation measures for projects that would substantially increase noise.	NO CONFLICT WITH MITIGATION: Inclusion of structural design features in future development to attenuate exterior noise levels is a required mitigation measure.
	HZ6.3.6	Require site specific geologic investigation(s) 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 investigation(s).	NO CONFLICT: Project geotechnical report and reviews have been conducted.
PARKS, RECREATION, AND OPEN SPACE	PR1.3.1	Ensure that adequate park land is provided in conjunction with new development.	NO CONFLICT: Project will be required to pay park dedication fee.
	PR4.2.3	Require development projects located along planned trail routes to dedicate trails or trail easements.	NO CONFLICT: Project provides access along Cathcart and Elm Street extensions in accordance with requirements of the Downtown Plan .
NATURAL RESOURCES AND CONSERVATION	NRC1.2.1	Evaluate new uses for potential impacts to watershed, riverine, stream, and riparian environments.	NO CONFLICT WITH MITIGATION: Project would not result in significant impacts to stream or riparian areas.
	NRC2.1.3	Evaluate development for impacts to special-status plant and animal species.	NO CONFLICT: No potentially significant Project impacts to special status plant or wildlife species were identified.
	NRC 7.1.4	Require new development to provide for passive and natural heating and cooling opportunities, including beneficial site orientation and dedication of solar easement.	NO CONFLICT: Project site is linear in a north-south direction, but orientation minimizes shading to the south and west, and Project provides windows on west side of buildings.

TABLE 4.5-2: Potential Project Conflicts with City of Santa Cruz General Plan and LCP Policies

[POLICIES RELATED TO MITIGATING ENVIRONMENTAL IMPACTS]

Element	Policy Number	Policy	Potential Conflict
LCP Land Use Plan			
ENVIRONMENTAL QUALITY	2.3	Ensure that new development or land uses near surface water and groundwater recharge areas do not degrade water quality.	NO CONFLICT: Project designed with bioretention and measures to prevent water quality degradation in accordance with City requirements.
	2.3.1	Design and site development to minimize lot coverage and impervious surfaces, to limit post-development runoff to predevelopment volumes, and to incorporate storm drainage facilities that reduce urban runoff pollutants to the maximum extent possible.	NO CONFLICT: Project site is currently developed, and Project would slightly increase impervious surfaces, but the Project stormwater plan meets City requirements.
	3.1	Require site design and erosion control measures in areas subject to erosion hazards or adjacent to streams and wetland areas to minimize grading activities and vegetation removal. (See Maps EQ-6, EQ-8 and EQ-11)	NO CONFLICT: Project includes erosion-control plans.
	3.1.2	Prohibit grading and earth disturbance during wet winter months and ensure that any grading or stockpiles are stabilized and revegetated (or covered) before winter months.	NO CONFLICT: The Project has prepared an erosion control plan and must comply with provisions of City Municipal Code section 24.16.060, which requires an erosion control plan for developments adjacent to streams and which states that in the coastal zone, grading periods shall be consistent with LUP Policy EQ 3.1.2.1, which indicates that the rainy season is between November 1 through April 1 with the City's Grading Ordinance establishing other permissible winter grading periods correlated with erosion risk for developments. The Project would result in no conflict with compliance with City regulations.
	4.2	Preserve and enhance the character and quality of riparian and wetland habitats, as identified on Maps EQ-8 and EQ-11, or as identified through the planning process or as designated through the environmental review process.	NO CONFLICT: The Project would not result in impacts to the adjacent San Lorenzo River riparian or aquatic habitats and is consistent with provisions of the <i>City-wide Creeks and Wetlands Management Plan</i> .

TABLE 4.5-2: Potential Project Conflicts with City of Santa Cruz General Plan and LCP Policies

[POLICIES RELATED TO MITIGATING ENVIRONMENTAL IMPACTS]

