

# City of Capitola Special Planning Commission Meeting Agenda



**Thursday, October 19, 2023 – 6:00 PM**

City Council Chambers  
420 Capitola Avenue, Capitola, CA 95010

**Chairperson:** Susan Westman

**Commissioners:** Courtney Christiansen, Paul Estey, Gerry Jensen, Peter Wilk

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*Please review the Notice of Remote Access for instructions on participating in the meeting remotely. The Notice of Remote Access is at the end of the agenda.*

*All correspondence received prior to 5:00 p.m. on the Wednesday preceding a Planning Commission Meeting will be distributed to Commissioners to review prior to the meeting. Information submitted after 5 p.m. on that Wednesday may not have time to reach Commissioners, nor be read by them prior to consideration of an item.*

*All matters listed on the Regular Meeting of the Capitola Planning Commission Agenda shall be considered as Public Hearings.*

## **1. Roll Call and Pledge of Allegiance**

Commissioners Susan Westman, Courtney Christiansen, Paul Estey, Gerry Jensen, Peter Wilk

## **2. Oral Communications**

### **A. Additions and Deletions to the Agenda**

### **B. Public Comments**

*Please review the Notice of Remote Access for instructions. This item is for short communications from the public concerning matters not on the Agenda. All speakers are requested to print their name on the sign-in sheet located at the podium so that their name may be accurately recorded in the Minutes. Members of the public may speak for up to three minutes, unless otherwise specified by the Chair. Individuals may not speak more than once during Oral Communications. All speakers must address the entire legislative body and will not be permitted to engage in dialogue.*

### **C. Commission Comments**

### **D. Staff Comments**

## **3. Public Hearings**

*Public Hearings are intended to provide an opportunity for public discussion of each item listed as a Public Hearing. The following procedure is as follows: 1) Staff Presentation; 2) Planning Commission Questions; 3) Public Comment; 4) Planning Commission Deliberation; and 5) Decision.*

### **A. Citywide Housing Element Update**

**Permit Number: 23-0019**

**APN: Citywide**

Housing Element Update 6<sup>th</sup> Cycle

Environmental Determination: Addendum to General Plan EIR

Applicant: City of Capitola

Representative: Bret Stinson, RRM Design and Veronica Tam, VTA, Inc.

4. **Director's Report**
5. **Commission Communications**
6. **Adjournment**

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## **Notice of In-Person & Remote Access**

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**Other ways to Watch:**

- Spectrum Cable Television channel 8
- City of Capitola, California YouTube Channel  
<https://www.youtube.com/channel/UCJgSsB5qqoS7CcD8lq9Yw1g/videos>

**To Join Zoom Application or Call in to Zoom:**

- Meeting link:  
<https://us02web.zoom.us/j/84769092900?pwd=anpWVWIQamFzT3BGUm54QStJwTdwQT09>
- Or dial one of these phone numbers: **1 (669) 900 6833, 1 (408) 638 0968, 1 (346) 248 7799**
- Meeting ID: **847 6909 2900**
- Meeting Passcode: **379704**

**To make a remote public comment:**

- **Via Zoom Application:** Use participant option to “raise hand”. The moderator will unmute you
- **Via Zoom phone call:** Dial \*9 on your phone to “raise your hand”. The moderator will unmute you

**Appeals:** The following decisions of the Planning Commission can be appealed to the City Council within the (10) calendar days following the date of the Commission action: Design Permit, Conditional Use Permit, Variance, and Coastal Permit. If the tenth day falls on a weekend or holiday, the appeal period is extended to the next business day.

All appeals must be submitted in writing on an official city application form, setting forth the nature of the action and the basis upon which the action is considered to be in error, and addressed to the City Council in care of the City Clerk. An appeal must be accompanied by a five hundred dollar (\$500) filing fee, unless the item involves a Coastal Permit that is appealable to the Coastal Commission, in which case there is no fee. If you challenge a decision of the Planning Commission in court, you may be limited to raising only those issues you or someone else raised at the public hearing described in this agenda, or in written correspondence delivered to the City at, or prior to, the public hearing.

**Notice regarding Planning Commission meetings:** The Planning Commission meets regularly on the 1st Thursday of each month at 6 p.m. in the City Hall Council Chambers located at 420 Capitola Avenue, Capitola.

**Agenda and Agenda Packet Materials:** The Planning Commission Agenda and complete Agenda Packet are available on the Internet at the City's website: [www.cityofcapitola.org/meetings](http://www.cityofcapitola.org/meetings). Need more information? Contact the Community Development Department at (831) 475-7300.

**Agenda Materials Distributed after Distribution of the Agenda Packet:** Materials that are a public record under Government Code § 54957.5(A) and that relate to an agenda item of a regular meeting of the Planning Commission that are distributed to a majority of all the members of the Planning Commission more than 72 hours prior to that meeting shall be available for public inspection at City Hall located at 420 Capitola Avenue, Capitola, during normal business hours.

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# Capitola Planning Commission

## Agenda Report

**Meeting:** October 19, 2023  
**From:** Community Development Department  
**Subject:** Citywide Housing Element Update



**Permit Number: 23-0019**

**APN: Citywide**

Housing Element Update 6<sup>th</sup> Cycle

Environmental Determination: Pending

Property Owner: City of Capitola

Representative: Bret Stinson, RRM Design and Veronica Tam, VTA, Inc.

Background: In accordance with applicable State housing law, local jurisdictions are legally required to adopt plans and programs for housing that provide opportunities for, and do not unduly constrain, housing development. The Housing Element, which is one of seven State-mandated components of the City's General Plan, is a mechanism by which the State requires local jurisdictions to provide a variety of housing options and strive toward reaching regional housing needs. The Housing Element should also maintain civic and local responsibility toward economic, environmental, and fiscal factors and community goals stated within adopted General Plan documents.

Housing Elements are required to be updated every eight years. The City's current Housing Element was adopted by the Capitola City Council in 2015 and certified by the State of California in 2016 and will be in effect through December 2023. The City is required by law to update the Housing Element for the 2023-2031 planning period (also known as the sixth cycle) and have the updated Housing Element adopted and sent to the California Department of Housing and Community Development (HCD) for certification by December 15, 2023.

On May 12, 2022, the City Council authorized an agreement with RRM Design Group (RRM) for the preparation of the 2023-2031 Housing Element. Staff has worked with RRM to assess existing and projected housing needs, review the existing Housing Element, and commence work on the updated Housing Element.

Pursuant to applicable State housing law, the City solicited public input from all segments of the community in the preparation of the Housing Element. This included stakeholder meetings (November 2022), two community workshops (February 16, 2023 and May 16, 2023), an online housing survey (November 2022 – March 2023), Planning Commission meetings (February 2, May 4, and June 1), City Council meetings (February 9 and June 8), and a joint Planning Commission and City Council work session (March 16, 2023). Each of the public meetings provided an opportunity for public comment.

On May 10, 2023, a draft of the Housing Element was published for public review. Following the thirty-day publishing period (during which the draft Housing Element was mentioned during a Planning Commission meeting and a City Council meeting), the initially published draft was updated to incorporate additional information as requested during the public review period.

On July 5, 2023, Capitola's Housing Element was submitted to the State of California Department of Housing and Community Development (HCD), initiating the required 90-day review process. Since submission to HCD, staff has received two rounds of preliminary comments from the State. In response



to each round of comments, the Housing Element was updated, republished for public review, and resubmitted to HCD (August 29, 2023, and September 19, 2023).

On October 3, 2023, official comments from the HCD were received (Attachment 3). The letter included requests for additional information and incorporating new strategies that go beyond SB9 and ADU laws to create additional housing mobility opportunities within single-family neighborhoods. In response to the request, the housing element consultant team is suggesting a program to allow duplexes on corner lots in single-family neighborhoods. This program has been accepted by HCD in other jurisdictions with certified Housing Elements.

On October 5, 2023, the Planning Commission received an update on the Housing Element and directed staff to incorporate HCD recommendations as well as edits to state lands, the shopping center program, and the community benefits incentives program into the draft and prepare the document for adoption hearings. The Commission recommended adding a new program to work with the State during the 6<sup>th</sup> Cycle to initiate discussions and possible planning for housing opportunities on state lands including the DMV site and New Brighton State Park. They also asked staff to modify the shopping center program and community benefits incentives program to ensure deliverables are based on the outcome of the current mall redevelopment land-use study.

On October 12, 2023, the City Council received an update on the Housing Element and directed staff to incorporate Santa Cruz YIMBY, Planning Commission, and the California Department of Housing and Community Development recommendations into the Draft Housing Element update and prepare the document for adoption.

Discussion: The purpose of this agenda item is to initiate the public hearings for the adoption of the 6<sup>th</sup> Cycle Housing Element.

The latest draft, published on October 13, 2023, is available in hard copy at Capitola City Hall and the Capitola Library. The Housing Element is also available on the City's website Housing Element Update page at the following link: <https://www.cityofcapitola.org/communitydevelopment/page/2023-2031-housing-element-update>.

Revisions to HCD's first response can be found in blue font. Revisions to HCD's second response can be found in blue font with yellow highlight. The most recent revisions based on the Planning Commission and City Council direction are in blue font with blue highlight.

As mentioned above, City staff received two rounds of comments and attended two meetings with HCD during the 90-day review period. The HCD comments varied from minor edits and requests for additional information, to requiring greater commitments to programs, adding new programs, and modifying the sites inventory. With regards to the sites inventory, the City received comments from HCD and the public related to overreliance on the mall site, distribution of sites City-wide, and no net loss.

During the October Planning Commission and City Council updates, staff received direction to incorporate the following into the final draft for adoption:

1. Add Mobility Strategies. Revisit density on low and medium multifamily zones. Allow duplexes on corner lots in single-family zone with objective standards;
2. Amend Community Benefits Overlay and incorporate objective standards;
3. Provide additional information on Capitola Mall, religious sites, small lot consolidation, and constraints;
4. Revise the programs on Community Benefits and Shopping Centers to align with the outcome of the mall study;
5. Add a program to initiate discussion related to housing and state lands;
6. Incorporate requests of Santa Cruz YIMBY; and
7. Update the timing of commitments to ensure on-time completion.

The following identifies the next steps for the Housing Element update.

<u>Next Steps</u>	<u>Date</u>
Planning Commission Recommendation to City Council	October 19, 2023
City Council Adoption	November 9, 2023
Submit Housing Element to HCD for Certification	November 10, 2023
HCD Certification	60 days review

CEQA: An addendum to the General Plan Update Environmental Impact Report for the 2023-2031 Housing Element is included as Attachment 4. The General Plan Update EIR is available at <https://www.cityofcapitola.org/communitydevelopment/page/capitola-general-plan>.

Recommendation: Accept staff presentation, receive public comment, close the public hearing portion of the meeting on the Housing Element, discuss and deliberate, and then adopt the attached resolution recommending the City Council adopt the Addendum and adopt the Housing Element.

Attachments:

1. Attachment 1. Resolution No. \_\_\_\_
2. Attachment 2. RHNA Sites Inventory
3. Attachment 3. HCD 90-Day Letter
4. Attachment 4: Addendum to General Plan Update EIR

**RESOLUTION NO.**

**A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF CAPITOLA RECOMMENDING THAT THE CITY COUNCIL ADOPT AN ADDENDUM TO THE GENERAL PLAN UPDATE ENVIRONMENTAL IMPACT REPORT AND ADOPT A GENERAL PLAN AMENDMENT REPLACING THE 2015-2023 HOUSING ELEMENT WITH AN UPDATED 2023-2031 HOUSING ELEMENT, INCLUDING POLICIES AND PROGRAMS AFFIRMATIVELY FURTHERING FAIR HOUSING**

WHEREAS, the California legislature has found that “California has a housing supply and affordability crisis of historic proportions. The consequences of failing to effectively and aggressively confront this crisis are hurting millions of Californians, robbing future generations of the chance to call California home, stifling economic opportunities for workers and businesses, worsening poverty and homelessness, and undermining the state’s environmental and climate objectives.” (Gov. Code Section 65589.5.); and

WHEREAS, the legislature has further found that “Among the consequences of those actions are discrimination against low-income and minority households, lack of housing to support employment growth, imbalance in jobs and housing, reduced mobility, urban sprawl, excessive commuting, and air quality deterioration.” (Gov. Code Section 65589.5.); and

WHEREAS, the legislature adopted the Housing Crisis Act of 2019 (SB 330) which states that “California needs an estimated 180,000 additional homes annually to keep up with population growth, and the Governor has called for 3.5 million new homes to be built over 7 years”; and

WHEREAS, State Housing Element Law (Government Code Sections 65580 et seq.) requires that the City Council adopt a Housing Element for the eight-year period 2023-2031 to accommodate the City of Capitola’s (City’s) regional housing need allocation (RHNA) of 1336 housing units, comprised of 430 very-low income units, 282 low-income units, 169 moderate-income units, and 455 above moderate-income units; and

WHEREAS, to comply with State Housing Element Law, the City has prepared the Capitola 2023-2031 Housing Element (the Housing Element); and

WHEREAS, as provided in Government Code Section 65350 et. seq., the Housing Element constitutes a General Plan Amendment; and

WHEREAS, as provided in Government Code Section 65352.3, the City contacted California Native American tribes on the contact list provided by the Native American Heritage Commission and informed them of the opportunity for consultation under SB 18; and

WHEREAS, no California Native American tribe requested consultation; and

WHEREAS, as provided in Government Code Section 65352, the City referred the Housing Element to appropriate agencies;

WHEREAS, the City has prepared the Housing Element in accordance with State Housing Element Law; and

WHEREAS, State law requires that the City take meaningful steps to promote and affirmatively further fair housing (Gov. Code Section 65583(c)(5)); and

WHEREAS, the Housing Element must be adopted to comply with State law, accommodate the RHNA, affirmatively further fair housing, and facilitate and encourage a variety of housing types for all income levels, including multifamily housing (Gov. Code Sections 65583.2 and 65583(c)); and

WHEREAS, the preparation, adoption, and implementation of the Housing Element requires a diligent effort to include all economic segments of the community; and

WHEREAS, the City conducted an extensive community outreach program including an conducting an online housing needs survey from November 022 through March 2023, conducting stakeholder interviews in November 2022, engaging the development community and housing advocates, facilitating community workshops on February 16, 2023 and May 16, 2023, and holding study sessions with the Planning Commission and City Council on February 2, 2023, February 9, 2023, and March 16, 2023; and

WHEREAS, staff published a draft Housing Element on May 10, 2023, for a 30-day public review and comment period. During the public review and comment period, the draft was presented during a virtual community meeting on May 16, 2023, a Planning Commission meeting on June 1, 2023, and a City Council meeting on June 8, 2023; and

WHEREAS, staff received comments and made extensive revisions to the draft in response to public input; and

WHEREAS, in accordance with Government Code Section 65585(b), on July 5, 2023, the City submitted the draft Housing Element to the State Department of Housing and Community Development (HCD) for its review; and

WHEREAS, on July 26, 2023, the City met with HCD to review the draft Housing Element prior to HCD's issuance of its findings letter; and

WHEREAS, on August 29, 2023, the City posted the second draft of the Housing Element on its website, with redlined modifications for public review.

WHEREAS, on September 6, 2023 the City met with HCD to review the draft Housing Element prior to HCD's issuance of its findings letter; and

WHEREAS, on September 19, 2023, the City posted the third draft of the Housing Element on its website, with all additional modifications highlighted in yellow for public review; and

WHEREAS, on October 3, 2023, the City received a letter from HCD providing its findings regarding the draft Housing Element. The findings stated that while the draft Housing Element addressed many statutory requirements, revisions would be necessary to comply with State Housing Element Law (Article 10.6 of the Government Code); and

WHEREAS, on October 5, 2023, the City provided a briefing to the Planning Commission on HCD's findings, and on October 12, 2023 the City provided a briefing to the City Council on HCD's findings, including opportunities for public comment; and

WHEREAS, the City systematically analyzed HCD's findings and identified areas needing responses or revisions; and

WHEREAS, the City has responded to each of these issues and revised the Housing Element so that it substantially complies with all Government Code requirements; and

WHEREAS, the City notified all interested parties of the availability of the updated draft, the opportunity to provide comments, and the dates of upcoming public hearings; and

WHEREAS, the City provided notice of the October 19, 2023 Planning Commission special meeting as required by law; and

WHEREAS, a Planning Commission recommendation is required prior to City Council action; and

WHEREAS, on June 26, 2014 the City Council certified a Final Environmental Impact Report (SCH 2013072002) (FEIR) for the General Plan Update, adopting the Mitigation Monitoring and Reporting Program and Statement of Overriding Considerations; and

WHEREAS, an EIR Addendum (Addendum) to the FEIR has been prepared in accordance with Section 15162 of the California Environmental Quality Act (CEQA) Guidelines, which demonstrates that none of the conditions requiring preparation of a subsequent EIR or negative declaration have occurred, and that the changes that are part of the Housing Element update would not result in any significant impacts not considered under the original EIR; and

WHEREAS, on October 19, 2023, the Planning Commission conducted a duly and properly noticed public hearing to take public testimony and consider this Resolution regarding the Addendum and the proposed Housing Element, reviewed the Housing Element and all pertinent maps, documents and exhibits, including HCD's findings, the City's response to HCD's findings, the staff report and all attachments, and oral and written public comments.

NOW, THEREFORE, BE IT RESOLVED, that the Planning Commission hereby finds that, based on substantial evidence in the record:

1. The foregoing recitals are true and correct and are incorporated by reference into this action.
2. The Planning Commission has reviewed and considered the Addendum to the General Plan Update Environmental Impact Report for the Housing Element, and recommends that none of the conditions requiring preparation of a subsequent EIR or negative declaration have occurred, and that the changes that are part of the Housing Element update would not result in any significant impacts not considered under the original EIR.
3. Based on substantial evidence in the record, the Housing Element is consistent with state and local law, including the City of Capitola General Plan and municipal code.
4. Based on substantial evidence in the record, the non-vacant sites identified in the Housing Element site inventory to accommodate the RHNA do not constitute an impediment to planned residential development on the site during the planning period.

Section 65583.2(g)(2) of the Government Code requires that any jurisdiction relying on non-vacant sites to meet more than 50 percent of the RHNA for lower-income households must make findings that the existing use on the non-vacant site is not an impediment to residential development during the planning period. The findings must be made on substantial evidence that the existing use is likely to be discontinued during the planning period. The City has provided such substantial evidence in the Housing Element that the existing uses have already been or will be discontinued during the planning period. This is based on the physical characteristics, existing uses, redevelopment potential (including improvement to land value ratio, floor area ratio, and known developer interest), location and context, local knowledge, and environmental and infrastructure constraints.

The sites inventory analysis demonstrates that all of the selected sites represent the best opportunities to add significant numbers of units to the City's housing stock and possess the highest potential for becoming available for residential development over the 8-year planning period. Several non-vacant parcels selected to accommodate lower-income units where a property owner or developer has stated recent interest to the City in developing residential uses include:

- Six parcels along 41st Avenue
- 3720 Capitola Road
- 1404 38th Avenue
- 4148 and 4160 Clares Avenue
- 1098 38th Avenue
- 1840 41st Avenue
- 4243 Capitola Road
- Two sites at 4401 Capitola Road
- 4450 Capitola Road
- 1430 41st Avenue



The sites inventory analysis has also identified at least eight non-vacant parcels, selected to accommodate lower-income units, that already contain discontinued uses (which have a greater likelihood of being redeveloped with residential units):

- 1430 41st Avenue
- 1210 41st Avenue
- 3825 Clares Street
- 1098 38th Avenue
- Four sites at 911 Capitola Avenue

The sites inventory analysis has also identified approximately 23 non-vacant parcels selected to accommodate lower-income units which have the potential for lot consolidation based on adjacency with like properties. Further, sites with newer business or known long-term leases were not included, as they have a lower probability of redeveloping within the next housing cycle. The age of construction, potential for lot consolidation, vacancy rate, under-developed/under-utilized nature of the site, and owner interest where applicable indicate that reuse of these sites with housing or mixed use mixed-use development during the planning period is likely.

4. As required by Government Code Section 65585(e), the Planning Commission has considered the findings made by HCD in HCD's letter to the City dated October 3, 2023, as required by Government Code Section 65585(f). The City has revised the draft Housing Element to address each of the findings in the HCD letter. As such, the Housing Element now substantially complies with all requirements of State Housing Element Law as interpreted by HCD.

5. The Housing Element substantially complies with Housing Element Law, as provided in Government Code 65580 et seq. and contains all provisions required by State Housing Element Law.

6. The Planning Commission recommends that the City Council:

- a. Adopt the Addendum to the General Plan Update Final Environmental Impact Report as prepared in compliance with the California Environmental Quality Act, attached hereto as Exhibit "A", and direct the City Clerk to file or cause to be filed a Notice of Determination in compliance with State law.
- b. Repeal the 2015-2023 Housing Element in its entirety.
- c. Approve the Housing Element update in substantially the form attached hereto as Exhibit "B".
- d. Authorize the Community Development Director to submit the Housing Element and all supporting documentation to HCD no later than December 15, 2023, with a request for a compliance determination.
- e. Authorize the Community Development Director to make any non-substantive changes to the Housing Element that may be required by the State to achieve

certification or that may be necessary to ensure internal consistency with other planning documents.

- f. Authorize the Community Development Director to distribute and make available copies of the Housing Element in the manner provided in Government Code Sections 65357 (requiring that copies be provided to specific public entities and persons submitting comments, as well as made available to the general public) and 65589.7 (requiring that copies be submitted to water and sewer service providers).

ADOPTED by the Planning Commission of the City of Capitola, California, at a special meeting thereof this 19<sup>th</sup> day of October, 2023 by the following vote:

**AYES:**

**NAYS:**

**ABSTAIN:**

**ABSENT:**

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Chair

ATTEST:

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Katie Herlihy, Community Development Director



# HOUSING ELEMENT UPDATE: 6TH CYCLE SITES INVENTORY ANALYSIS

## RHNA SITES

### MAP FEATURES

- City Limit
- Selected Sites for Analysis
- Coastal Zone Boundary

### ZONING DESIGNATIONS

#### Residential Zoning Districts

- R-1 - Single Family Residential
- RM-L - Multi-Family Residential, Low Density
- RM-M - Multi-Family Residential, Medium Density
- RM-H - Multi-Family Residential, High Density
- MH - Mobile Home Park

#### Mixed-Use Zoning Districts

- MU-V - Mixed Use Village
- MU-N - Mixed Use Neighborhood

#### Commercial and Industrial Zoning Districts

- C-R - Regional Commercial
- C-C - Community Commercial
- I - Industrial

#### Other Zoning Districts

- P/OS - Parks and Open Space
- CF - Community Facility
- PD - Planned Development
- VS - Visitor Serving

### NOTES

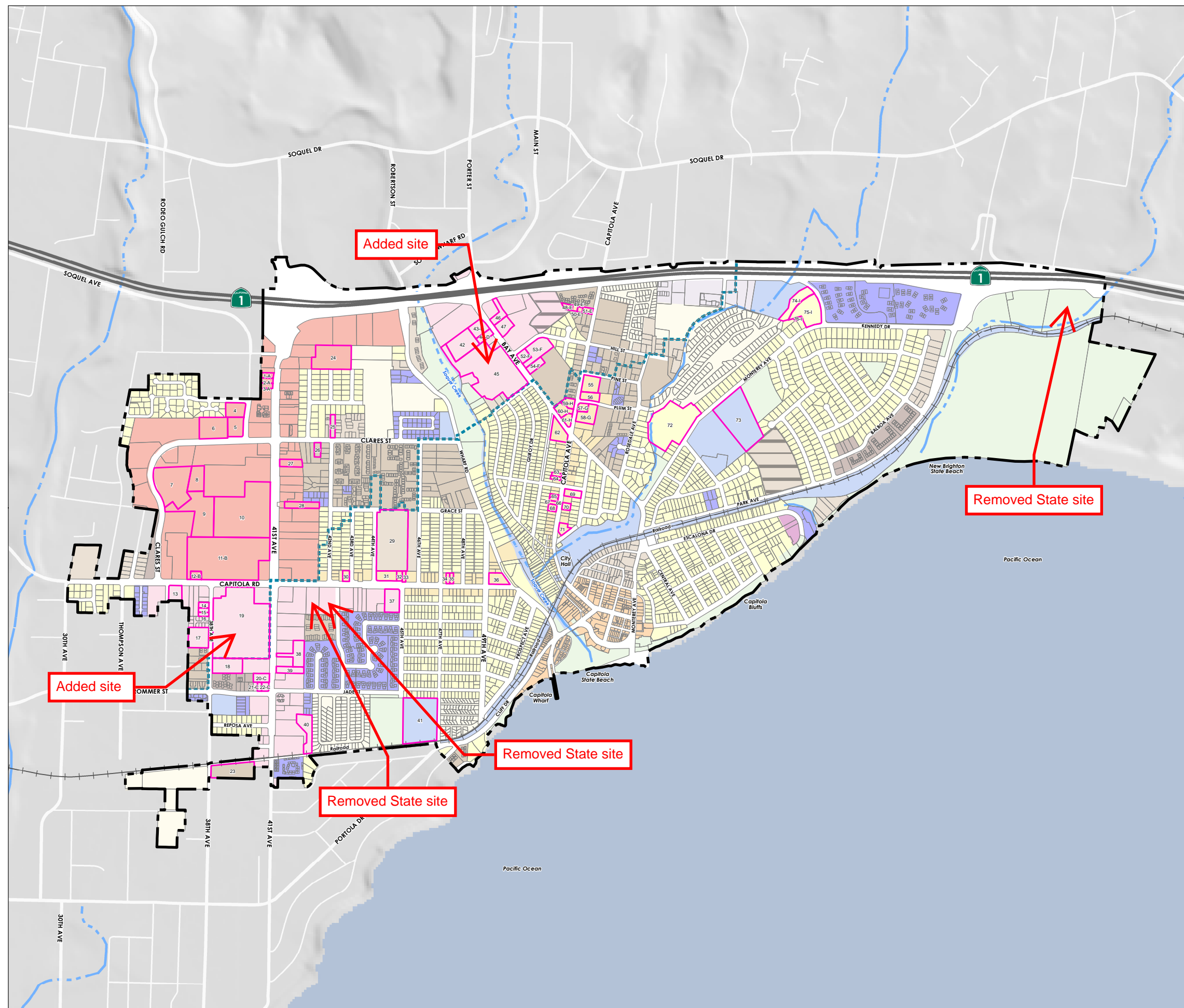
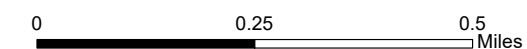
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Base map and data from City of Capitola and Santa Cruz County GIS data. Direct all inquires to the City of Capitola Planning Division at (831) 475-7300 or at [planning@ci.capitola.ca.us](mailto:planning@ci.capitola.ca.us).

Drawn by: RRM Design Group; Created on: September 14, 2023.  
ArcMap GIS, Version 10.8.1, Redlands, CA; Esri

SEPTEMBER 14, 2023



**DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT  
DIVISION OF HOUSING POLICY DEVELOPMENT**

2020 W. El Camino Avenue, Suite 500  
Sacramento, CA 95833  
(916) 263-2911 / FAX (916) 263-7453  
[www.hcd.ca.gov](http://www.hcd.ca.gov)



October 3, 2023

Katie Herlihy, Director  
Community Development Department  
City of Capitola  
420 Capitola Avenue  
Capitola, CA 95010

Dear Katie Herlihy:

**RE: City of Capitola's 6<sup>th</sup> Cycle (2023-2031) Draft Housing Element**

Thank you for submitting the City of Capitola's (City) draft housing element received for review on July 5, 2023, along with revisions received on September 19, 2023. Pursuant to Government Code section 65585, subdivision (b), the California Department of Housing and Community Development (HCD) is reporting the results of its review. Our review was facilitated by a conversation on September 6, 2023, with the City's housing element team. In addition, HCD considered comments from Santa Cruz YIMBY pursuant to Government Code section 65585, subdivision (c).

The draft element addresses many statutory requirements; however, revisions will be necessary to substantially comply with State Housing Element Law (Gov. Code, § 65580 et seq). The revisions needed to comply with State Housing Element Law are as follows:

1. *Promote and affirmatively further fair housing opportunities and promote housing throughout the community or communities for all persons regardless of race, religion, sex, marital status, ancestry, national origin, color, familial status, or disability, and other characteristics... (Gov. Code, § 65583, subd. (c)(5).)*

**Goals, Actions, Metrics, and Milestones:** Promoting housing mobility removes barriers to higher opportunity and income areas and strategically enhances access to housing choices and affordability. The element must include significant actions to promote housing mobility within the City and relative to the region to promote more inclusive communities. While the element includes some potentially meaningful actions, largely, these actions are limited to the regional housing need allocation (RHNA) or geographically targeted to high and highest resource areas which is the entire City. Instead, programs to promote housing mobility should consider geographic targeting such as highest resource and relatively higher median income areas or areas of lesser intensity. In addition, the element should consider additional actions with numerical targets (e.g., 200

units) beyond rehabilitation, accessory dwelling units (ADU) and following state laws. Examples of additional actions could include upzoning areas, increasing housing choices (e.g., duplexes to fourplexes), targeting funding, allowing conversion of existing space beyond state ADU and junior accessory dwelling unit (JADU) laws and homesharing.

2. *An inventory of land suitable and available for residential development, including vacant sites and sites having realistic and demonstrated potential for redevelopment during the planning period to meet the locality's housing need for a designated income level, and an analysis of the relationship of zoning and public facilities and services to these sites. (Gov. Code, § 65583, subd. (a)(3).)*

*Identify actions that will be taken to make sites available during the planning period with appropriate zoning and development standards and with services...(Gov. Code, § 65583, subd. (c)(1).)*

Capitola Mall: While the element provides information regarding the current uses on the Capitola Mall site, it must still describe the extent to which existing uses may continue to constitute an impediment to residential development. For example, the element cites a previous application and trends in commercial uses but should also evaluate the extent to which existing commercial uses may preclude residential development in the planning period. For example, the element could address existing lease agreements, easements or property conditions that may preclude residential development, whether uses will discontinue or how uses will continue through redevelopment, replacement parking and site planning consideration, potential phasing of the project, development on non-commercial portions of the site, and other factors that support the site's redevelopment during the planning period.

Additionally, given the reliance on the Capitola Mall site to meet the RHNA, the element should include a program that commits to facilitating development and monitoring approvals of the projects (e.g., coordination with applicants to approve entitlements, supporting funding applications, expanding approvals, and monitoring of project progress, including rezoning or identification of additional sites, if necessary).

Realistic Capacity: While the element lists recent projects in the MU-N and C-C zones to estimate realistic development capacity on those sites, the element must further analyze the likelihood of 100 percent nonresidential development and account for this likelihood in the calculation of residential capacity.

Suitability of Nonvacant Sites and Zoning for Lower-Income Households: The element includes sites in the R-1 zone (with a maximum density of 8.7 du/ac) with existing congregational or educational uses currently listed as sites appropriate to meet the lower-income RHNA. However, the element must demonstrate densities appropriate to accommodate housing for lower-income households. For communities with densities that meet specific standards (at least 20 units per acre for Capitola), no analysis is required. (Gov. Code, § 65583.2,

subd. (c)(3).) Otherwise, an analysis must demonstrate appropriate densities based on factors such as market demand, financial feasibility, and development experience within identified zones. In addition, the element should further evaluate the extent existing uses impede additional development. For example, the element mentions excess surface parking and underutilized buildings but should discuss whether those uses will continue or discontinue and if continuing, how the use impacts additional development. Based on the outcomes of this analysis, the element should add or modify programs, including, if applicable, meeting by right requirements pursuant to Government Code section 65583.2, subdivision (h) and (i).

Small Sites: Sites smaller than half an acre are deemed inadequate to accommodate housing for lower-income households unless it is demonstrated, with sufficient evidence, that sites of equivalent size and affordability were successfully developed during the prior planning period or other evidence demonstrates the suitability of these sites. The element mentions some past production on small sites and reports that most of the small sites are under common ownership but should also discuss the potential for consolidation. For example, the element could evaluate the circumstances potentially leading to consolidation such as existing shared access, necessity for consolidation to share access, necessity for consolidation to promote financial feasibility, meet development standards or facilitate site planning. Based on the outcomes of this analysis, the element should add or modify action to encourage lot consolidation. For example, the element could consider graduated density as an additional incentive to promote lot consolidation.

Publicly-Owned Sites: The element mentions publicly-owned sites but should also discuss their suitability for development in the planning period, including status, anticipated schedule and any known barriers to development in the planning period. Based on the outcomes of this analysis, programs should be added or modified to comply with surplus land act requirements, if applicable, target numerical objectives consistent with the inventory and commit to a schedule of actions to facilitate development, including alternative actions if necessary.

Environmental Constraints: While the element generally describes a few environmental conditions within the City, it must relate those conditions to identified sites and describe any other known environmental or other constraints that could impact housing development on identified sites in the planning period, such as lot shape, access, contamination, overlays, and easements.

Electronic Sites Inventory: For your information, pursuant to Government Code section 65583.3, the City must submit an electronic sites inventory with its adopted housing element. The City must utilize standards, forms, and definitions adopted by HCD. Please see HCD's housing element webpage at <https://www.hcd.ca.gov/planning-and-community-development/housing-elements> for a copy of the form and instructions. The City can reach out to HCD at [sitesinventory@hcd.ca.gov](mailto:sitesinventory@hcd.ca.gov) for technical assistance.



Programs: Based on the results of a complete sites inventory and analysis, the City may need to add or revise programs to address a shortfall of sites or zoning available to encourage a variety of housing types.

3. *An analysis of potential and actual governmental constraints upon the maintenance, improvement, or development of housing for all income levels, including... ..land use controls, building codes and their enforcement, site improvements, fees and other exactions required of developers, and local processing and permit procedures...(Gov. Code, § 65583, subd. (a)(5).)*

*Address and, where appropriate and legally possible, remove governmental and nongovernmental constraints to the maintenance, improvement, and development of housing, including housing for all income levels and housing for persons with disabilities...(Gov. Code, § 65583, subd. (c)(3).)*

Fees and Exaction: While the element provides a general overview of fees in the City, it should further analyze the total fees as a proportion to the overall development cost. Upon this analysis, the element may need to add or modify programs to reduce fees, as appropriate.

Other Locally Adopted Ordinances – Incentives for Community Benefit: While the element provides some general information on the City’s Incentives for Community Benefit Ordinance, it should analyze the Ordinance’s impact on housing supply and affordability. For example, the element should describe the process which applicants must go through to qualify for these incentives, including any discretionary hearings or standards that might apply. Upon this analysis, the element may need to add or modify a program, as appropriate.

Constraints on Housing for Persons with Disabilities: Program 3.4 commits to permit large residential care facilities in zones where residential uses are permitted but should also clarify these uses will be permitted regardless of licensing and similar to other uses of the same type in the same zone.

Programs: Upon a complete analysis of potential governmental constraints, the City may need to revise or add programs and address and remove or mitigate any identified constraints.

The element will meet the statutory requirements of State Housing Element Law once it has been revised and adopted to substantially comply with the above requirements pursuant to Government Code section 65585.

Public participation in the development, adoption, and implementation of the housing element is essential to effective housing planning. Throughout the housing element process, the City should continue to engage the community, including organizations that represent lower-income and special needs households, by making information regularly

available and considering and incorporating comments where appropriate. Please be aware, any revisions to the element must be posted on the local government's website and to email a link to all individuals and organizations that have previously requested notices relating to the local government's housing element at least seven days before submitting to HCD.

Several federal, state, and regional funding programs consider housing element compliance as an eligibility or ranking criteria. For example, the CalTrans Senate Bill (SB) 1 Sustainable Communities grant, the Affordable Housing and Sustainable Communities program, and HCD's Permanent Local Housing Allocation consider housing element compliance and/or annual reporting requirements pursuant to Government Code section 65400. With a compliant housing element, the City will meet housing element requirements for these and other funding sources.

For your information, some general plan element updates are triggered by housing element adoption. HCD reminds the City to consider timing provisions and welcomes the opportunity to provide assistance. For information, please see the Technical Advisories issued by the Governor's Office of Planning and Research at: <https://www.opr.ca.gov/planning/general-plan/guidelines.html>.

HCD appreciates the hard work, dedication, and responsiveness the City's housing element team provided during the update and review. We are committed to assisting the City in addressing all statutory requirements of State Housing Element Law. If you have any questions or need additional technical assistance, please contact Jose Ayala, of our staff, at [Jose.Ayala@hcd.ca.gov](mailto:Jose.Ayala@hcd.ca.gov).

Sincerely,



Paul McDougall  
Senior Program Manager

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# **Addendum to the Capitola General Plan Update Environmental Impact Report for the 2023-2031 Housing Element**

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## **LEAD AGENCY:**



City of Capitola  
420 Capitola Avenue  
Capitola, CA 95010

*Contact: Ms. Katie Herlihy, AICP, Community Development Director*

## **PREPARED BY:**

Morse Planning Group

Draft  
October 13, 2023

This document has been produced for double-sided printing to conserve natural resources.



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## 1.0 INTRODUCTION

The Capitola General Plan 2023-2031 Housing Element (herein referenced as the “project,” “proposed project,” or “2023-2031 Housing Element”) involves adoption and implementation of these General Plan components. Following a preliminary review of the proposed project, the City of Capitola has determined that the proposed project is subject to the guidelines and regulations of the *California Environmental Quality Act (CEQA)*.

## 1.1 STATUTORY AUTHORITY AND REQUIREMENTS

This environmental document has been prepared in conformance with *CEQA (California Public Resources Code [PRC] Section 21000 et seq.)*; *CEQA Guidelines (California Code of Regulations [CCR], Title 14, Section 15000 et seq.)*; and the rules, regulations, and procedures for implementation of CEQA, as adopted by the City of Capitola.

In accordance with *CEQA Guidelines* Sections 15051 and 15367, the City of Capitola (City) is identified as the Lead Agency for the proposed project. This document has been prepared in accordance with CEQA Guidelines Sections 15164 (Addendum to an EIR on Negative Declaration) and 15168 (Program EIR) to explain the rationale for determining that the proposed Capitola 2023-2031 Housing Element would not create any new or substantially more severe significant effects on the environmental that were not analyzed in the Capitola General Plan Update Environmental Impact Report (EIR).

In determining whether an Addendum is the appropriate document to analyze modifications to the General Plan EIR, CEQA Guidelines Section 15164 states:

- (a) The lead agency or responsible agency shall prepare an addendum to a previously certified EIR if some changes or additions are necessary but none of the conditions described in Section 15162 calling for preparation of a subsequent EIR have occurred.
- (b) An addendum to an adopted negative declaration may be prepared if only minor technical changes or additions are necessary or none of the conditions described in Section 15162 calling for the preparation of a subsequent EIR or negative declaration have occurred.
- (c) An addendum need not be circulated for public review but can be included in or attached to the final EIR or adopted negative declaration.
- (d) The decision-making body shall consider the addendum with the final EIR or adopted negative declaration prior to making a decision on the project.
- (e) A brief explanation of the decision not to prepare a subsequent EIR pursuant to Section 15162 should be included in an addendum to an EIR, the lead agency’s required findings on the project, or elsewhere in the record. The explanation must be supported by substantial evidence.