Element	Policy Number	Policy	Potential Conflict
	4.2.2	Minimize the impact of development upon riparian and wetland areas through setback requirements of at least 100 feet from the center of a watercourse for riparian areas and 100 feet from a wetland. Include all riparian vegetation within the setback requirements, even if it extends more than 100 feet from the water course or if there is no defined water course present.	NO CONFLICT: Action 4.2.2.1 requires that all development within 100 feet of riparian and wetlands be consistent with applicable management plan provisions. The Project is consistent with the provisions of the City-wide Creeks and Wetlands Management Plan.
	4.2.3	Minimize increased runoff into riparian and wetland areas unless biological evaluation recommends increased inflows.	NO CONFLICT: Project site is currently developed, and Project would slightly increase impervious surfaces, but the Project stormwater plan meets City requirements, includes bioretention feature, and would not result in increased runoff into riparian or wetland areas.
	4.2.4	Preserve riparian and wetland vegetation by minimizing removal and allowing only for uses dependent on the resources, passive recreational use, and maintenance of existing uses according to adopted management plans with compensating mitigation.	NO CONFLICT: The Project would result in removal of planted trees, but would not result in removal of riparian or wetland vegetation.
	4.2.5	Protect and minimize the impact of development on bird, fish and wildlife habitat in and adjacent to waterways.	NO CONFLICT: Project does not result in significant impacts to adjacent San Lorenzo River habitat or wildlife.
	4.5	Continue the protection of rare, endangered, sensitive and limited species and the habitats supporting them as shown on Map EQ-9 or as identified through the planning process or as designated as part of the environmental review process.	NO CONFLICT: The Project site is not shown as having special status species or sensitive habitat on Map EQ-9, and none were identified during the environmental review process.
COMMUNITY DESIGN	2.2	Preserve important public views and viewsheds by ensuring that the scale, bulk and setback of new development does not impede or disrupt them.	NO CONFLICT: Future development would not impact public scenic views identified in the LCP.

TABLE 4.5-2: Potential Project Conflicts with City of Santa Cruz General Plan and LCP Policies

[POLICIES RELATED TO MITIGATING ENVIRONMENTAL IMPACTS]

Element	Policy Number	Policy	Potential Conflict
	3.5	New or renovated development shall add to, not detract from City-identified landmarks, historic areas and buildings, and established architectural character worthy of preservation. (See Maps CD-4 and CD-5)	NO CONFLICT: The Project is not in proximity to designated landmarks. The Project would result in an impact to historic buildings, which is fully analyzed in the Cultural Resources section of this EIR and preservation of the building is evaluated in Chapter 6, Project Alternatives
	3.6	In pedestrian areas, require building design to be responsive to the pedestrian environment. These areas include but are not limited to Downtown, South of Laurel, the Beach, wharf, shoreline, and commercial shopping areas.	NO CONFLICT: The Project includes pedestrian amenities.
	3.7	Require development to incorporate features to promote pedestrian use including new linkages to the pedestrian system.	NO CONFLICT: The Project includes pedestrian amenities.
	6.1	Protect existing significant vegetation and landscaping that provides scenic as well as wildlife habitat and forage value.	NO CONFLICT: The Project would result in removal of five heritage trees, but would not remove vegetation considered significant or providing scenic or habitat value.
	6.1.2	Require a two-for-one or more replacement planting and maintenance program when tree removal is necessary for new development.	NO CONFLICT: Project exceeds two-for-one replacement for removal of four heritage trees.
LAND USE	1.6	Minimize, when practical, obstruction of important views and viewsheds by new development. In the Coastal Zone, development shall be sited and designed to and along the ocean and in scenic coastal areas, to minimize the alteration of natural landforms, to be visually compatible with the character of surrounding areas, and to restore visual quality in visually degraded areas.	NO CONFLICT: Project does not obstruct important coastal views and does not impact natural landforms; Project is consistent with Downtown Plan development standards that are part of the LCP and govern development.
	5.3	Provide for high-density development and mixed uses, where appropriate, as well as transit- and pedestrian-oriented land use patterns to reduce dependence on the automobile and support	NO CONFLICT: Project consists of mixed-used, high-density development consistent with the Downtown Plan and AMBAG's SCS.

TABLE 4.5-2: Potential Project Conflicts with City of Santa Cruz General Plan and LCP Policies

[POLICIES RELATED TO MITIGATING ENVIRONMENTAL IMPACTS]

Element	Policy Number	Policy	Potential Conflict
		the use of mass transit and other alternative transportation modes.	
	5.6	Require land use development to integrate into the larger circulation system by interconnecting its system of roads, pedestrian and bike paths with existing facilities and also design access to nearby areas in a manner that minimizes the necessity for automobile travel and potential automobile and pedestrian/bike conflicts.	NO CONFLICT: Project is a “transit-priority” use per definitions in CEQA and CEQA Guidelines that is located to minimize automobile travel.
CIRCULATION	1.7	As a condition of development, expansion or change of land use, developers or employers shall mitigate their impacts on circulation (consistent with circulation planning policy and the CMP), provide incentives to enhance the use of alternative transportation and when necessary shall prepare transportation impact studies, and phase improvements to reduce traffic impacts and ensure that circulation facilities are adequate to serve the development.	NO CONFLICT: Project is a “transit-priority” use per definitions in CEQA and CEQA Guidelines that is located to minimize automobile travel and encourage alternative transportation modes.
CULTURAL RESOURCES	1.2.2	Evaluate the extent of on-site archaeological and paleontological resources through archival research, site surveys and necessary supplemental testing as part of the initial environmental assessment on each potentially significant site.	NO CONFLICT: Archaeological investigation did not identify significant impacts.
	2.3.2	Ensure the identification and protection of historic and archaeological resources affected by redevelopment and public works projects and design projects in a manner that will protect the quality of these resources.	NO CONFLICT: No archaeological resources would be affected by the proposed Project. Historical resources have been identified on the Project site, and impacts to these resources are analyzed in this EIR. Construction of a mixed-use Project as a priority use in the downtown area as set forth in the LCP and protection of the identified historic resources might not both be feasible on the Project site. However, the EIR evaluates alternatives that could protect the historic quality of the resources.