Since the Capitola General Plan EIR has been certified, the environmental impacts of subsequent activities proposed under the General Plan must be examined in light of the impact analysis in the certified EIR to determine if additional CEQA documentation must be prepared. One of the standards that applies is whether, under Public Resources Code Section 21166 and CEQA Guidelines Sections 15162, there are new significant effects or other grounds that require preparation of a subsequent EIR in support of further agency action on the project. Under these guidelines, a subsequent shall be prepared if any of the following criteria are met:



- (a) When an EIR has been certified or negative declaration adopted for a project, no subsequent EIR shall be prepared for that project unless the lead agency determines, on the basis of substantial evidence in light of the whole record, one or more of the following:
- 1) Substantial changes are proposed in the project which will require major revisions of the previous EIR or negative declaration due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects;
  - 2) Substantial changes occur with respect to the circumstances under which the project is undertaken which will require major revisions of the previous EIR or negative declaration due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects; or
  - 3) New information of substantial importance, which was not known and could not have been known with the exercise of reasonable diligence at the time the previous EIR was certified as complete or the negative declaration was adopted, shows any of the following:
    - A. The project will have one or more significant effects not discussed in the previous EIR or negative declaration;
    - B. Significant effects previously examined will be substantially more severe than shown in the previous EIR;
    - C. Mitigation measures or alternatives previously found not to be feasible would in fact be feasible and would substantially reduce one or more significant effects of the project, but the project proponents decline to adopt the mitigation measure or alternative; or
    - D. Mitigation measures or alternatives which are considerably different from those analyzed in the previous EIR would substantially reduce one or more significant effects on the environment, but the project proponents decline to adopt the mitigation measure or alternative.

As demonstrated in the environmental analysis contained herein in the Addendum, none of the conditions that had been analyzed in the Capitola General Plan EIR would change with adoption of the proposed 2023-2031 Housing Element. Furthermore, no new information of substantial importance meeting the criteria listed in CEQA Guidelines Section 15162 has been identified in the environmental analysis.

The environmental documentation, which is ultimately selected by the City in accordance with CEQA, is intended as an informational document undertaken to provide an environmental basis for subsequent discretionary actions relevant to the project. The resulting documentation is not, however, a policy document and its approval and/or certification neither presupposes nor mandates any actions on the part of those agencies from whom permits and other discretionary approvals would be required.



## 1.2 PURPOSE OF AN INITIAL STUDY

The purposes of an Initial Study are to:

1. Identify environmental impacts;
2. Provide the lead agency with information to use as the basis for deciding whether to prepare an EIR or a negative declaration;
3. Enable an applicant or lead agency to modify a project, mitigating adverse impacts before an EIR is required to be prepared;
4. Facilitate environmental assessment early in the design of the project;
5. Document the factual basis of the finding in a negative declaration that a project would not have a significant environmental effect;
6. Eliminate needless EIRs;
7. Determine whether a previously prepared EIR could be used for the project; and
8. Assist in the preparation of an EIR, if required, by focusing the EIR on the effects determined to be significant, identifying the effects determined not to be significant, and explaining the reasons for determining that potentially significant effects would not be significant.

CEQA Guidelines Section 15063 identifies specific disclosure requirements for inclusion in an Initial Study. Pursuant to those requirements, an Initial Study shall include:

- A description of the project, including the location of the project
  - Identification of the environmental setting
  - Identification of environmental effects by use of a checklist, matrix, or other method, provided that entries on a checklist or other form are briefly explained to indicate that there is some evidence to support the entries
  - Discussion of ways to mitigate significant effects identified, if any
  - Examination of whether the project is compatible with existing zoning, plans, and other applicable land use controls
  - The name(s) of the person(s) who prepared or participated in the preparation of the Initial Study
9. With regards to the context of an Addendum, the Initial Study serves as the basis for substantial evidence that none of the elements of CEQA Guidelines Section 15162 requiring a subsequent EIR are triggered.

## 1.3 RESPONSIBLE AND TRUSTEE AGENCIES

Certain projects or actions undertaken by a Lead Agency require subsequent oversight, approvals, or permits from other public agencies in order to be implemented. Such other agencies are referred to as Responsible Agencies and Trustee Agencies. Pursuant to *CEQA Guidelines* Sections 15381 and 15386, as amended, Responsible Agencies and Trustee Agencies are respectively defined as follows:



## Addendum to the Capitola General Plan Update For the 2023-2031 Housing Element

“Responsible Agency” means a public agency, which proposes to carry out or approve a project, for which [a] Lead Agency is preparing or has prepared an EIR or Negative Declaration. For the purposes of *CEQA*, the term “responsible agency” includes all public agencies other than the Lead Agency, which have discretionary approval power over the project. (Section 15381)

“Trustee Agency” means a state agency having jurisdiction by law over natural resources affected by a project, which are held in trust for the people of the State of California. Trustee Agencies include; The California Department of Fish and Wildlife, The State Lands Commission; The State Department of Parks and Recreation and The University of California with regard to sites within the Natural Land and Water Reserves System. (Section 15386)

For this project, the City of Capitola is the Lead Agency and has the sole responsibility of processing and approving the project. There are no Responsible or Trustee Agencies that have oversight, approval, or permit responsibility associated with the project, or require consultation with the City of Capitola. In addition, no other agency is required to approve the 2023-2031 Housing Element, but the 2023-2031 Housing Element will be reviewed by the California Department of Housing and Community Development for the purpose of determining whether it complies with the requirements of State Housing Element law.

### 1.4 INCORPORATION BY REFERENCE

Pertinent documents relating to this Initial Study have been cited in accordance with *CEQA Guidelines* Section 15150, which encourages incorporation by reference as a means of reducing redundancy and length of environmental reports. The following documents are hereby incorporated by reference into this EIR. Information contained within these documents has been utilized for this Initial Study. These documents are available for review at the City of Capitola Community Development Department located at 420 Capitola Avenue, Capitola, California 95010, and online, if available, with the links provided below.

**The Capitola General Plan.** The Capitola General Plan (General Plan) is the City's "blueprint" for all future development and conservation within the community. The General Plan has seven State-mandated elements: Land Use; Housing; Open Space; Conservation; Safety; Noise; and Mobility, and includes an optional, Economic Development Element.

On June 26, 2014, the Capitola City Council adopted the General Plan Update to replace the City's previous 1989 General Plan. The General Plan Update provides new goals and policies to promote sustainability, improve protections of residential neighborhoods and historic resources, and enhance economic vitality. The 2015-2023 Housing Element was adopted by the Capitola City Council on November 25, 2015 and certified by the California Department of Housing and Community Development (HCD) on February 4, 2016. The Land Use Element of the General Plan was updated on March 13, 2019.

[Capitola General Plan | City of Capitola California](#)

**The Capitola General Plan Update Environmental Impact Report.** The Environmental Impact Report (EIR) for the City of Capitola General Plan Update (State Clearinghouse Number [SCH No.] 2013072002) evaluates the environmental effects associated with the adoption and implementation of the General Plan Update initiated by the City of Capitola.



General Plan Update EIR Conclusions. The General Plan Update (GPU) EIR reviewed the following topics: Aesthetics, Air Quality, Biological Resources, Cultural Resources, Geology, Soils and Seismicity, Hazards and Hazardous Materials, Hydrology and Water Quality, Land Use and Planning, Noise, Population and Housing, Public Services (Fire Protection and Emergency Medical Services, Police Protection, School Services, Library Services), Parks and Recreation, Transportation and Traffic, and Utilities and Service Systems, and Greenhouse Gas Emissions.

The GPU EIR concluded the following significant unavoidable impacts:

- Air Quality – Impacts AIR-2 and AIR-6
- Hydrology and Water Quality – Impacts HYDRO -2 and HYDRO -9
- Transportation and Traffic – Impacts TRANS-1 and TRANS-6
- Utilities and Service Systems – Impacts UTIL-1, UTIL-2, and UTIL-3
- Greenhouse Gas Emissions – Impacts GHG-1 and GHG-3

The GPU EIR concluded all other impacts were less than significant.

The City Council certified the GPU EIR on June 26, 2014, as well as adopted a Statement of Overriding Considerations for significant, unavoidable impacts, and adopted a Mitigation Monitoring and Reporting Program.

The GPU EIR can be found on the City’s website using the following link under the Supporting Documents heading.

[Capitola General Plan | City of Capitola California](#)

**Capitola Municipal Code.** The Capitola Municipal Code (Municipal Code), codified through Ordinance 1060, passed June 8, 2023, consists of codes and ordinances adopted by the City. These include standards intended to regulate land use, development, health and sanitation, water quality, public facilities, and public safety.

Title 15 of the Municipal Code, Buildings and Construction (revised March 2023), specifies rules and regulations for construction, alteration, and building for uses of human habitation and occupation. Title 16 of the Municipal Code, Subdivisions (revised April 2023), regulates and controls the division of land within the city. Title 17 of the Municipal Code, Zoning (revised April 2023), identifies land uses permitted and prohibited according to the zoning category of particular parcels and establishes the development standards and regulations for each zone.

[Capitola Municipal Code \(codepublishing.com\)](#)



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## **2.0 PROJECT DESCRIPTION**

### **2.1 PROJECT LOCATION**

Capitola is a coastal community located along the Monterey Bay. The City of Capitola is centrally located in Santa Cruz County, east of the City of Santa Cruz; Refer to [Exhibit 2-1, Regional Location Map](#). With a land area of 1.7 square miles, Capitola is home to a population of approximately 10,000 residents. Highway 1 runs east-west along the northern border of the City. Highway 17 is located northwest of Capitola and connects the coastal communities to Silicon Valley and San Francisco Bay Area to the north.

### **2.2 ENVIRONMENTAL SETTING**

#### **2.2.1 EXISTING LAND USES**

Capitola is a unique coastal community with its own special sense of place. Capitola is a popular visitor destination due to its beaches, historic charm, visitor amenities, and scenic location. The heart of Capitola is the Village, which features an assortment of shops, restaurants, vacation rentals, and recreational amenities. An assortment of residential neighborhoods contributes to the unique identity and family-friendly character of the community. Capitola is also home to the Capitola Mall, King’s Plaza, and other region-serving retail establishments along 41<sup>st</sup> Avenue.

Capitola has been fully urbanized for many years, and development includes a mix of housing types, employment districts with commercial and industrial uses, park and recreational amenities, and convenient transportation choices.

### **2.3 GENERAL PLAN AND ZONING DESIGNATIONS**

Not Applicable (Citywide).

### **2.4 PROJECT DESCRIPTION**

The project is the adoption and implementation of the 2023-2031 Housing Element. The 2023-2031 Housing Element represents an update of the City’s 2015-2023 Housing Element. The Housing Element is an integral component of the City’s General Plan, as it addresses existing and future housing needs of all types for persons of all economic segment groups in the City. The Housing Element serves as a tool for decision-makers and the public in understanding and meeting housing needs in Capitola. While the law does not require local governments to actually construct housing to meet identified needs, it does require that the community address housing needs in its discretionary planning actions.



## Exhibit 2-1 Regional Location Map



Source: City of Capitola General Plan Update EIR (December 2013)



## PURPOSE AND ORGANIZATION OF THE HOUSING ELEMENT

The Housing Element is one of the seven mandatory elements of a General Plan. Through policies, procedures, and incentives, it provides an action-plan for maintaining and expanding the housing supply in the City of Capitola.

The Housing Element is organized into the following sections and appendices.

Sections	Appendices
Executive Summary	Appendix A: Glossary of Terms
Chapter 1: Introduction	Appendix B: Community Outreach Summary
Chapter 2: Housing Needs Assessment	Appendix C: 2015-2023 Housing Element Program Evaluation
Chapter 3: Constraints on Housing Production	Appendix D: Sites Inventory
Chapter 4: Housing Need and Opportunities	Appendix E: Affirmatively Furthering Fair Housing (AFFH)
Chapter 5: Housing Plan	

Capitola’s Housing Element for the 6<sup>th</sup> cycle planning period of June 30, 2023 to December 15, 2031 describes policies and programs that include:

- Identification and analysis of existing and projected housing needs, resources, and constraints;
- A statement of goals, policies, quantified objectives, and scheduled programs for preservation, improvement and development of housing;
- Identification of adequate sites for housing; and
- Adequate provision for existing and projected needs of all economic segments of the community.

### Element

Pursuant to *Government Code* Section 65583, the housing element contains four basic parts:

1. Analysis of demographic, social, and housing characteristics, current and future housing needs due to population growth and change, and other factors affecting housing need;
2. Analysis of governmental and nongovernmental constraints that affect the development, maintenance, and improvement of housing for all income groups and people with disabilities;
3. Inventory of resources available to address the City’s housing needs, including available land for housing, as well as the financial resources and administrative capacity to manage housing programs; and
4. Specific actions or programs to address the development, improvement, and conservation of housing to meet current and future needs. This includes goals, policies, and specific housing programs.



## **HOUSING GOALS AND POLICIES**

The 2023-2031 Housing Element goals and policies are listed below. Refer to the 2023-2031 Housing Element (separate document) for a full description of the programs associated with each goal.

### **GOAL 1.0 HOUSING PRODUCTION**

***Diversity in housing types and affordability levels to accommodate the needs of Capitola residents.***

#### **Housing Production Policies**

- Policy 1.1 Provide adequate sites and supporting infrastructure to accommodate present and future housing needs of Capitola residents.
- Policy 1.2 Encourage mixed-use developments.
- Policy 1.3 Provide opportunities for the development of alternative housing options, such as Accessory Dwelling Units.
- Policy 1.4 Periodically review development regulations, permit processes, and fees and their effect on development to ensure that such requirements facilitate housing production and rehabilitation.

### **GOAL 2.0 AFFORDABLE HOUSING DEVELOPMENT**

***Increased and protected supply of housing affordable to extremely-low, very-low, low, and moderate-income households.***

#### **Affordable Housing Policies**

- Policy 2.1 Encourage continued affordability of affordable rental housing supply in existing mobile home parks, subsidized rental housing, and special needs housing.
- Policy 2.2 Continue participation in state and federally sponsored programs designed to maintain housing affordability, including the HUD Housing Choice Voucher (HCV) Program.
- Policy 2.3 Preserve existing unrestricted affordable rental housing during the Housing Element planning period.
- Policy 2.4 Promote the development of affordable housing.
- Policy 2.5 Maintain the City’s Housing Trust Fund.
- Policy 2.6 Encourage the production of affordable ownership and rental housing through the City’s Affordable “Inclusionary” Housing Ordinance.

### **GOAL 3.0: HOUSING FOR PERSONS WITH SPECIAL NEEDS**

***Accessible housing and appropriate supportive services that provide equal housing opportunities for special needs populations.***

#### **Special Housing Needs Policies**

- Policy 3.1 Support and facilitate programs that address the housing needs of special needs groups, including the elderly population, homeless persons, single-parent headed households, large households,



extremely low-income households, and persons with disabilities, including developmental disabilities.

- Policy 3.2 Continue the provision of city-initiated incentives to encourage affordable units in development projects.
- Policy 3.3 Support the development of accessible and affordable housing that is designed to serve all ages and is readily accessible to support services.
- Policy 3.4 Provide assistance for seniors and disabled to maintain and improve their homes.
- Policy 3.5 Facilitate and encourage the development of rental units appropriate for families with children, including the provision of supportive services such as childcare.
- Policy 3.6 Encourage the integration of special needs housing in residential environments, readily accessible to public transit, shopping, public amenities, and supportive services.
- Policy 3.7 Encourage the provision of supportive services for persons with special needs to further the greatest level of independence and equal housing opportunities.
- Policy 3.8 Investigate and encourage the development of a variety of housing options for seniors including Congregate Housing, Continuing Care Retirement Communities (CCRCs), Assisted Living, Mobile Home Parks, co-housing, accessory dwelling units, and Independent Living.
- Policy 3.9 Encourage the establishment of childcare centers and family childcare homes in all appropriate zoning districts.

**GOAL 4.0: HOUSING ASSISTANCE**

*Increased assistance for extremely low, very low, low, and moderate income residents to rent or purchase homes.*

**Housing Assistance Policies**

- Policy 4.1 Maintain the City’s rental and ownership assistance programs.
- Policy 4.2 Explore and pursue City participation in other affordable homeownership assistance programs in the private market.
- Policy 4.3 Support the provision of childcare services, employment training, rental assistance, and other supportive services to enable households to be self-sufficient.
- Policy 4.4 Seek and support collaborative partnerships of nonprofit organizations and the development community to aid in the provision of affordable housing.

**GOAL 5.0: NEIGHBORHOOD VITALITY**

*Maintain, preserve, and improve the character of existing residential neighborhoods.*

**Neighborhood Vitality Policies**

- Policy 5.1 Ensure a compatible relationship between new housing and circulation patterns and encourage pedestrian and bicycle-friendly communities to minimize traffic impacts on quality of life.



- Policy 5.2 Protect the integrity of existing single-family and multifamily neighborhoods by promoting balanced site design and architecture.
- Policy 5.3 Assist individual neighborhoods in establishing their own identity through the development of neighborhood amenities (e.g., pocket parks, lighting, signs), mixed-use neighborhood nodes, and pedestrian and sustainability improvements.
- Policy 5.4 Promote the repair, improvement, and rehabilitation of housing and encourage replacement of substandard housing to enhance quality of life in neighborhoods.
- Policy 5.5 Improve the quality of housing and neighborhoods by educating landlords, tenants, and property owners about code compliance issues and enforcing compliance with building and property maintenance standards.

**GOAL 6.0: RESOURCE CONSERVATION**

*Fulfill the City’s housing needs while promoting an environ-mentally sensitive, compact community that is pedestrian-oriented and neighborhood-centered, using resources in a sustainable manner.*

**Resource Conservation Policies**

- Policy 6.1 Encourage the use of alternative modes of transportation.
- Policy 6.2 Strive to maintain a jobs/housing balance.
- Policy 6.3 Promote Green Building techniques, development, and construction standards that provide for resource conservation.
- Policy 6.4 Promote the use of renewable energy technologies (such as solar and wind) in new and rehabilitated housing when possible.
- Policy 6.5 Ensure that adequate water supplies and sewer services continue to be available for residents and businesses.

**GOAL 7.0: AFFIRMATIVELY FURTHERING FAIR HOUSING**

*Equal access to housing opportunities regardless of one’s unique characteristics as protected by local, state and federal fair housing laws.*

**Fair Housing Policies**

- Policy 7.1 Promote meaningful and informed participation of residents, community groups, and governmental agencies in all local housing and community development activities.
- Policy 7.2 Comply with federal, state, and local Fair Housing and anti-discrimination laws, and affirmatively further fair housing for all, ensuring equal access to housing regardless of their special circumstances as protected by fair housing laws.
- Policy 7.3 Promote housing mobility by expanding housing choices and increasing housing opportunities in higher resource areas.
- Policy 7.4 Protect tenants from discriminatory housing practices and displacement.





- Policy 7.5 Promote the integration of affordable and special needs housing projects in existing neighborhoods.
- Policy 7.6 Collaborate with and support efforts of organizations dedicated to eliminating housing discrimination.

## **REGIONAL HOUSING NEEDS ASSESSMENT**

California *Government Code* Article 10.6, Section 65580 – 65589.8, Chapter 3 of Division 1 of Title 7 sets forth the legal requirements for a housing element and encourages the provision of affordable and decent housing in suitable living environments for all communities to meet statewide goals. The 2023-2031 Housing Element is a statement by the City of Capitola of its current and future housing needs identified in a policy document that sets forth the City’s goals, policies, and programs to address those identified needs.

Specifically, *Government Code* Section 65580 states the housing element shall consist of “...an identification and analysis of existing and projected housing needs and a statement of goals, polices, quantified objectives, financial resources and scheduled programs for the preservation, improvement, and development of housing.” The housing element must also contain a housing plan with quantified objectives for the implementation of the goals and objectives described in the housing element. State law requires the housing element be updated every eight years or as otherwise required by State law.

*Government Code* Article 10.6, Section 65589 – 65589.8, Chapter 3 of Division 1 of Title 7 sets forth the legal requirements for a housing element and encourages the provision of affordable and decent housing in all communities to meet statewide goals. This Initial Study evaluates the environmental effects of the adoption and implementation of the Capitola 2023-2031 Housing Element. The planning period is from June 30, 2023 through December 15, 2031.

*Government Code* Section 65583 requires that housing elements include the following components:

- A review of the previous element’s goals, policies, programs, and objectives to ascertain the effectiveness of each of these components, as well as the overall effectiveness of the Housing Element;
- An assessment of housing needs and an inventory of resources and constraints related to the meeting of these needs;
- An analysis and program for preserving assisted housing developments;
- A Statement of community goals, quantified objectives, and policies relative to the preservation, improvement and development of housing;.
- A program which sets forth an eight-year schedule of actions that the City is undertaking or intends to undertake, in implementing the policies set forth in the Housing Element.

Several factors influence the demand for housing in the City of Capitola. Four major “needs” categories considered in the Housing Element include:

- 1) housing needs resulting from overcrowding;
- 2) housing needs that result when households are paying more than they can afford for housing;



- 3) housing needs of "special needs groups" such as the elderly, large families, female heads of households, households with persons with disabilities (including persons with developmental disabilities), and the homeless;
- 4) housing needs resulting from population growth in the City and surrounding region

California housing element law requires that each city and county develop local housing programs designed to meet their “fair share” of housing needs for all income groups. The California Department of Housing and Community Development (HCD), Housing Policy Division develops the Regional Housing Needs Assessments (RHNA) for each region of the State, represented by councils of governments. The Association of Monterey Bay Area Governments (AMBAG) determines the housing allocation for each city and county within its three-county jurisdiction, which includes Santa Cruz County. AMBAG assigned Capitola a housing allocation of 1,336 units, as shown in *Table 2-1, Regional Housing Needs Allocation 2023-2031*. The RHNA covers the period of June 30, 2023 through December 15, 2031.

**TABLE 2-1**  
**REGIONAL HOUSING NEEDS ALLOCATION 2023-2031**

Income Category	Number of Units
Extremely Low Income	215
Very Low Income	215 <sup>1</sup>
Low Income	282
Moderate Income	169
Above Moderate Income	455
<b>Total Units</b>	<b>1,336</b>
Source: City of Capitola, 2023-2031 Housing Element (July 2023)	
Notes: 1. The City has a RHNA allocation of 430 very low income units (inclusive of extremely low income units). While the RHNA did not separately define housing needs for extremely low income households, the very low income allocation can be split evenly between very low- and extremely low income households.	

### Residential Sites Inventory

The inventory is detailed in 2023-2031 Housing Element Chapter 4: Housing Need and Opportunities.

### Comparison of Sites Inventory and RHNA

Properties identified in the sites inventory have the combined capacity to accommodate approximately 1,453 additional housing units on underutilized sites. These sites, and the associated existing land use regulations, can facilitate the production of 448 extremely low-/very low-income units, 298 low-income units, 239 moderate-income units, and 468 above-moderate-income units during the planning period. Refer to *Table 2-2*.





**TABLE 2-2  
COMPARISON OF SITES INVENTORY AND RHNA**

	LOWER	MODERATE	ABOVE MODERATE	TOTAL
RHNA	712	169	455	1,336
Site Inventory				
Recyclable Land*	840	195	455	1,480
Rezone/Overlay Sites*	0	0	0	0
Accessory Dwelling Units (ADUs)	10	30	10	50
<b>TOTAL</b>	<b>850</b>	<b>225</b>	<b>455</b>	<b>1,530</b>
Surplus/Deficit	+138	+56	--	+194
Source: City of Capitola, 2023-2031 Housing Element Table 4-7 (October 2023)				
Notes: *Includes vacant sites, underutilized land, and pending projects				

An inventory of land suitable for residential development is shown in [Table 2-3](#).

**TABLE 2-3  
INVENTORY OF LAND SUITABLE FOR RESIDENTIAL DEVELOPMENT SUMMARY**

	EXTREMELY LOW / VERY LOW INCOME	LOW INCOME	MODERATE INCOME	ABOVE MODERATE INCOME	TOTAL RESIDENTIAL CAPACITY
<b>6<sup>th</sup> Cycle RHNA</b>	<b>430</b>	<b>282</b>	<b>169</b>	<b>455</b>	<b>1,336</b>
R-1 (Churches)	6	4	---	---	10
RM-L	5	3	4	6	18
RM-M	31	21	1	2	55
MU-N	49	33	30	61	173
C-R	297	198	119	274	888
C-C	105	76	41	102	324
CF	7	5	---	---	12
ADUs	6	4	30	10	50
<b>TOTAL</b>	<b>506</b>	<b>344</b>	<b>225</b>	<b>455</b>	<b>1,530</b>
Source: City of Capitola, 2023-2031 Housing Element Table 4-8 (October 2023)					
Notes: *Includes vacant sites, underutilized land, and pending projects					



**Summary of Residential Capacity on Vacant, Recyclable, and ADU Sites**

The analysis indicates that the City’s inventory of underutilized/recyclable sites, along with entitled units under plan review and potential Accessory Dwelling Unit (ADU) production has the potential for the development of 1,453 residential units on existing residential properties and within existing zoning categories. A detailed sites inventory table is also presented in 2023-2031 Housing Element Appendix D.

*Table 2-4* shows the distribution of the City’s RHNA allocation and low and very-low income units. While the projects focus on areas rich in transit and other amenities, the projections are spread throughout the City in various districts and neighborhoods. This includes infill single-family, ADUs and multiple-family, high density corridors, urban density corridors, and transit-oriented development.

**TABLE 2-4**  
**SUMMARY OF HOUSING UNITS**

SUB-AREA	LOW AND VERY LOW INCOME UNITS	TOTAL UNITS	PERCENT OF RHNA
Residential Recycling			
Single Family Zone (Religious Sites Only)	10	10	0.7%
Multi-Family Residential Zones	60	73	5.4%
Commercial Zones That Permit Residential Projects	676	1,212	90.8%
Mixed Use Neighborhood Zone	82	173	12.9%
Community Facility Zone (Schools Only)	12	12	0.9%
Accessory Dwelling Units (ADUs)	10	50	3.7%
<b>TOTAL*</b>	<b>850</b>	<b>1,530</b>	<b>114.5%</b>
Source: City of Capitola, 2023-2031 Housing Element Table 4-9 (October 2023)			
Notes: *Total RHNA for lower and very low: 712; total RHNA is 1,336			

The 2023-2031 Housing Element identifies sites evaluated previously for potential environmental impacts in the *General Plan Update EIR*. The 2023-2031 Housing Element Update identifies a range of tentatively reserved sites that could be developed to meet the City’s 6<sup>th</sup> cycle RHNA throughout Capitola. Some of these sites may differ from those identified in the *City of Capitola General Plan* and could require land use changes in the future that would allow for increased density or other provisions.

*Government Code* Section 65583 (c)(1)(A) states that cities have up to three years from the time a Housing Element is adopted to rezone sites, including adoption of minimum density and development standards. The sites inventory (provided in 2023-2031 Housing Element Appendix D) yields housing units that provide more than 100 percent of the RHNA requirements. Furthermore, each future development proposal associated with implementation of the Housing Element would be subject to environmental analysis, as applicable, pursuant to *CEQA Guidelines* Section 15168(c) and as required by State law, to evaluate potential impacts specific to that proposal.



## Housing Element Assumptions

This document is based on the following assumptions:

1. **General Plan Consistency.** The 2023-2031 Housing Element is consistent with the adopted *City of Capitola General Plan*. As the General Plan is updated in the future, the City will ensure that the updated General Plan is consistent with the policies contained in the Housing Element.
2. **Purpose of Housing Element Environmental Review.** This Initial Study is not intended to and does not address the particular impacts of future housing projects on any site identified in the 2023-2031 Housing Element. The Initial Study is limited to the review of potential environmental impacts resulting from the adoption and implementation of the 2023-2031 Housing Element and is not intended to analyze impacts of current or future specific development activities.
3. **Project-Specific Environmental Review.** In the City of Capitola, all housing development proposals are subject to a CEQA review process.

## 2.5 PERMITS AND APPROVALS

The City of Capitola is the Applicant. The project requires the following City of Capitola legislative/discretionary approvals:

- General Plan Amendment



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### 3.0 SUPPLEMENTAL ENVIRONMENTAL CHECKLIST FORM

FOR USE WHEN THE CITY IS REVIEWING SUBSEQUENT DISCRETIONARY ACTIONS PURSUANT TO A PREVIOUSLY APPROVED OR CERTIFIED ENVIRONMENTAL DOCUMENT.

<b>1.</b>	<b>Project Title:</b> 2023-2031 Housing Element
<b>2.</b>	<b>Lead Agency Name and Address:</b> City of Capitola 11333 Valley Boulevard Capitola, CA 91731
<b>3.</b>	<b>Contact Person and Phone Number:</b> Ms. Katie Herlihy, AICP, Community Development P: 831.475.7300 ext 216 E: <a href="mailto:kherlihy@ci.capitola.ca.us">kherlihy@ci.capitola.ca.us</a>
<b>4.</b>	<b>Project Location:</b> The City of Capitola is centrally located in Santa Cruz County, east of the City of Santa Cruz with a land area of 1.7 square miles; Refer to <u>Exhibit 1, Regional Location Map</u> . The project applies to all properties within the municipal boundaries of the City of Capitola.
<b>5.</b>	<b>Project Sponsor’s Name and Address:</b> City of Capitola 420 Capitola Avenue, Capitola, CA 95010
<b>6.</b>	<b>General Plan Designation:</b> Not Applicable (Citywide)
<b>7.</b>	<b>Zoning:</b> Not Applicable (Citywide)
<b>8.</b>	<p><b>Previous Environmental Document: Please describe the previously adopted ND or MND or the previously certified EIR (include the date the document was adopted or certified, the date the project was approved by the City, the date the NOD was filed with the County, and a summary of potentially significant effects identified in the CEQA document).</b></p> <p>The <i>Capitola General Plan Update Environmental Impact Report</i> concluded the following significant unavoidable impacts:</p> <ul style="list-style-type: none"> <li>▪ Air Quality – Impacts AIR-2 and AIR-6</li> <li>▪ Hydrology and Water Quality – Impacts HYDRO -2 and HYDRO -9</li> <li>▪ Transportation and Traffic – Impacts TRANS-1 and TRANS-6</li> <li>▪ Utilities and Service Systems – Impacts UTIL-1, UTIL-2, and UTIL-3</li> <li>▪ Greenhouse Gas Emissions – Impacts GHG-1 and GHG-3</li> </ul> <p>The <i>GPU EIR</i> concluded all other impacts were less than significant.</p> <p>The City Council certified the <i>GPU EIR</i> on June 26, 2014, as well as adopted a Statement of Overriding Considerations for significant unavoidable impacts, and adopted a Mitigation Monitoring and Reporting Program.</p>



<b>9. Description of the Project:</b> Refer to <u>Section 2.4, Project Description.</u>
<b>10. Surrounding Land Uses and Setting:</b> Capitola is a coastal community located along the Monterey Bay. The City of Capitola is centrally located in Santa Cruz County, east of the City of Santa Cruz. Highway 1 runs east-west along the northern border of the City. Highway 17 is located northwest of Capitola and connects the coastal communities to Silicon Valley and San Francisco Bay Area to the north.
<b>11. Other public agencies whose approval is required (e.g., permits, financing approval or participation agreement).</b> Refer to <u>Section 2.5, Permits and Approvals.</u>
<b>12. Have California Native American tribes traditionally and culturally affiliated with the project area requested consultation pursuant to Public Resources Code Section 21080.3.1? If so, is there a plan for consultation that includes, for example, the determination of significance of impacts to tribal cultural resources, procedures regarding confidentiality</b> While not required, the City complied with Tribal Cultural Resources consultation requirements and formal notification was sent to eight tribes. The City received no requests for consultation.



## 4.0 ENVIRONMENTAL ANALYSIS

### EVALUATION OF ENVIRONMENTAL IMPACTS

In accordance with *CEQA*, *Public Resources Code* Sections 21000-21178.1, this Modified Initial Study has been prepared to analyze whether any new or more significant environmental impacts could occur from implementation of the proposed project. The purpose of this Initial Study is to inform the decision makers, affected agencies, and the public of potential environmental impacts associated with the implementation of the proposed project. This section analyzes the potential environmental impacts associated with the proposed project. The issue areas evaluated in this Initial Study include those cited in [Section 3.0](#).

As the General Plan EIR has been certified, the environmental impacts of subsequent activities proposed under the General Plan must be examined in light of the impact analysis in the certified EIR to determine if additional *CEQA* documentation must be prepared. One of the standards that applies is whether, under *Public Resources Code* Section 21166 and *CEQA* Guidelines Sections 15162 and 15163, there are new significant effects or other grounds that require preparation of a subsequent EIR or supplemental EIR in support of further agency action on the project. Under these guidelines, a subsequent or supplemental EIR shall be prepared if any of the following criteria are met:

- (a) When an EIR has been certified or negative declaration adopted for a project, no subsequent EIR shall be prepared for that project unless the lead agency determines, on the basis of substantial evidence in light of the whole record, one or more of the following:
- 1) Substantial changes are proposed in the project which will require major revisions of the previous EIR or negative declaration due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects;
  - 2) Substantial changes occur with respect to the circumstances under which the project is undertaken which will require major revisions of the previous EIR or negative declaration due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects; or
  - 3) New information of substantial importance, which was not known and could not have been known with the exercise of reasonable diligence at the time the previous EIR was certified as complete or the negative declaration was adopted, shows any of the following:
    - A. The project will have one or more significant effects not discussed in the previous EIR or negative declaration;
    - B. Significant effects previously examined will be substantially more severe than shown in the previous EIR;
    - C. Mitigation measures or alternatives previously found not to be feasible would in fact be feasible and would substantially reduce one or more significant effects of the project, but the project proponents decline to adopt the mitigation measure or alternative; or
    - D. Mitigation measures or alternatives which are considerably different from those analyzed in the previous EIR would substantially reduce one or more significant effects on the environment, but the project proponents decline to adopt the mitigation measure or alternative.

As demonstrated in Environmental Analysis Sections 4.1 through 4.19, none of the conditions that had been analyzed in the General Plan EIR would change with adoption of the 2023-2031 Housing Element. Furthermore,



no new information of substantial importance meeting the criteria listed in CEQA Guidelines Section 15162 has been identified.

A Housing Element does not propose or require development of any residential use, rather, it establishes local goals, policies, and actions the City would implement and/or facilitate to address identified housing issues. In accordance with State law, Housing Elements must be updated every eight years to establish current housing and land use strategies reflective of changing needs, resources, and conditions.

The 2023-2031 Housing Element is a policy document that would not change land use designations or in and of themselves authorize any development within the City. While the City is required by State law to facilitate development commensurate with its allocated share of regional housing needs, no change in the location or nature of allowable development would be authorized by the 2023-2031 Housing Element.

Future development proposals would be required to comply with all applicable regulations and development standards, along with project-specific conditions and mitigation measures to reduce potential impacts required as part of the development review and environmental impact processes.

- 1) A finding of “No New Impact/No Impact” means that the potential impact was fully analyzed and/or mitigated in the prior CEQA document and no new or different impacts will result from the proposed activity. A brief explanation is required for all answers except “No New Impact/No Impact” answers that are adequately supported by the information sources a lead agency cites in the parentheses following each question. A “No New Impact/No Impact” answer is adequately supported if the referenced information sources show that the impact simply does not apply to projects like the one involved (e.g. the project falls outside a fault rupture zone). A “No New Impact/No Impact” answer should be explained where it is based on project-specific factors as well as general standards (e.g., the project will not expose sensitive receptors to pollutants, based on a project-specific screening analysis).
- 2) A finding of “New Mitigation is Required” means that the project may have a new potentially significant impact on the environment or a substantially more severe impact than analyzed in the previously approved or certified CEQA document and that new mitigation is required to address the impact.
- 3) A finding of “New Potentially Significant Impact” means that the project may have a new potentially significant impact on the environment or a substantially more severe impact than analyzed in the previously approved or certified CEQA document that cannot be mitigated to below a level of significance or be avoided.
- 4) A finding of “Reduced Impact” means that a previously infeasible mitigation measure is now available, or a previously infeasible alternative is now available that will reduce a significant impact identified in the previously prepared environmental document.
- 5) All answers must take account of the whole action involved, including off-site as well as on-site, cumulative as well as project-level, indirect as well as direct, and construction as well as operational impacts.
- 6) Earlier analyses may be used where, pursuant to the tiering, program EIR, or other CEQA process, an effect has been adequately analyzed in an earlier EIR or negative declaration. Section 15063(c)(3)(D). In this case, a brief discussion should identify the following:
  - a) Earlier Analyses Used. Identify and state where they are available for review.
  - b) Impacts Adequately Addressed. Identify which effects from the above checklist were within the scope of and adequately analyzed in an earlier document pursuant to applicable legal standards,





and state whether such effects were addressed by mitigation measures based on the earlier analysis. 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 proposed action.

- c) **Infeasible Mitigation Measures.** Since the previous EIR was certified or previous ND or MND was adopted, discuss any mitigation measures or alternatives previously found not to be feasible that would in fact be feasible or that are considerably different from those previously analyzed and would substantially reduce one or more significant effects of the project, but the project proponents decline to adopt the mitigation measures or alternatives.
  - d) **Changes in Circumstances.** Since the previous EIR was certified or previous ND or MND was adopted, discuss any changes in the project, changes in circumstances under which the project is undertaken and/or "new information of substantial importance" that cause a change in conclusion regarding one or more effects discussed in the original document.
- 7) Lead agencies are encouraged to incorporate into the checklist references to information sources for potential impacts (e.g. general plans, zoning ordinances). Reference to a previously prepared or outside document should, where appropriate, include a reference to the page or pages where the statement is substantiated.
  - 8) **Supporting Information Sources.** A source list should be attached, and other sources used or individuals contacted should be cited in the discussion.
  - 9) This is only a suggested form, and lead agencies are free to use different formats; however, lead agencies should normally address the questions from this checklist that are relevant to a project's environmental effects in whatever format is selected.
  - 10) The explanation of each issue should identify:
    - a) the significance criteria or threshold, if any, used to evaluate each question;
    - b) differences between the proposed activity and the previously approved project described in the approved ND or MND or certified EIR; and
    - c) the previously approved mitigation measure identified, if any, to reduce the impact to less than significance.



## **NEW SIGNIFICANT ENVIRONMENTAL EFFECTS OR SUBSTANTIALLY MORE SEVERE SIGNIFICANT ENVIRONMENTAL EFFECTS COMPARED TO THOSE IDENTIFIED IN THE PREVIOUS CEQA DOCUMENT**

The subject areas checked below were determined to be new significant environmental effects or to be previously identified effects that have a substantial increase in severity either due to a change in project, change in circumstances or new information of substantial importance, as indicated by the checklist and discussion in [Section 4.1](#) through [Section 4.19](#).