TABLE 4.5-2: Potential Project Conflicts with City of Santa Cruz General Plan and LCP Policies

[POLICIES RELATED TO MITIGATING ENVIRONMENTAL IMPACTS]

Element	Policy Number	Policy	Potential Conflict
SAFETY	1.1.1	Require engineering geology reports when, in the opinion of the Planning Director, excavation and grading have the potential to create unstable soil conditions.	NO CONFLICT: Project geotechnical report and reviews have been conducted.
	2.1	Require site specific geologic investigations by qualified professionals for residential development of four+ units, and commercial, industrial, public and semi-public development in known potential liquefaction and other seismic hazard areas and require developments to incorporate the mitigations recommended by the investigations. In known liquefaction and other seismic hazard areas in the Coastal Zone, a site specific geologic investigation shall be prepared for all new habitable structures notwithstanding the number of units prior to project approval.	NO CONFLICT: Project geotechnical report and reviews have been conducted.
	2.7	Foundations for buildings developed alongside the San Lorenzo River should be set back from the levee to reduce the risk of damage as a result of lateral spreading.	NO CONFLICT: Project geotechnical report and reviews have been conducted with recommendations for foundation design to reduce damage from liquefaction and lateral spreading.
	3.1.1	Restrict or prohibit uses in undeveloped flood areas and maintain flood plain and floodway regulations in developed flood areas.	NO CONFLICT: Project is located in developed area and does not encroach into floodway.
	3.1.3	Control filling, grading, dredging, and other development that may increase flood potential.	NO CONFLICT: Project site is currently developed, and the Project would not increase flood potential.
	4.5	Ensure that new development allow fire equipment adequate access to all structure on a site.	NO CONFLICT: Project is consistent with City Fire Department requirements.
SAN LORENZO URBAN RIVER PLAN	T-5	Access and pathways in the Front Street corridor should be designed to draw people out of downtown to the River.	NO CONFLICT: Project provides access to San Lorenzo River.
	SRFA-1	Require new development projects to incorporate design features that encourage active engagement with the Riverwalk such as: filling adjacent to the Riverwalk with landscaping, providing direct physical access to the Riverwalk,	NO CONFLICT: Project provides access to San Lorenzo River and amenities.

TABLE 4.5-2: Potential Project Conflicts with City of Santa Cruz General Plan and LCP Policies

[POLICIES RELATED TO MITIGATING ENVIRONMENTAL IMPACTS]

Element	Policy Number	Policy	Potential Conflict
		including appropriate active commercial and/or residential uses adjacent to the Riverwalk, or a combination of these and/or other design features that support the resource enhancement and river engagement policies of the San Lorenzo Urban River Plan	
	SRFA-2	Require new development projects to incorporate pedestrian and/or bicycle connections between Front Street and the Riverwalk at appropriate locations such as the extensions from Maple Street and Elm Street.	NO CONFLICT: Project provides access connections-pathways.
	SRFA -3	Maintain the ten-foot setback area between residential and commercial uses adjacent to the levee trail from the western edge of the trail. The area between the property line and the Riverwalk shall be filled to raise the adjacent ground-level use to a similar or higher elevation as the Riverwalk. The public lands between the Riverwalk and the private property may incorporate publicly accessible commercial or residential amenities, such as outdoor public seating. Trees planted as part of the San Lorenzo Flood Control Improvement Project should be maintained and incorporated into new development where feasible and not in conflict with the required fill or publicly accessible amenities.	NO CONFLICT: Project provides setback in excess of 10 feet and provides fill of landward side of levee.

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Looking Northwest From Laurel Street Bridge



Looking Southwest From Soquel Avenue Bridge

SOURCE: Humphreys & Partners Architects 2019



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