Aesthetics	Land Use and Planning
Agriculture and Forestry Resources	Mineral Resources
Air Quality	Noise
Biological Resources	Population and Housing
Cultural and Tribal Cultural Resources	Public Services
Energy	Recreation
Geology and Soils	Transportation
Greenhouse Gas Emissions	Utilities and Service Systems
Hazards and Hazardous Materials	Wildfire
Hydrology and Water Quality	



## LEAD AGENCY DETERMINATION

On the basis of this evaluation:

- No substantial changes are proposed in the project and there are no substantial changes in the circumstances under which the project will be undertaken that will require major revisions to the previous approved ND or MND or certified EIR due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects. Also, there is no "new information of substantial importance" as that term is used in CEQA Guidelines Section 15162(a)(3). Therefore, the previously adopted ND or MND or previously certified EIR adequately discusses the potential impacts of the project without modification.
- No substantial changes are proposed in the project and there are no substantial changes in the circumstances under which the project will be undertaken that will require major revisions to the previous approved ND or MND or certified EIR due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects. Also, there is no "new information of substantial importance" as that term is used in CEQA Guidelines Section 15162(a)(3). Therefore, the previously adopted ND, MND or previously certified EIR adequately discusses the potential impacts of the project; however, minor changes require the preparation of an ADDENDUM.
- Substantial changes are proposed in the project or there are substantial changes in the circumstances under which the project will be undertaken that will require major revisions to the previous ND, MND or EIR due to the involvement of significant new environmental effects or a substantial increase in the severity of previously identified significant effects. Or, there is "new information of substantial importance," as that term is used in CEQA Guidelines Section 15162(a)(3). However, all new potentially significant environmental effects or substantial increases in the severity of previously identified significant effects are clearly reduced to below a level of significance through the incorporation of mitigation measures agreed to by the project applicant. Therefore, a SUBSEQUENT MND is required.
- Substantial changes are proposed in the project or there are substantial changes in the circumstances under which the project will be undertaken that will require major revisions to the previous environmental document due to the involvement of significant new environmental effects or a substantial increase in the severity of previously identified significant effects. Or, there is "new information of substantial importance," as that term is used in CEQA Guidelines Section 15162(a)(3). However, only minor changes or additions or changes would be necessary to make the previous EIR adequate for the project in the changed situation. Therefore, a SUPPLEMENTAL EIR is required.
- Substantial changes are proposed in the project or there are substantial changes in the circumstances under which the project will be undertaken that will require major revisions to the previous environmental document due to the involvement of significant new environmental effects or a substantial increase in the severity of previously identified significant effects. Or, there is "new information of substantial importance," as that term is used in CEQA Guidelines Section 15162(a)(3). Therefore, a SUBSEQUENT EIR is required.



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## 4.1 AESTHETICS

Would the project, except as provided in Public Resources Code Section 21099:	New Potentially Significant Impact	New Impact Requiring New Mitigation	No New Impact/ No Impact	Reduced Impact
A. Have a substantial adverse effect on a scenic vista?			✓	
B. Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?			✓	
C. In nonurbanized areas, substantially degrade the existing visual character or quality of public views of the site and its surroundings? (Public views are those that are experienced from publicly accessible vantage point). In an urbanized area, would the project conflict with applicable zoning and other regulations governing scenic quality?			✓	
D. Create a new source of substantial light or glare, which would adversely affect day or nighttime views in the area?			✓	
Note: Certain projects within a transit priority area need not evaluate aesthetics ( <i>Public Resources Code</i> Section 21099).				

## PRIOR ENVIRONMENTAL FINDINGS

### General Plan Update EIR

The table below summarizes the aesthetics impacts and mitigation measures, if applicable.

AESTHETICS – SUMMARY OF IMPACTS AND MITIGATION MEASURES			
Impact	Significance Before Mitigation	Mitigation Measures	Significance With Mitigation
AES-1: The proposed Plan would not have a substantial adverse effect on a scenic vista.	Less Than Significant Impact	Not Applicable	
AES-2: The proposed Plan would not substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings, within a State scenic highway.	No Impact	Not Applicable	
AES-3: The proposed Plan would not result in substantial degradation of the existing visual character or quality of Capitola or its surroundings.	Less Than Significant Impact	Not Applicable	
AES-4: The proposed Plan would not create a new source of substantial light or glare which would adversely affect day or nighttime views in the area.	Less Than Significant Impact	Not Applicable	
AES-5: The proposed Plan, in combination with past, present, and reasonably foreseeable projects, would result in less than significant cumulative impacts with respect to aesthetics.	Less Than Significant Impact	Not Applicable	

Source: Capitola General Plan Update Environmental Impact Report (June 2014), Table 1-1, Summary of Impacts and Mitigation Measures



## **IMPACT ANALYSIS**

The 2023-2031 Housing Element includes policies and programs that are applicable City-wide and are designed to facilitate the construction of housing units to meet the City’s share of the regional housing need. The 2023-2031 Housing Element Chapter 4, Housing Need and Opportunities identifies potential residential sites and densities, inclusive of recyclable residential land, religious facility sites and State land housing, vacant and non-vacant land, and the Capitola Mall site. The 2023-2031 Housing Element Chapter 5, Housing Plan identifies the Goals, Policies, and Programs and Quantified Objectives that are based upon expected availability of resources to address the City’s housing needs, expectations regarding future housing development, as well as prior objectives established in earlier housing plans.

The 2023-2031 Housing Element is a policy document that would not change land use designations or in and of themselves authorize any development within the City. While the City is required by State law to facilitate development commensurate with its allocated share of regional housing needs, no change in the location or nature of allowable development would be authorized by the 2023-2031 Housing Element.

### **A. WOULD THE PROJECT HAVE A SUBSTANTIAL ADVERSE EFFECT ON A SCENIC VISTA?**

The *GPU EIR* identified that one of the guiding principles of the *General Plan* includes the protection and enhancement of natural resources including the beaches, creek, ocean, and lagoon which contribute to Capitola’s scenic beauty. Future development under the *General Plan* would be subject to existing laws and regulations that serve to protect scenic vistas in the Plan Area. The City’s zoning ordinance includes provisions that regulate building height, building placement, and establish standards for lot coverage and usable open space.

The *General Plan* includes policies and actions relevant to the protection of scenic vistas: Policy LU-4.7 Planning Projects, Action LU-5.1 Design Review, Policy LU-6.9 Capitola Wharf, Policy LU-7.3 Scenic Resources, Action LU-7.1 Village Design Guidelines, and Policy LU-10.1 New Development. The *GPU EIR* concluded less than significant impacts to a scenic vista with implementation of the aforementioned *General Plan* policies and actions, and regulatory requirements.

The City of Capitola is a largely built out community with a mix of residential, commercial/industrial, and parks/open space uses. One of the *General Plan* guiding principles includes the protection and enhancement of natural resources including the beaches, creek, ocean, and lagoon which contribute to Capitola’s scenic beauty. There are no officially designated scenic vistas or view corridors in Capitola. However, there are many places in the City that allow for expansive views of the community, ocean to the southwest and foothills to the north.

### **A. WOULD THE PROJECT PROPOSED PLAN WOULD NOT HAVE A SUBSTANTIAL ADVERSE EFFECT ON A SCENIC VISTA.**

The *General Plan* includes policies and actions relevant to scenic vistas: Policy LU-4.7 Planning Projects, Action LU-5.1 Design Review, Policy LU-6.9 Capitola Wharf, Policy LU-7.3 Scenic Resources, Action LU-7.1 Village Design Guidelines, and Policy LU-10.1 New Development. The *GPU EIR* concluded less than impacts to scenic vistas with implementation of the aforementioned *General Plan* policies and actions, and regulatory requirements.



The proposed project does not involve construction on any particular site in the City. Future development proposals associated with implementation of the proposed project would be required to comply with all applicable regulations and development standards, along with project-specific conditions and mitigation measures to reduce potential impacts required as part of the development review and environmental impact processes. This can include, but is not limited to, *Municipal Code* requirements; and *General Plan* goals, policies, and implementation programs, including those identified in the proposed project.

Adoption and implementation of the proposed project would not substantially alter the visual character of the City, nor would it have adverse impacts relative to the scenic vistas. Thus, impacts remain as less than significant impacts.

**Conclusion:** No New Impact. The changes associated with the proposed project would not result in any new impacts or increase the severity of impacts in this regard.

**B. WOULD THE PROJECT SUBSTANTIALLY DAMAGE SCENIC RESOURCES, INCLUDING, BUT NOT LIMITED TO, TREES, ROCK OUTCROPPINGS, AND HISTORIC BUILDINGS WITHIN A STATE SCENIC HIGHWAY?**

The *General Plan* includes policies relevant to scenic resources: Policy LU-10.4 Highway 1 Interchange and Policy LU-12.6 McGregor Property. The *GPU EIR* concluded no impacts to scenic resources within a State scenic highway with implementation of the aforementioned *General Plan* policies and regulatory requirements.

There are no officially designated scenic highways within the City limits of Capitola. However, Highway 1 which passes through Capitola is eligible to become officially designated. No scenic vistas, trees, rock outcroppings, or state scenic highways occur within the City of Capitola. The proposed project applies to the entire City, and the 2023-2031 Housing Element only identifies sites where new housing may be developed consistent with adopted land use policy. The proposed project does not involve construction at any particular site in the City. Thus, adoption and implementation of the proposed project ensures impacts remain as no impacts.

**Conclusion:** No New Impact. The changes associated with the proposed project would not result in any new impacts or increase the severity of impacts in this regard.

**C. IN NONURBANIZED AREAS, WOULD THE PROJECT SUBSTANTIALLY DEGRADE THE EXISTING VISUAL CHARACTER OR QUALITY OF PUBLIC VIEWS OF THE SITE AND ITS SURROUNDINGS? (PUBLIC VIEWS ARE THOSE THAT ARE EXPERIENCED FROM PUBLICLY ACCESSIBLE VANTAGE POINT). IN AN URBANIZED AREA, WOULD THE PROJECT CONFLICT WITH APPLICABLE ZONING AND OTHER REGULATIONS GOVERNING SCENIC QUALITY?**

The *General Plan* includes goals, policies, and actions relevant to the protection of scenic vistas and the preservation of the character of existing distinct neighborhoods: Policy LU-1.1 Community Character, Policy LU-1.2 Design Quality, Action LU-1.1 Design Guidelines, Goal LU-2, Policy LU-2.1 Historic Structures, Policy LU-2.2 Modification Standards, Policy LU-2.3 Preservation Incentives, Policy LU-2.4 Public Awareness, Policy LU-3.1 Historic Structures, Policy LU-3.3 Infill Development, Goal LU-4, Policy LU-4.2 Neighborhood Diversity, Policy LU-4.3 Existing Housing, Policy LU-4.5 Neighborhood Amenities, Policy LU-4.6 Natural Features, Goal LU-5, Policy LU-5.1 Neighborhood Characteristics, Policy LU-5.2 Development Impacts, Policy LU-5.3 Mass and Scale, Policy LU-5.5 Architectural Character, Action LU-5.1 Design Review, Policy LU-7.1 New Development Design. The *GPU EIR*



concluded less than significant visual character impacts with implementation of the aforementioned *General Plan* goals, policies, and actions.

The City of Capitola is considered an urbanized area. The proposed project involves a policy-level document, and as such, does not include any site-specific development designs or proposals. Therefore, it is not possible at this time to conduct an assessment of potential site-specific visual impacts relative to future development proposals associated with implementation of the proposed project.

However, future development proposals associated with implementation of the proposed project would be required to comply with all applicable regulations and development standards, along with project-specific conditions and mitigation measures to reduce potential impacts required as part of the development review and environmental impact processes. This can include, but is not limited to, *Municipal Code* requirements; and *General Plan* goals, policies, and implementation programs, including those identified in the proposed project. Thus, adoption and implementation of the proposed project ensures visual character and scenic quality impacts remain as less than significant impacts.

**Conclusion:** No New Impact. The changes associated with the proposed project would not result in any new impacts or increase the severity of impacts in this regard.

**D. WOULD THE PROJECT CREATE A NEW SOURCE OF SUBSTANTIAL LIGHT OR GLARE WHICH WOULD ADVERSELY AFFECT DAY OR NIGHTTIME VIEWS IN THE AREA?**

The City of Capitola is located within a moderately urbanized context. Future development under the *General Plan* would create new sources of light and glare. However, regulations in the *Municipal Code* and policies in the *General Plan* would substantially minimize adverse impacts. The *General Plan* includes a policy relevant to light and glare: Policy LU-5.2 Development Impacts. The *GPU EIR* concluded less than significant light and glare impacts with implementation of the aforementioned *General Plan* policy.

The proposed project involves policy-level documents, and as such, does not include any site-specific development designs or proposals, nor does it address new lighting sources. As such, it is not possible at this time to conduct an assessment of potential site-specific light and glare impacts relative to future development proposals associated with implementation of the proposed project. Generally, potential glare and lighting glare impacts can be mitigated through use of non-reflective building materials and lighting that is shielded downward.

Future development proposals associated with implementation of the proposed project would be required to comply with all applicable regulations and development standards, along with project-specific conditions and mitigation measures to reduce potential impacts required as part of the development review and environmental impact processes. This can include, but is not limited to, *Municipal Code* requirements; and *General Plan* goals, policies, and implementation programs, including those identified in the proposed project. The case-by-case review of future development proposals associated with implementation of the proposed project ensures that light and glare impacts are addressed through minimization and/or mitigation. Thus, adoption and implementation of the proposed project ensures impacts remain as less than significant impacts.

**Conclusion:** No New Impact. The changes associated with the proposed project would not result in any new impacts or increase the severity of impacts in this regard.





## 4.2 AGRICULTURE AND FORESTRY RESOURCES

In determining whether impacts to agricultural resources are significant environmental effects, lead agencies may refer to the California Agricultural Land Evaluation and Site Assessment Model (1997) prepared by the California Department of Conservation as an optional model to use in assessing impacts on agriculture and farmland. In determining whether impacts to forest resources, including timberland, are significant environmental effects, lead agencies may refer to information compiled by the California Department of Forestry and Fire Protection regarding the state's inventory of forest land, including the Forest and Range Assessment Project and the Forest Legacy Assessment project; and forest carbon measurement methodology provided in Forest Protocols adopted by the California Air Resources Board.

Would the project:	New Potentially Significant Impact	New Impact Requiring New Mitigation	No New Impact/ No Impact	Reduced Impact
A. Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?			✓	
B. Conflict with existing zoning for agricultural use, or a Williamson Act contract?			✓	
C. Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code Section 12220(g)), timberland (as defined by Public Resources Code Section 4526), or timberland zoned Timberland Production (as defined by Government Code Section 51104(g))?			✓	
D. Result in the loss of forest land or conversion of forest land to non-forest use?			✓	
E. Involve other changes in the existing environment, which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use or conversion of forest land to non-forest use?			✓	

### PRIOR ENVIRONMENTAL FINDINGS

#### General Plan Update EIR

CEQA Guidelines Section 15128 allows environmental issues for which there is no likelihood of significant impact to be “scoped out” and not analyzed further in an EIR. It was determined that the proposed Plan (*General Plan*) would not result in significant impacts with respect to Agriculture and Forestry Resources, and as such were not analyzed in the *GPU EIR*.



## IMPACT ANALYSIS

The 2023-2031 Housing Element includes policies and programs that are applicable City-wide and are designed to facilitate the construction of housing units to meet the City’s share of the regional housing need. The 2023-2031 Housing Element Chapter 4, Housing Need and Opportunities identifies potential residential sites and densities, inclusive of recyclable residential land, religious facility sites and State land housing, vacant and non-vacant land, and the Capitola Mall site. The 2023-2031 Housing Element Chapter 5, Housing Plan identifies the Goals, Policies, and Programs and Quantified Objectives that are based upon expected availability of resources to address the City’s housing needs, expectations regarding future housing development, as well as prior objectives established in earlier housing plans.

The 2023-2031 Housing Element is a policy document that would not change land use designations or in and of themselves authorize any development within the City. While the City is required by State law to facilitate development commensurate with its allocated share of regional housing needs, no change in the location or nature of allowable development would be authorized by the 2023-2031 Housing Element.

**A. WOULD THE PROJECT CONVERT PRIME FARMLAND, UNIQUE FARMLAND, OR FARMLAND OF STATEWIDE IMPORTANCE (FARMLAND), AS SHOWN ON THE MAPS PREPARED PURSUANT TO THE FARMLAND MAPPING AND MONITORING PROGRAM OF THE CALIFORNIA RESOURCES AGENCY, TO NON-AGRICULTURAL USE?**

The proposed project involves policy-level documents, and as such, does not include any site-specific development designs or proposals. No properties in Capitola are designated as Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland). Thus, adoption and implementation of the proposed project ensures impacts remain as no impacts.

**Conclusion:** No New Impact. The changes associated with the proposed project would not result in any new impacts or increase the severity of impacts in this regard.

**B. WOULD THE PROJECT CONFLICT WITH EXISTING ZONING FOR AGRICULTURAL USE, OR A WILLIAMSON ACT CONTRACT?**

The City and surrounding area are developed and urbanized. No agricultural land exists or is zoned for agricultural use within the City, and no property within the City is under a Williamson contract. The proposed project involves policy-level documents, and as such, does not include any site-specific development designs or proposals. Therefore, the proposed project would not affect any land zoned for agricultural uses and would not conflict with a Williamson Act Contract. Thus, adoption and implementation of the proposed project ensures impacts remain as no impacts.

**Conclusion:** No New Impact. The changes associated with the proposed project would not result in any new impacts or increase the severity of impacts in this regard.



**C. WOULD THE PROJECT 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))?**

There is no zoning designation for forest land in the City of Capitola, and no areas within the City are classified as forest or timberland as defined by *Public Resources Code* Section 4526. Forestry operations do not occur within the City. Also, no property within the City supports trees capable of 10 percent native tree cover of any species, including hardwoods, under natural conditions, or that allows for management of one or more forest resources, including timber, aesthetics, fish and wildlife, biodiversity, water quality, recreation, and other public benefits. The proposed project involves policy-level documents, and as such, does not include any site-specific development designs or proposals. Therefore, the proposed project would not result in the rezoning of forest land, timberland, or timberland zoned Timberland Production. Thus, adoption and implementation of the proposed project ensures impacts remain as no impacts.

**Conclusion:** No New Impact. The changes associated with the proposed project would not result in any new impacts or increase the severity of impacts in this regard.

**D. WOULD THE PROJECT RESULT IN THE LOSS OF FOREST LAND OR CONVERSION OF FOREST LAND TO NON-FOREST USE?**

Refer to Response 4.2.C.

**Conclusion:** No New Impact. The changes associated with the proposed project would not result in any new impacts or increase the severity of impacts in this regard.

**E. WOULD THE PROJECT 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?**

The City contains no forest land, nor is any property within the City zoned for agriculture. The proposed project involves policy-level documents, and as such, does not include any site-specific development designs or proposals. Therefore, the proposed project would not result in changes to the environment that lead to the conversion of farmland to a non-agricultural use or forest land to a non-forest use. Thus, adoption and implementation of the proposed project ensures impacts remain as no impacts.

**Conclusion:** No New Impact. The changes associated with the proposed project would not result in any new impacts or increase the severity of impacts in this regard.



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### 4.3 AIR QUALITY

Where available, the significance criteria established by the applicable air quality management or air pollution control district may be relied upon to make the following determinations.				
Would the project:	New Potentially Significant Impact	New Impact Requiring New Mitigation	No New Impact/ No Impact	Reduced Impact
A. Conflict with or obstruct implementation of the applicable air quality plan?			✓	
B. Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard?			✓	
C. Expose sensitive receptors to substantial pollutant concentrations?			✓	
D. Result in other emissions (such as those leading to odors) adversely affecting a substantial number of people?			✓	

### PRIOR ENVIRONMENTAL FINDINGS

#### General Plan Update EIR

The table below summarizes the air quality impacts and mitigation measures, if applicable.

AIR QUALITY – SUMMARY OF IMPACTS AND MITIGATION MEASURES			
Impact	Significance Before Mitigation	Mitigation Measures	Significance With Mitigation
AIR-1: Citywide construction activities under the proposed Plan would result in a considerable increase of criteria pollutants, and thus, could violate air quality standards.	Significant	AIR-1a AIR-1b	Less Than Significant
AIR-2: Implementation of the proposed Plan could result in an overall increase in mobile and stationary source emissions within the City, which could exceed Monterey Bay Unified Air Pollution Control District air quality standards.	Significant	AIR-2: No Mitigation Available	Significant Unavoidable
AIR-3: Implementation of the proposed Plan could result in an overall increase in odors within the City.	Less Than Significant	Not Applicable	Less Than Significant
AIR-4: Implementation of the Capitola General Plan could result in an overall increase in localized and carbon monoxide hotspot emissions within the city, which could exceed Monterey Bay Unified Air Pollution Control District air quality standards.	Less Than Significant	Not Applicable	Less Than Significant
AIR-5: The proposed Plan may conflict with or hinder implementation of the Association of Monterey Bay Area Government’s regional comprehensive plan guidelines and the Monterey Bay Unified Air Pollution Control District Air Quality Management Plan.	Less Than Significant	Not Applicable	Less Than Significant
AIR-6: Regional air quality emissions resulting from operational buildout of the Capitola General Plan could impact regional air quality levels on a cumulatively considerable basis.	Significant	AIR-6	Significant Unavoidable

Source: Capitola General Plan Update Environmental Impact Report (June 2014), Table 1-1, Summary of Impacts and Mitigation Measures



## **IMPACT ANALYSIS**

The 2023-2031 Housing Element includes policies and programs that are applicable City-wide and are designed to facilitate the construction of housing units to meet the City’s share of the regional housing need. The 2023-2031 Housing Element Chapter 4, Housing Need and Opportunities identifies potential residential sites and densities, inclusive of recyclable residential land, religious facility sites and State land housing, vacant and non-vacant land, and the Capitola Mall site. The 2023-2031 Housing Element Chapter 5, Housing Plan identifies the Goals, Policies, and Programs and Quantified Objectives that are based upon expected availability of resources to address the City’s housing needs, expectations regarding future housing development, as well as prior objectives established in earlier housing plans.

The 2023-2031 Housing Element is a policy document that would not change land use designations or in and of themselves authorize any development within the City. While the City is required by State law to facilitate development commensurate with its allocated share of regional housing needs, no change in the location or nature of allowable development would be authorized by the 2023-2031 Housing Element.

- A. WOULD THE PROJECT CONFLICT WITH OR OBSTRUCT IMPLEMENTATION OF THE APPLICABLE AIR QUALITY PLAN?**
  
- B. WOULD THE PROJECT 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?**

The *General Plan* includes the following relevant goals, policies, and actions: Goal OSC-3, Policy OSC-3.1 Air Quality Management Plans, Policy OSC-3.2 Development Design, Policy OSC-3.3 Best Management Practices, Policy OSC-3.6 Sensitive Receptors. Policy OSC-3.7 Roadway Materials, Policy SN-4.4 Green Building, Goal OSC-4, Policy OSC-4.1 On-Site Energy Generation, Policy OSC-4.2 Grid-Neutral Development, Policy OSC-4.3 Photovoltaic Panels, Policy OSC-4.4 Solar Heaters, Policy OSC-4.5 Solar Access, Policy OSC-4.6 Passive Solar Design, Goal OSC-11, Policy OSC-11.1 Solid Waste Diversion, Policy OSC-11.2 City Diversion Rate, Policy OSC-11.3 Demolition Material Recycling, Policy OSC-11.4 Building Design, Policy OSC-11.5 Recycling and Composting Space, Policy OSC-11.6 Reusable Goods, Policy OSC-11.7 Consumption/Waste Reduction, Action OSC-11.1, Action OSC-11.3 Recycled Asphalt Pavement, Goal LU-3, Policy LU-3.1 Land Use Diversity, Policy LU-3.2 Walkability, Policy LU-3.4 Transit and Pedestrian Access, Policy LU-3.5 Pedestrian and Bicycle Connections, Policy LU-3.7 Regional Outlook, Goal MO-1, Policy MO-1.1 Responsive Transportation Services, Policy MO-1.2 Reduced Vehicle Trips, Policy MO-1.3 Regional Collaboration, Policy MO-1.4 Highway 1 Capacity, Action MO-1.2 Regional Plan Implementation, Action MO-1.3 Highway 1 Crossings, Goal MO-2, Policy MO-2.1 Complete Streets, Policy MO-2.3 Community Context, Policy MO-2.4 Maintenance, Policy MO-2.5 Existing Rights-of-Way, Policy MO-2.6 Non-Motorized Connectivity, Action MO-2.1 Complete Street Standards, Action MO-2.2 Capital Improvement Program, Action MO-2.3 Dedications, Action MO-3.2 Signal Timing, Policy MO-6.5 Transportation Alternatives, Policy MO-7.1 Regional Cooperation, Policy MO-7.2 Transit-Friendly Development, Policy MO-7.6 Rail Service, Action MO-7.1 Improved Transit Coverage, Policy MO-8.1 Bicycle Transportation Plan, Policy MO-8.2 Regional System, Action MO-8.3 Bicycle Connections, and Action MO-8.5 Highway 1 Interchanges.

The *GPU EIR* concluded that buildout of the *General Plan* would have significant unavoidable impacts relative to conflicting with an applicable plan and net increase of criteria pollutants under Federal or state air quality



standards with implementation of the aforementioned *General Plan* goals, policies, and actions, regulatory requirements, and mitigation measures AQ-1 and AQ-2.

The Monterey Bay Unified Air Pollution Control District (MBUAPCD) is one of 35 air quality management districts established to protect air quality in California. It is responsible for regulating stationary, indirect, and area sources of pollution within the North Central Coast Air Basin (NCCAB). The MBUAPCD's jurisdiction includes Monterey, Santa Cruz, and San Benito Counties. The City of Capitola is located in the NCCAB.

Construction-Related Impacts. The *GPU EIR* concluded that with the implementation of GPU EIR Mitigation Measures AIR-1a and AIR-1b, impacts would be less than significant.

Operational-Related Impacts. The *GPU EIR* concluded that no mitigation was available to reduce operational-related emissions, thus, impacts associated with the GPU would remain significant and unavoidable.

The proposed project involves policy-level documents, and as such, does not include any site-specific development designs or proposals. And while adoption and implementation of the 2023-2031 Housing Element would not directly result in the construction of new housing or pollutant emissions, it could facilitate housing construction consistent with adopted land use policy, which could then create potential pollutant emissions. A case-by-case review of future development proposals associated with implementation of the proposed project would be necessary to ensure that potential pollutant emissions do not conflict with or obstruct implementation of the applicable air quality plan, result in a cumulatively considerable net increase of any criteria pollutant, or be inconsistent with Federal, State, and local air quality standards; the applicable Air Quality Management Plan; and the *General Plan* goals, policies, and standards relative to air quality.

Future development proposals associated with implementation of the proposed project would be required to comply with all applicable regulations and development standards, along with project-specific conditions and mitigation measures to reduce potential impacts required as part of the development review and environmental impact processes. This can include, but is not limited to, Federal and State laws, regulations, and air quality standards; applicable Air Quality Management Plan; MBUAPCD rules and programs; *Municipal Code* requirements; and *General Plan* goals, policies, and implementation programs, including those identified in the proposed project, relative to air quality.

The previously noted goals, policies, actions, laws, regulations, standards, rules, and programs along with *GPU EIR* Mitigation Measures AIR-1a and AIR-1b ensure proposed project impacts are reduced to the maximum extent feasible, and that ambient air quality standard impacts remain as less than significant, while the air quality plan remains as significant and unavoidable as there are no applicable mitigation measures.

**Conclusion:** No New Impact. The changes associated with the proposed project would not result in any new impacts or increase the severity of impacts in this regard.

**C. WOULD THE PROJECT EXPOSE SENSITIVE RECEPTORS TO SUBSTANTIAL POLLUTANT CONCENTRATIONS?**

Land uses that are considered more sensitive to changes in air quality than others are referred to as sensitive receptors. Land uses such as primary and secondary schools, hospitals, and convalescent homes are considered to be sensitive to poor air quality because the very young, the old, and the infirm are more susceptible to respiratory infections and other air quality-related health problems than the general public. Residential uses are





considered sensitive because people in residential areas are often at home for extended periods of time, so they could be exposed to pollutants for extended periods. Per the *GPU EIR*, sensitive receptors within the City of Capitola include residential uses, schools, and libraries.

The *GPU EIR* determined that implementation of the *General Plan* would not directly result in increased population or new development. However, future development could result in mobile sources of emissions associated with vehicle trips, as well as project-level construction related emissions. Sensitive receptors could be potentially subject to stationary and/or vehicular emissions and pollutants such as toxic air contaminants from stationary sources, carbon monoxide (CO) emissions from vehicular traffic, and/or diesel emissions from construction-related emissions.

The *GPU EIR* concluded that implementation of the *General Plan* could result in increased exposure of sensitive land uses to localized concentrations of TACs that would exceed Monterey Bay Unified Air Pollution Control District's (MBUAPCD) recommended significance thresholds. However, future development within Capitola would be required to comply with MBUAPCD rules and regulations, including Rule 1000: Permit Guidelines and Requirements for Sources Emitting Toxic Air Contaminants. Additionally, any potential source of stationary emissions would be subject to MBUAPCD review and approval to ensure emissions do not create or substantially contribute to air quality violations. Stationary sources with potential toxic air contaminants would also be subject to MBUAPCD review and approval to ensure that there are no significant impacts to adjacent residents, sensitive receptors and/or other land uses. The *GPU EIR* concluded less than significant impacts relative to localized emissions and carbon monoxide impacts to sensitive receptors.

The *GPU EIR* concluded that buildout of the *General Plan* would result in less than significant impacts relative to exposing sensitive receptors to substantial pollutant concentrations.

The *General Plan* includes goals, policies, and actions relevant to substantial pollutant concentrations: Goal OSC-3, Policy OSC-3.5 Health Risk Assessments, Policy MO-3.1 Arterial Streets, Policy MO-3.2 Street Widening, Policy MO-3.3 Level of Service Standard, Action MO-3.1 Neighborhood Traffic, Action MO-3.2 Signal Timing, and Action MO-3.3 Traffic Monitoring. The *GPU EIR* concluded less than significant pollutant concentration impacts with implementation of the aforementioned *General Plan* policies and actions.

The proposed project involves policy-level documents, and as such, does not include any site-specific development designs or proposals. The 2023-2031 Housing Element is a policy document that establishes City direction for facilitating housing development pursuant to adopted land use plans. Future development proposals associated with implementation of the proposed project would be required to comply with the density and intensity standards set forth in the *General Plan* and current Zoning Ordinance.

In addition, future development proposals associated with implementation of the proposed project would be required to comply with all applicable regulations and development standards, along with project-specific conditions and mitigation measures to reduce potential impacts required as part of the development review and environmental impact processes. This can include, but is not limited to, Federal, State, and local laws, regulations, and air quality standards; MBUAPCD rules; *Building Code* requirements; *Municipal Code* requirements; *General Plan* goals, policies, and implementation programs; and *GPU EIR* Mitigation Measures AIR-1a and AIR-1b. The *GPU EIR* identified Mitigation Measure Mitigation Measures AIR-1a and AIR-1b would reduce impacts to less than significant for residential and other sensitive land uses. Thus, adoption and implementation of the proposed project would not directly result in the exposure of persons to substantial pollutant concentrations.





The previously noted goals, policies, actions, laws, regulations, standards, rules, programs, and mitigation measure ensure proposed project impacts are reduced to the maximum extent feasible, and that air quality impacts to sensitive receptors remain as less than significant.

**Conclusion:** No New Impact. The changes associated with the proposed project would not result in any new impacts or increase the severity of impacts in this regard.

**D. WOULD THE PROJECT RESULT IN OTHER EMISSIONS (SUCH AS THOSE LEADING TO ODORS) ADVERSELY AFFECTING A SUBSTANTIAL NUMBER OF PEOPLE?**

Potential operational airborne odors could be created by cooking activities associated with the residential and commercial (i.e., food service) uses within the City. These odors would be similar to existing residential and food service uses throughout the city and would be confined to the immediate vicinity of the new buildings. Restaurants are also typically required to provide ventilation systems that avoid substantial adverse odor impacts.

The *General Plan* accommodates the development of residential, commercial, industrial, public/religious, and open space/parks/recreation uses. These uses are not identified by the MBUAPCD as significant odor generators. Additionally, the policies included in the *General Plan* would reduce mobile and stationary source emissions and odors associated with diesel fuel by focusing on land use patterns that improve air quality, reduce air pollution from stationary sources, and encourage/enable more sustainable transit behavior. Consequently, implementation of the *General Plan* would not create operational-related objectionable odors affecting a substantial number of people within the City. The *GP EIR* concluded odor impacts to be less than significant.

The *General Plan* includes a policy relevant to odors: Policy SN-4.3 Sensitive Receptors. The *GPU EIR* concluded less than significant odor impacts with implementation of the aforementioned *General Plan* policy.

The proposed project involves policy-level documents, and as such, does not include any site-specific development designs or proposals. The 2023-2031 Housing Element is a policy document that establishes City direction for facilitating housing development pursuant to adopted land use plans. Future development proposals associated with implementation of the proposed project would be required to comply with the density and intensity standards set forth in the *Capitola General Plan* and current Zoning Ordinance.

Adoption and implementation of the proposed project would not directly result in the exposure of persons to other emissions or odors. However, future development proposals associated with implantation of the proposed project would be required to comply with all applicable regulations and development standards, along with project-specific conditions and mitigation measures to reduce potential impacts required as part of the development review and environmental impact processes. This can include, but is not limited to, Federal and State laws, regulations, and air quality standards; applicable Air Quality Management Plan; MBUAPCD rules and programs; *Municipal Code* requirements; and *General Plan* goals, policies, and implementation programs, including those identified in the proposed project, relative to air quality. The previously noted goals, policies, actions, laws, regulations, standards, rules, and programs along with *GPU EIR* Mitigation Measures AIR-1a and AIR-1b ensure proposed project impacts are reduced to the maximum extent feasible, and that other emissions or odor impacts remain as less than significant impacts.

**Conclusion:** No New Impact. The changes associated with the proposed project would not result in any new impacts or increase the severity of impacts in this regard.



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## 4.4 BIOLOGICAL RESOURCES

Would the project:	New Potentially Significant Impact	New Impact Requiring New Mitigation	No New Impact/ No Impact	Reduced Impact
A. Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service?			✓	
B. Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service?			✓	
C. Have a substantial adverse effect on state or federally protected wetlands (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?			✓	
D. Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?			✓	
E. Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?			✓	
F. Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?			✓	

## PRIOR ENVIRONMENTAL FINDINGS

### General Plan Update EIR

The table below summarizes the biological resources impacts and mitigation measures, if applicable.

BIOLOGICAL RESOURCES – SUMMARY OF IMPACTS AND MITIGATION MEASURES			
Impact	Significance Before Mitigation	Mitigation Measures	Significance With Mitigation
BIO-1: The proposed Plan would not result in significant impacts to special-status plant and animal species in the Plan Area.	Less Than Significant	Not Applicable	
BIO-2: The proposed Plan would not result in significant impacts to riparian habitat or other sensitive natural community.	Less Than Significant	Not Applicable	
BIO-3: The proposed Plan would not result in significant impacts to federally protected wetlands.	Less Than Significant	Not Applicable	
BIO-4: The proposed Plan would not 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.	Less Than Significant	Not Applicable	



BIOLOGICAL RESOURCES – SUMMARY OF IMPACTS AND MITIGATION MEASURES			
Impact	Significance Before Mitigation	Mitigation Measures	Significance With Mitigation
BIO-5: The proposed Plan would not conflict with Capitola’s Community Tree and Forest Management Ordinance.	Less Than Significant	Not Applicable	
BIO-6: The proposed Plan would not conflict with the Monterey Bay National Marine Sanctuary Management Plan.	Less Than Significant	Not Applicable	

Source: Capitola General Plan Update Environmental Impact Report (June 2014), Table 1-1, Summary of Impacts and Mitigation Measures

### IMPACT ANALYSIS

The 2023-2031 Housing Element includes policies and programs that are applicable City-wide and are designed to facilitate the construction of housing units to meet the City’s share of the regional housing need. The 2023-2031 Housing Element Chapter 4, Housing Need and Opportunities identifies potential residential sites and densities, inclusive of recyclable residential land, religious facility sites and State land housing, vacant and non-vacant land, and the Capitola Mall site. The 2023-2031 Housing Element Chapter 5, Housing Plan identifies the Goals, Policies, and Programs and Quantified Objectives that are based upon expected availability of resources to address the City’s housing needs, expectations regarding future housing development, as well as prior objectives established in earlier housing plans.

The 2023-2031 Housing Element is a policy document that would not change land use designations or in and of themselves authorize any development within the City. While the City is required by State law to facilitate development commensurate with its allocated share of regional housing needs, no change in the location or nature of allowable development would be authorized by the 2023-2031 Housing Element.

**A. WOULD THE PROJECT 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 GAME OR U.S. FISH AND WILDLIFE SERVICE?**

Subsequent projects under the *General Plan* that would involve development in areas where special status plant and animal species may occur would be subject to separate project-level environmental review pursuant to CEQA in order to identify and mitigate impacts to special-status species. Applicable federal, State, and local regulations, along with the proposed Plan goals, policies, and actions, would reduce potential impacts to special-status plant and animal species.

The *General Plan* includes goals, policies, and actions relative to special-status plant and animal species: Goal OSC-6, Policy OSC-6.1 Natural Diversity, Policy OSC-6.2 Environmentally Sensitive Areas, Policy OSC-6.3 Development Projects, Policy OSC-6.4 Regulatory Compliance, Policy OSC-6.6 Monterey Bay, Policy OSC-6.7 Regional Collaboration, Goal OSC-7, Policy OSC-7.1 Riparian Landscaping, Policy OSC-7.2 Soquel Creek, Policy OSC-7.3 Creek Alterations, Policy OSC-7.4 Creek Alteration Impacts, Policy OSC-7.5 Creek Restoration, Policy OSC-7.6 Wetland Protection, Policy OSC-7.7 Biological Study, Policy OSC-7.8 Wetland Habitat, Policy OSC-7.9 Creek Recreation and Access, and Action OSC-7.1 Riparian Plant List. The *GPU EIR* concluded less than significant impacts with implementation of the aforementioned *General Plan* goals, policies, and actions.



Various special status plant and animal species are known to occur or could potentially occur within the City. Although development within natural resource areas or areas potentially containing special-status plant and animal species is not anticipated, there is the potential for future development associated with implementation of the proposed project to significantly impact, either directly, or through habitat modifications, special status plant and wildlife species.

The proposed project would not result in a substantial adverse effect, either directly or through habitat modifications, on any sensitive species. Thus, adoption and implementation of the proposed project ensures impacts remain as less than significant impacts.

**Conclusion:** No New Impact. The changes associated with the proposed project would not result in any new impacts or increase the severity of impacts in this regard.

**B. WOULD THE PROJECT 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 GAME OR U.S. FISH AND WILDLIFE SERVICE?**

The *General Plan* includes goals, policies, and actions relative to riparian habitats: Policy OSC-6.1 Natural Diversity, Policy OSC-6.3 Development Projects, Policy OSC-6.4 Regulatory Compliance, Policy OSC-6.6 Monterey Bay, Policy OSC-6.7 Regional Collaboration, Policy OSC-7.1 Riparian Landscaping, Policy OSC-7.2 Soquel Creek, Policy OSC-7.3 Creek Alterations, Policy OSC-7.4 Creek Alteration Impacts, Policy OSC-7.5 Creek Restoration, Policy OSC-7.6 Wetland Protection, Policy OSC-7.7 Biological Study, Policy OSC-7.8 Wetland Habitat, Policy OSC-7.9 Creek Recreation and Access, and Action OSC-7.1 Riparian Plant List. The *GPU EIR* concluded less than significant impacts with implementation of the aforementioned *General Plan* goals, policies, and actions.

Riparian corridors in the City include the woodland along the west side of Soquel Creek from the Stockton Avenue Bridge to the Highway One overpass (Soquel Creek Riparian corridor), the Noble Gulch Riparian corridor, and the Tannery Gulch Riparian corridor. These corridors provide important natural resources, visual relief, and support for numerous wildlife and native vegetation.

The proposed project would not result in a substantial adverse effect on any riparian habitat or other sensitive natural community. Thus, adoption and implementation of the proposed project ensures impacts remain as less than significant impacts.

**Conclusion:** No New Impact. The changes associated with the proposed project would not result in any new impacts or increase the severity of impacts in this regard.

**C. WOULD THE PROJECT HAVE A SUBSTANTIAL ADVERSE EFFECT ON FEDERALLY PROTECTED WETLANDS AS DEFINED BY SECTION 404 OF THE CLEAN WATER ACT (INCLUDING, BUT NOT LIMITED TO, MARSH, VERNAL POOL, COASTAL, ETC.) THROUGH DIRECT REMOVAL, FILLING, HYDROLOGICAL INTERRUPTION, OR OTHER MEANS?**

The *General Plan* includes policies relative to wetlands: Policy OSC-6.1 Natural Diversity, Policy OSC-6.2 Environmentally Sensitive Areas, Policy OSC-6.3 Development Projects, Policy OSC-6.4 Regulatory Compliance, Policy OSC-6.6 Monterey Bay, Policy OSC-6.7 Regional Collaboration, Policy OSC-7.1 Riparian Landscaping, Policy



OSC-7.2 Soquel Creek, Policy OSC-7.3 Creek Alterations, Policy OSC-7.4 Creek Alteration Impacts, Policy OSC-7.5 Creek Restoration, Policy OSC-7.6 Wetland Protection, Policy OSC-7.7 Biological Study, Policy OSC-7.8 Wetland Habitat, Policy OSC-7.9 Creek Recreation and Access, and Action OSC-7.1 Riparian Plant List. The *GPU EIR* concluded less than significant impacts with implementation of the aforementioned *General Plan* policies and actions.

Future development activities within the City could potentially result in significant impacts to federally protected wetlands. Existing regulations would help to ensure that development associated with the proposed project would not cause a significant impact to federally protected wetlands. Compliance with the *Local Coastal Plan*, *General Plan*, and *Municipal Code*, would minimize potential impacts to wetlands. Future development associated with implementation of the proposed project could involve development in areas of potential wetlands, and would be subject to separate project-level environmental review pursuant to CEQA in order to identify and mitigate impacts.

The proposed project would not result in a substantial adverse effect on federally protected wetlands. Thus, adoption and implementation of the proposed project ensures impacts remain as less than significant impacts.

**Conclusion:** No New Impact. The changes associated with the proposed project would not result in any new impacts or increase the severity of impacts in this regard.

**D. WOULD THE PROJECT 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?**

The *General Plan* includes policies relative to native residents, migratory wildlife corridors, or native wildlife nursery sites: Policy OSC-6.1 Natural Diversity, Policy OSC-6.2 Environmentally Sensitive Areas, Policy OSC-6.3 Development Projects., Policy OSC-6.4 Regulatory Compliance, Policy OSC-6.6 Monterey Bay, Policy OSC-6.7 Regional Collaboration, Policy OSC-7.1 Riparian Landscaping, Policy OSC-7.2 Soquel Creek, Policy OSC-7.3 Creek Alterations, Policy OSC-7.4 Creek Alteration Impacts, Policy OSC-7.5 Creek Restoration, Policy OSC-7.6 Wetland Protection, Policy OSC-7.7 Biological Study, Policy OSC-7.8 Wetland Habitat, Policy OSC-7.9 Creek Recreation and Access, and Action OSC-7.1 Riparian Plant List. The *GPU EIR* concluded less than significant impacts with implementation of the aforementioned *General Plan* policies and actions.

Given the urbanized context of the City and the extent of existing development, opportunities for wildlife movement in the urbanized portion of the City are limited. Existing development, including buildings, major roadways, or other similar improvements, represent substantial barriers to wildlife movement. However, Soquel Creek runs through the middle of the City into the Monterey Bay. The creek is a year-round water source for the wildlife in the adjoining riparian corridor as well as an important wetland habitat. The lagoon area of the creek is the only significant habitat for migratory non-marine waterbirds within Capitola. In addition, the Creek and Lagoon supports steelhead with resident trout and non-sport species and southwestern pond turtles.

Monarch butterfly habitats are located along Soquel Creek and in the Escalona Gulch area. These areas provide overwintering sites for the migrating Monarch butterfly and are considered environmentally sensitive habitat areas (ESHA). The orientation of the groves to wind and sun, the size and density of the trees, and the quiet, undisturbed setting are among the factors that make these sites among the few in Santa Cruz County suitable for the butterflies. Both Escalona Gulch and Soquel Creek Monarch butterfly groves lie within areas designated for preservation as open space. Just outside the city limits between New Brighton Road and New Brighton State Park



campground is another overwintering site for Monarch butterflies. This grove is partly on State Park property and partly on private residential parcels.

The proposed project does not propose any changes to Soquel Creek or changes in land uses to areas containing Monarch butterfly habitats. Wildlife would continue to move within these areas.

Compliance with the *Local Coastal Plan, General Plan, and Municipal Code*, would minimize potential impacts to wildlife movement. Thus, adoption and implementation of the proposed project ensures impacts remain as less than significant impacts.

**Conclusion:** No New Impact. The changes associated with the proposed project would not result in any new impacts or increase the severity of impacts in this regard.

**E. WOULD THE PROJECT CONFLICT WITH ANY LOCAL POLICIES OR ORDINANCES PROTECTING BIOLOGICAL RESOURCES, SUCH AS A TREE PRESERVATION POLICY OR ORDINANCE?**

The *General Plan* includes several policies relative to tree management and tree removal: Policy OSC-6.1 Natural Diversity, Policy OSC-6.2 Environmentally Sensitive Areas, Policy OSC-6.3 Development Projects, and Policy OSC-6.4 Regulatory Compliance. The *GPU EIR* concluded less than significant impacts with implementation of the aforementioned *General Plan* policies and actions.

*Municipal Code* Chapter 12.12, Community Tree and Forest Management, establishes regulations relating to the protection, planting, maintenance, removal, and replacement of trees, and sets forth the process for development of a comprehensive plan for the planting and maintenance of a sustained community forest within the City.

The proposed project would not directly involve removal of trees; however, future development associated with implementation of the proposed project could potentially involve the removal of trees within the City. The Community Tree and Forest Management Ordinance requires a tree permit prior to the removal of any non-fruit bearing trees within the City. Permits for heritage tree removal are discretionary and are approved by the planning commission only in accordance with CEQA and if specific findings can be made. Permits for non-heritage tree removal are ministerial and are approved by the community development director or designee if specific findings can be made.

The proposed project would not conflict with any policies or ordinances protecting biological resources or trees. Thus, adoption and implementation of the proposed project ensures impacts remain as less than significant impacts.

**Conclusion:** No New Impact. The changes associated with the proposed project would not result in any new impacts or increase the severity of impacts in this regard.



**F. WOULD THE PROJECT CONFLICT WITH THE PROVISIONS OF AN ADOPTED HABITAT CONSERVATION PLAN, NATURAL COMMUNITY CONSERVATION PLAN, OR OTHER APPROVED LOCAL, REGIONAL, OR STATE HABITAT CONSERVATION PLAN?**

The *General Plan* includes policies relative to an adopted plan: Policy LU-3.7 Regional Outlook, Policy LU-13.4 New Brighton State Beach, Policy LU-13.6 Beach Management, Policy LU-13.7 Beach Structures, Action LU-14.3 Coastal Recreation, Policy OSC-6.1 Natural Diversity, Policy OSC-6.2 Environmentally Sensitive Areas, Policy OSC-6.3 Development Projects, Policy OSC-6.4 Regulatory Compliance, Policy OSC-6.6 Monterey Bay, Policy OSC-6.7 Regional Collaboration, and Policy OSC-6.8 Eco-Tourism. The *GPU EIR* concluded less than significant impacts with implementation of the aforementioned *General Plan* policies and actions.

The Monterey Bay National Marine Sanctuary Management Plan is the only conservation related plan that is applicable to Capitola.

The proposed project would not conflict with the Monterey Bay National Marine Sanctuary Management Plan. Thus, adoption and implementation of the proposed project ensures impacts remain as less than significant impacts.

**Conclusion:** No New Impact. The changes associated with the proposed project would not result in any new impacts or increase the severity of impacts in this regard.





## 4.5 CULTURAL AND TRIBAL CULTURAL RESOURCES

Would the project:	New Potentially Significant Impact	New Impact Requiring New Mitigation	No New Impact/ No Impact	Reduced Impact
A. Cause a substantial adverse change in the significance of a historical resource as defined in CEQA Guidelines Section 15064.5?			✓	
B. Cause a substantial adverse change in the significance of an archaeological resource pursuant to CEQA Guidelines Section 15064.5?			✓	
C. Disturb any human remains, including those interred outside of formal cemeteries?			✓	
D. 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:				
1) Listed or eligible for listing in the California Register of Historical Resources, or in the local register of historical resources as defined in Public Resources Code Section 5020.1(k)?			✓	
2) A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to the 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.			✓	

## PRIOR ENVIRONMENTAL FINDINGS

### General Plan Update EIR

The table below summarizes the cultural resources impacts and mitigation measures, if applicable.

CULTURAL RESOURCES – SUMMARY OF IMPACTS AND MITIGATION MEASURES			
Impact	Significance Before Mitigation	Mitigation Measures	Significance With Mitigation
CULT-1: The Plan would not cause a substantial adverse change in the significance of a historical resource as defined in Section 15064.5.	Less Than Significant		
CULT-2: Construction activities associated with implementation of the proposed Plan could cause a substantial adverse change in the significance of an archaeological resource pursuant to Section 15064.5.	Significant	CULT-2	Less Than Significant
CULT-3: Construction activities associated with implementation of the proposed Plan could directly or indirectly destroy a unique paleontological resource or site or unique geologic feature.	Significant	CULT-3: Refer to Mitigation Measure CULT-2	Less Than Significant
CULT-4: Construction activities associated with implementation of the proposed Plan could disturb human	Significant	CULT-4: Refer to Mitigation Measure CULT-2	Less Than Significant



**Addendum to the Capitola General Plan Update  
For the 2023-2031 Housing Element**

CULTURAL RESOURCES – SUMMARY OF IMPACTS AND MITIGATION MEASURES			
Impact	Significance Before Mitigation	Mitigation Measures	Significance With Mitigation
remains, including those interred outside of formal cemeteries.			
CULT-5: The Plan, in combination with past, present, and reasonably foreseeable projects, would result in less-than significant cumulative impacts with respect to cultural resources.	Less Than Significant		

Source: Capitola General Plan Update Environmental Impact Report (June 2014), Table 1-1, Summary of Impacts and Mitigation Measures

**Tribal Cultural Resources**

Assembly Bill 52 (AB 52) was signed into law in 2014 and added tribal cultural resources thresholds to *CEQA Guidelines* Appendix G.

The *GPU EIR* was certified in June 2014 and was not subject to AB 52. However, the *GPU EIR* included an extensive analysis of potential impacts to cultural resources. The *GPU EIR* found there is the potential for discovering such resources during construction of future development proposals in Capitola.

**IMPACT ANALYSIS**

The 2023-2031 Housing Element includes policies and programs that are applicable City-wide and are designed to facilitate the construction of housing units to meet the City’s share of the regional housing need. The 2023-2031 Housing Element Chapter 4, Housing Need and Opportunities identifies potential residential sites and densities, inclusive of recyclable residential land, religious facility sites and State land housing, vacant and non-vacant land, and the Capitola Mall site. The 2023-2031 Housing Element Chapter 5, Housing Plan identifies the Goals, Policies, and Programs and Quantified Objectives that are based upon expected availability of resources to address the City’s housing needs, expectations regarding future housing development, as well as prior objectives established in earlier housing plans.

The 2023-2031 Housing Element is a policy document that would not change land use designations or in and of themselves authorize any development within the City. While the City is required by State law to facilitate development commensurate with its allocated share of regional housing needs, no change in the location or nature of allowable development would be authorized by the 2023-2031 Housing Element.

**A. WOULD THE PROJECT CAUSE A SUBSTANTIAL ADVERSE CHANGE IN THE SIGNIFICANCE OF A HISTORICAL RESOURCE AS DEFINED IN CEQA GUIDELINES SECTION 15064.5?**

The *General Plan* includes goals, policies, and actions relative to historic resources: Goal LU-2, Policy LU-2.1 Historic Structures, Policy LU-2.2 Modification Standards, Policy LU-2.3 Preservation Incentives, Policy LU-2.4 Public Awareness, Action LU-2.1 Historic Structures List, Action LU-2.2 Public Outreach, Action LU-2.3 Historic Preservation Guidelines, Action LU-2.4, Goal LU-7, Policy LU-7.1 New Development Design, and Policy LU-7.3 Scenic Resources. The *GPU EIR* concluded less than significant impacts with implementation of the aforementioned *General Plan* goals, policies, and actions, and regulatory requirements.



There are 65 designated historic structures that are listed or are eligible for listing on the National Register of Historic Places, the California Historic Resources Inventory, or the Capitola Register of Historic Features within the city. In addition to designated historic structures, there are also several potential historic structures that have been identified by the City. Additionally, four areas of the City are identified as National Register Historic Districts. The *GPU EIR* noted that future development and/or redevelopment activities within or adjacent to these sites or districts could potentially cause a substantial adverse change in the significance of a historical resource and concluded impacts to be less than significant.

The proposed project involves policy-level documents, and as such, does not include any site-specific development designs or proposals. Thus, it is not possible at this time to conduct an assessment of potential site-specific historical resource impacts relative to future development proposals associated with implementation of the proposed project. Instead, a case-by-case review of future development proposals associated with implementation of the proposed project would be carried out to ensure that historically significant buildings and resources are preserved, as applicable, and that the future development proposals are consistent with all applicable *General Plan* goals and policies and *Municipal Code* regulations relative to historic resources. Thus, adoption and implementation of the proposed project ensures impacts remain as less than significant impacts.

**Conclusion:** No New Impact. The changes associated with the proposed project would not result in any new impacts or increase the severity of impacts in this regard.

**B. WOULD THE PROJECT CAUSE A SUBSTANTIAL ADVERSE CHANGE IN THE SIGNIFICANCE OF AN ARCHAEOLOGICAL RESOURCE PURSUANT TO CEQA GUIDELINES SECTION 15064.5?**

The *General Plan* includes goals, policies, and actions relative to archaeological resources: Goal LU-2, Policy LU-2.4 Public Awareness, and Action LU-2.2 Public Outreach. The *GPU EIR* concluded less than significant impacts with implementation of the aforementioned *General Plan* goals, policies, and actions, regulatory requirements, and mitigation measure CULT-2.

The City of Capitola contains areas identified by the *Local Coastal Program* as having a likelihood of prehistoric cultural resources, including archaeological resources. Future development and/or redevelopment activities within these areas could potentially cause a substantial adverse change in the significance of a known or unknown archaeological resource.

The proposed project involves policy-level documents, and as such, does not include any site-specific development designs or proposals. Thus, it is not possible at this time to conduct an assessment of potential site-specific archaeological resource impacts relative to future development proposals associated with implementation of the proposed project. Instead, A case-by-case review of future development proposals associated with implementation of the proposed project would be carried out to confirm the absence or presence of archaeological resources, as applicable, and that the future development proposals are consistent with all applicable *General Plan* goals and policies and *Municipal Code* regulations relative to archaeological resources, as well as *GPU EIR* Mitigation Measure CULT-2. Thus, adoption and implementation of the proposed project ensures impacts remain as less than significant impacts.

**Conclusion:** No New Impact. The changes associated with the proposed project would not result in any new impacts or increase the severity of impacts in this regard.



**C. WOULD THE PROJECT DISTURB ANY HUMAN REMAINS, INCLUDING THOSE INTERRED OUTSIDE OF FORMAL CEMETERIES?**

The *GPU EIR* concluded less than significant with mitigation impacts with implementation of regulatory requirements and mitigation measure CULT-4.

The *GPU EIR* identified that future development could have a significant environmental impact if it would disturb human remains, including those interred outside of formal cemeteries. The City of Capitola is built on the location of an Indian village that existed for more than a 1,000 years and contains areas identified within the *Local Coastal Program* Map I-1 as having a likelihood of prehistoric cultural resources. There are no other formal cemeteries within the City of Capitola.

Human remains are defined as any physical remains of a human being. The term "human remains" encompasses more than human bones. In ancient as well as historic times, Tribal Traditions included, but were not limited to, the burial of associated cultural resources (funerary objects) with the deceased, and the ceremonial burning of human remains. These remains are to be treated in the same manner as bone fragments that remain intact. Associated funerary objects are objects that, as part of the death rite or ceremony of a culture, are reasonably believed to have been placed with individual human remains either at the time of death or later; other items made exclusively for burial purposes or to contain human remains can also be considered as associated funerary objects.

The Native American Graves Protection and Repatriation Act (NAGPRA) provides guidance that agencies shall consult with organizations on whose aboriginal lands the remains and cultural items might be discovered, who are reasonably known to have a cultural relationship to the human remains and other cultural items.

In the event human remains are encountered during earth removal or disturbance activities associated with future development proposals associated with implementation of the proposed project, all activities would cease immediately and a qualified archaeologist and Native American monitor would be immediately contacted. California *Health and Safety Code* Section 7050.5 states that no further disturbance shall occur until the County Coroner has made a determination of origin and disposition pursuant to *Public Resources Code* Section 5097.98. The County Coroner must be notified of the find immediately. If the remains are determined to be prehistoric, the Coroner would notify the Native American Heritage Commission (NAHC), which will determine and notify a Most Likely Descendant (MLD). With the permission of the landowner or his/her authorized representative, the MLD may inspect the site of the discovery. The MLD shall complete the inspection within 48 hours of notification by the NAHC. The MLD may recommend scientific removal and nondestructive analysis of human remains and items associated with Native American burials.

The proposed project involves policy-level documents, and as such, does not include any site-specific development designs or proposals. Thus, it is not possible at this time to conduct an assessment of potential site-specific historical resource impacts relative to future development proposals associated with implementation of the proposed project. Instead, A case-by-case review of future development proposals associated with implementation of the proposed project would be carried out to confirm the absence or presence of human remains, and that the future development proposals comply with *Health and Safety Code* and *Public Resources Code* protocols. Thus, adoption and implementation of the proposed project ensures impacts remain as less than significant impacts.

**Conclusion:** No New Impact. The changes associated with the proposed project would not result in any new impacts or increase the severity of impacts in this regard.



- D. WOULD THE PROJECT CAUSE A SUBSTANTIAL ADVERSE CHANGE IN THE SIGNIFICANCE OF A TRIBAL CULTURAL RESOURCE, DEFINED IN PUBLIC RESOURCES CODE SECTION 21074 AS EITHER A SITE, FEATURE, PLACE, CULTURAL LANDSCAPE THAT IS GEOGRAPHICALLY DEFINED IN TERMS OF THE SIZE AND SCOPE OF THE LANDSCAPE, SACRED PLACE, OR OBJECT WITH CULTURAL VALUE TO A CALIFORNIA NATIVE AMERICAN TRIBE, AND THAT IS:**
- 1. LISTED OR ELIGIBLE FOR LISTING IN THE CALIFORNIA REGISTER OF HISTORICAL RESOURCES, OR IN THE LOCAL REGISTER OF HISTORICAL RESOURCES AS DEFINED IN PUBLIC RESOURCES CODE SECTION 5020.1(K)?**
  - 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 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.**

### **Tribal Consultation**

Chapter 532, Statutes of 2014 (AB 52), requires that Lead Agencies evaluate a project’s potential to impact “tribal cultural resources.” Such resources include “[s]ites, features, places, cultural landscapes, sacred places, and objects with cultural value to a California Native American tribe that are eligible for inclusion in the California Register of Historical resources or included in a local register of historical resources.” AB 52 also gives Lead Agencies the discretion to determine, supported by substantial evidence, whether a resource qualifies as a “tribal cultural resource.”

Also, per AB 52 (specifically *Public Resources Code [PRC] Section 21080.3.1*), Native American consultation is required upon request by a California Native American tribe that has previously requested that the City provide it with notice of such projects.

While tribal consultation is not required for an Addendum, the City contacted the Native American Heritage Commission (NAHC) in July 2023 requesting a list of potential Native American contacts for consultation. The NAHC provided a Tribal Consultation List to the City on July 27, 2023. In addition, the City reviewed its list of tribes that had requested AB 52 notification.

The City sent letters via email for the purposes of SB 18<sup>1</sup> and AB 52 consultation to eight tribes listed below on August 2, 2023:

1. Muwekma Ohlone Indian Tribe of the SF Bay Area
2. Amah Mutsun Tribal Band – Ed Ketchum, Vice-Chairperson
3. Amah Mutsun Tribal Band – Valentin Lopez, Chairperson
4. Amah Mutsun Tribal Band of Mission San Juan Bautista – Irene Zwierlein, Chairperson

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<sup>1</sup> SB 18 (Chapter 905, Statutes of 2004) (Public Resources Code Section 65352.3) requires cities and counties to contact and consult with California Native American tribes prior to amending or adopting any general plan or specific plan, or designating land as open space.



5. Costanoan Ohlone Rumsen-Mutsen Tribe – Patrick Orozco, Chairman
6. Indian Canyon Mutsun Band of Costanoan – Kanyon Sayers-Roods, MLD Contact
7. Indian Canyon Mutsun Band of Costanoan – Ann Marie Sayers, Chairperson
8. Wuksachi Indian Tribe/Eshom Valley Band – Kenneth Woodrow, Chairperson

The City’s letter specifically noted that the Housing Element is required to be updated every eight years, and within Santa Cruz County, jurisdictions are required to prepare, adopt, and receive certification from the California Department of Housing and Community Development (HCD) of their 6<sup>th</sup> cycle Housing Element by December 15, 2023. As such, the City respectfully requested that each tribe respond within 30 days for the both the SB 18 and AB 32 consultation.

At the conclusion of the 30-day period, the City received no requests for SB 18 or AB 52 consultation. However, the Amah Mutsun Tribal Band of San Juan Bautista and A.M.T.B. Inc. provided a Letter of Response to the City on August 17, 2023. The Letter of Response provided recommendations regarding cultural sensitivity training, qualified California trained archeological monitors to be present during earth movement, and qualified native American monitors during earth movement. In addition, hourly rates for monitoring were provided in the Letter of Response.

### **Impact Analysis**

Whatever the linguistic affiliation, Native Americans in and around the City of Capitola exhibited similar organization and resource procurement strategies. Villages were based on clan or lineage groups. Their home/base sites are marked by midden deposits, often with bedrock mortars. During their seasonal rounds to exploit plant resources, small groups would migrate within their traditional territory in search of specific plants and animals. Their gathering strategies often left behind signs of special use sites, usually grinding slicks on bedrock boulders, at the locations of the resources.

Given the long-standing history of the multiple tribes in and around the City of Capitola, there is the potential that the construction of future development proposals associated with implementation of the proposed project would impact tribal cultural resources. Past construction and development practices in the City were not as sensitive to tribal cultural resources as current practices. Thus, ground-disturbing activities, such as grading or excavation, could disturb previously unidentified subsurface resources.

The proposed project involves policy-level documents, and as such, does not include any site-specific development designs or proposals. Thus, it is not possible at this time to conduct an assessment of potential site-specific tribal cultural resource impacts relative to future development proposals associated with implementation of the proposed project. Instead, A case-by-case review of future development proposals associated with implementation of the proposed project would be carried out to confirm the absence or presence of tribal cultural resources, as applicable, and that the future development proposals are consistent with all applicable *General Plan* goals and policies and *Municipal Code* regulations relative to tribal cultural resources. Thus, adoption and implementation of the proposed project ensures impacts remain as less than significant impacts.

**Conclusion:** No New Impact. The changes associated with the proposed project would not result in any new impacts or increase the severity of impacts in this regard.





## 4.6 ENERGY

Would the project:	New Potentially Significant Impact	New Impact Requiring New Mitigation	No New Impact/ No Impact	Reduced Impact
A. Result in potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy resources, during project construction or operation?			✓	
B. Conflict with or obstruct a state or local plan for renewable energy or energy efficiency?			✓	

### PRIOR ENVIRONMENTAL FINDINGS

#### General Plan Update EIR

The *GPU EIR* disclosed that buildout of the *General Plan* would entail the commitment of nonrenewable and/or slowly renewable energy resources. As the community continues to develop, the *GPU EIR* noted that both residential and nonresidential development would require further commitment of energy resources in the form of natural gas and electricity generated by coal, hydroelectric power, or nuclear energy. Increased motor vehicle travel within the City resulting from the *General Plan* also would be accompanied by increased consumption of petroleum products. However, the *GPU EIR* did not identify any impacts due to wasteful, inefficient, or unnecessary consumption of energy resources, or due to a conflict with or obstruction of a State or local plan for renewable energy or energy efficiency.

The *AMBAG Regional Energy Plan* was developed and adopted in 2006, and later updated in 2008. The objective of the regional energy plan to lay out the region’s joint approach to establishing an energy vision through objectives, goals, and action plans that will mitigate future energy impacts on the region. This cooperative approach is leveraged to reduce overall costs and challenges of compliance with AB 32 requirements. The 2006 *Energy Plan* laid out a set of four Plan objectives, goals, and action steps for the region, as listed in *GPU EIR* Table 4.15-7. As shown in *GPU EIR* Table 4.15-7, the *General Plan* would be consistent with the *AMBAG Regional Energy Plan*.

The *GPU EIR* concluded less than significant impacts to energy resources.

### IMPACT ANALYSIS

The 2023-2031 Housing Element includes policies and programs that are applicable City-wide and are designed to facilitate the construction of housing units to meet the City’s share of the regional housing need. The 2023-2031 Housing Element Chapter 4, Housing Need and Opportunities identifies potential residential sites and densities, inclusive of recyclable residential land, religious facility sites and State land housing, vacant and non-vacant land, and the Capitola Mall site. The 2023-2031 Housing Element Chapter 5, Housing Plan identifies the Goals, Policies, and Programs and Quantified Objectives that are based upon expected availability of resources to address the



City’s housing needs, expectations regarding future housing development, as well as prior objectives established in earlier housing plans.

The 2023-2031 Housing Element is a policy document that would not change land use designations or in and of themselves authorize any development within the City. While the City is required by State law to facilitate development commensurate with its allocated share of regional housing needs, no change in the location or nature of allowable development would be authorized by the 2023-2031 Housing Element.

- A. WOULD THE PROJECT RESULT IN POTENTIALLY SIGNIFICANT ENVIRONMENTAL IMPACT DUE TO WASTEFUL, INEFFICIENT, OR UNNECESSARY CONSUMPTION OF ENERGY RESOURCES, DURING PROJECT CONSTRUCTION OR OPERATION?**
  
- B. WOULD THE PROJECT CONFLICT WITH OR OBSTRUCT A STATE OR LOCAL PLAN FOR RENEWABLE ENERGY OR ENERGY EFFICIENCY?**

The proposed project involves policy-level documents, and as such, does not include any site-specific development designs or proposals. Future development proposals associated with implementation of the proposed project would be required to comply with all applicable regulations and development standards, including but not limited to the most current adopted version of the *California Building Code* and *California Green Building Standards Code*, along with project-specific conditions and mitigation measures to reduce potential energy impacts required as part of the development review and environmental impact processes. The proposed project would not result in impacts to energy resources, or conflict with or obstruct any plans addressing renewable energy or energy efficiency. Thus, adoption and implementation of the proposed project ensures impacts remain as no impacts.

**Conclusion:** No New Impact. The changes associated with the proposed project would not result in any new impacts or increase the severity of impacts in this regard.





## 4.7 GEOLOGY AND SOILS

Would the project:	New Potentially Significant Impact	New Impact Requiring New Mitigation	No New Impact/ No Impact	Reduced Impact
A. Directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury, or death involving:				
1) Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42.			✓	
2) Strong seismic ground shaking?			✓	
3) Seismic-related ground failure, including liquefaction?			✓	
4) Landslides?			✓	
B. Result in substantial soil erosion or the loss of topsoil?			✓	
C. Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on-or off-site landslide, lateral spreading, subsidence, liquefaction, or collapse?			✓	
D. Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial risks to life or property?			✓	
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?			✓	
F. Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?			✓	

## PRIOR ENVIRONMENTAL FINDINGS

### General Plan Update EIR

The table below summarizes the geology and soils impacts and mitigation measures, if applicable.

GEOLOGY AND SOILS – SUMMARY OF IMPACTS AND MITIGATION MEASURES			
Impact	Significance Before Mitigation	Mitigation Measures	Significance With Mitigation
GEO-1: The proposed Plan would not expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving surface rupture along a known active fault; strong seismic ground shaking; seismic-related ground failure, including liquefaction; and landslides.	Less Than Significant		
GEO-2: Implementation of the proposed Plan would not result in substantial soil erosion or the loss of topsoil.	Less Than Significant		



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GEOLOGY AND SOILS – SUMMARY OF IMPACTS AND MITIGATION MEASURES			
Impact	Significance Before Mitigation	Mitigation Measures	Significance With Mitigation
GEO-3: Development under the proposed Plan would not result in a significant impact related to development on unstable geologic units and soils or result in on- or off-site landslide, lateral spreading, subsidence, liquefaction, or collapse.	Less Than Significant		
GEO-4: Development under the proposed Plan would not create substantial risks to life or property as a result of its location on expansive soil.	Less Than Significant		
GEO-5: Development under the proposed Plan would not result in impacts associated with the use of septic tanks or alternative waste water disposal systems where sewers are not available for the disposal of wastewater.	Less Than Significant		
GEO-6: The proposed Plan, in combination with past, present, and reasonably foreseeable projects, would not result in significant cumulative impacts with respect to geology and soils.	Less Than Significant		

Source: Capitola General Plan Update Environmental Impact Report (June 2014), Table 1-1, Summary of Impacts and Mitigation Measures

**IMPACT ANALYSIS**

The 2023-2031 Housing Element includes policies and programs that are applicable City-wide and are designed to facilitate the construction of housing units to meet the City’s share of the regional housing need. The 2023-2031 Housing Element Chapter 4, Housing Need and Opportunities identifies potential residential sites and densities, inclusive of recyclable residential land, religious facility sites and State land housing, vacant and non-vacant land, and the Capitola Mall site. The 2023-2031 Housing Element Chapter 5, Housing Plan identifies the Goals, Policies, and Programs and Quantified Objectives that are based upon expected availability of resources to address the City’s housing needs, expectations regarding future housing development, as well as prior objectives established in earlier housing plans.

The 2023-2031 Housing Element is a policy document that would not change land use designations or in and of themselves authorize any development within the City. While the City is required by State law to facilitate development commensurate with its allocated share of regional housing needs, no change in the location or nature of allowable development would be authorized by the 2023-2031 Housing Element.

- A. WOULD THE PROJECT DIRECTLY OR INDIRECTLY CAUSE POTENTIAL SUBSTANTIAL ADVERSE EFFECTS, INCLUDING THE RISK OF LOSS, INJURY, OR DEATH INVOLVING:**
  - 1. RUPTURE OF A KNOWN EARTHQUAKE FAULT, AS DELINEATED ON THE MOST RECENT ALQUIST-PRIOLO EARTHQUAKE FAULT ZONING MAP ISSUED BY THE STATE GEOLOGIST FOR THE AREA OR BASED ON OTHER SUBSTANTIAL EVIDENCE OF A KNOWN FAULT? REFER TO DIVISION OF MINES AND GEOLOGY SPECIAL PUBLICATION 42.**

The GPU EIR concluded that no Alquist-Priolo Earthquake Fault Zones have been identified within the City Area. Therefore, the risk of surface fault rupture within the City Area is considered low.



California, including the City of Capitola, is subject to the effects of seismic activity due to the active faults that traverse the area. Active faults are defined as those that have experienced surface displacement within Holocene time (approximately the last 11,000 years) and/or are in a State-designated Alquist-Priolo Earthquake Fault Zone. No Alquist-Priolo Earthquake Fault zones exist within the City of Capitola. Thus, adoption and implementation of the proposed project ensures impacts remain as less than significant impacts.

**Conclusion:** No New Impact. The changes associated with the proposed project would not result in any new impacts or increase the severity of impacts in this regard.

## 2. STRONG SEISMIC GROUND SHAKING?

The *General Plan* includes goals, policies, and actions relative to seismic ground shaking: Goal SN-2, Policy SN-2.1 Development Restrictions, Policy SN-2.2 Mitigation, Policy SN-2.3 Seismic Analysis, Policy SN-2.4 Bluff Erosion, Policy SN-2.5 Retrofits, Policy SN-2.6 Hazard Considerations, Policy SN-2.7 Public Outreach, Policy SN-2.8 Critical Facilities and Services, Policy SN-2.9 State Standard, Action SN-2.1 Funding, Action SN-2.2 Transportation Infrastructure, Action SN-2.3 Data Accuracy, and Action SN-2.4 URM Program. The *GPU EIR* concluded less than significant impacts with implementation of the aforementioned General Plan goals, policies, and actions, and regulatory requirements.

The City of Capitola, similar to the rest of California, is located within a seismically active region as a result of being located near the active margin between the North American and Pacific tectonic plates. The City is subject to seismic ground shaking due to the close proximity and potential earthquake magnitude of the San Andreas, the Zayante, and the Palo Colorado-San Gregorio faults.

The intensity of groundshaking and degree of impact would depend upon the magnitude of the earthquake, distance to the epicenter, and the geology of the area between the epicenter and the development site. Additionally, the soil and geologic structure underlying a development site would influence the amount of damage that the site may experience. Potential damage to existing and new structures cannot be precluded. Structural vulnerabilities in older buildings that are less earthquake resistant are most likely to contribute to the largest source of injury and economic loss, as a result of an earthquake. Damage to infrastructure, including roadways, bridges, water and wastewater lines, gas lines, power poles, storm drainage, and other public facilities, could also occur due to an earthquake event.

The proposed project involves policy-level documents, and as such, does not include any site-specific development designs or proposals. The *California Building Code* includes specific design measures, which are based on the determination of Site Classification and Seismic Design Categories specific to a project site. These design measures are intended to maximize structural stability in the event of an earthquake. Future development proposals associated with implementation of the proposed project would be required to comply with all applicable regulations and development standards, including but not limited to the most current adopted version of the *California Building Code*, along with project-specific conditions and mitigation measures, to reduce potential impacts required as part of the development review and environmental impact processes. Thus, adoption and implementation of the proposed project ensures impacts remain as less than significant impacts with implementation of regulatory requirements and standard conditions of approval.

**Conclusion:** No New Impact. The changes associated with the proposed project would not result in any new impacts or increase the severity of impacts in this regard.



**3. SEISMIC-RELATED GROUND FAILURE, INCLUDING LIQUEFACTION?**

**4. LANDSLIDES?**

The *General Plan* includes goals, policies, and actions relative to seismic ground shaking: Goal SN-2, Policy SN-2.1 Development Restrictions, Policy SN-2.2 Mitigation, Policy SN-2.3 Seismic Analysis, Policy SN-2.4 Bluff Erosion, Policy SN-2.5 Retrofits, Policy SN-2.6 Hazard Considerations, Policy SN-2.7 Public Outreach, Policy SN-2.8 Critical Facilities and Services, Policy SN-2.9 State Standard, Action SN-2.1 Funding, Action SN-2.2 Transportation Infrastructure, Action SN-2.3 Data Accuracy, and Action SN-2.4 URM Program. The *GPU EIR* concluded less than significant impacts with implementation of the aforementioned General Plan goals, policies, and actions, and regulatory requirements.

Seismic agitation of relatively loose saturated sands, silty sands, and some silts can result in a buildup of pore pressure. If the pore pressure exceeds the overburden stresses, a temporary quick condition known as liquefaction can occur. Liquefaction effects can manifest in several ways including: 1) loss of bearing; 2) lateral spread; 3) dynamic settlement; and 4) flow failure. Lateral spreading has typically been the most damaging mode of failure. In general, the more recent that a sediment has been deposited, the more likely it will be susceptible to liquefaction. Other factors that must be considered are groundwater, confining stresses, relative density, and the intensity and duration of seismically-induced ground shaking.

The geologic and topographic characteristics of an area often determine its potential for landslides. Steep slopes, the extent of erosion, and the rock composition of a hillside all contribute to the potential slope failure and landslide events.

Capitola contains areas with slopes greater than 50 percent, which are susceptible to landslides and mudflows as shown on *GPU EIR* Figure 4.5-3. The majority of these areas are coastal bluffs, escarpments of decomposed rock, or soil resulting from erosion or faulting with a vertical elevation of at least 10 feet. Coastal bluff areas within Capitola that have steep topography include Cliff Drive and surrounding open space as well as shoreline residences and open space areas of the Depot Hill neighborhood, between the Village and New Brighton State Park. In addition to the coastal bluffs, there are areas along Soquel Creek, Nobel Gulch, and Tannery Gulch that have steep slopes that could be susceptible to landslides and mudflows.

The proposed project involves policy-level documents, and as such, does not include any site-specific development designs or proposals. Future development proposals associated with implementation of the proposed project would be required to comply with all applicable regulations and development standards, including but not limited to the most current adopted version of the *California Building Code*, preparation of site-specific geologic studies, project-specific conditions, and mitigation measures as applicable, to reduce potential impacts required as part of the development review and environmental impact processes. Thus, adoption and implementation of the proposed project ensures seismic-related ensures ground failure impacts remain as less than significant impacts with implementation of regulatory requirements and standard conditions of approval, and that earthquake-induced landslides impacts remain as less than significant impacts.

**Conclusion:** No New Impact. The changes associated with the proposed project would not result in any new impacts or increase the severity of impacts in this regard.



**B. WOULD THE PROJECT RESULT IN SUBSTANTIAL SOIL EROSION OR THE LOSS OF TOPSOIL?**

The *General Plan* includes goals, policies, and actions relative to soil erosion or loss of topsoil: Goal SN-2, Policy SN-2.1 Development Restrictions, Policy SN-2.2 Mitigation, Policy SN-2.3 Seismic Analysis, Policy SN-2.4 Bluff Erosion, Policy SN-2.5 Retrofits, Policy SN-2.6 Hazard Considerations, Policy SN-2.7 Public Outreach, Policy SN-2.8 Critical Facilities and Services, Policy SN-2.9 State Standard, Action SN-2.1 Funding, Action SN-2.2 Transportation Infrastructure, Action SN-2.3 Data Accuracy, and Action SN-2.4 URM Program. The *GPU EIR* concluded less than significant impacts with implementation of the aforementioned General Plan goals, policies, and actions, and regulatory requirements.

The proposed project involves policy-level documents, and as such, does not include any site-specific development designs or proposals. Future development proposals associated with implementation of the proposed project involving demolition and/or construction activities would be subject to compliance with the *California Building Code*, as well as the requirements set forth in the National Pollutant Discharge Elimination System (NPDES) Storm Water General Construction Permit for construction activities. The NPDES Storm Water General Construction Permit requires preparation of a Storm Water Pollution Prevention Plan, which would identify specific erosion and sediment control Best Management Practices that would be implemented to protect storm and non-storm water runoff during construction and post-development activities, inclusive of low impact development (LID) design considerations and operational and maintenance requirements. Compliance with the *California Building Code* and NPDES would minimize effects from erosion and ensure consistency with the Central Coast Regional Water Quality Control Board Water Quality Control Plan. Thus, adoption and implementation of the proposed project ensures that soil erosion impacts remain as less than significant impacts with implementation of regulatory requirements and standard conditions of approval.

**Conclusion:** No New Impact. The changes associated with the proposed project would not result in any new impacts or increase the severity of impacts in this regard.

**C. WOULD THE PROJECT 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 AN ON-SITE OR OFF-SITE LANDSLIDE, LATERAL SPREADING, SUBSIDENCE, LIQUEFACTION OR COLLAPSE?**

Refer to Responses A.1.3 and A.1.4.

**Conclusion:** No New Impact. The changes associated with the proposed project would not result in any new impacts or increase the severity of impacts in this regard.

**D. WOULD THE PROJECT 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?**

The *General Plan* includes goals, policies, and actions relative to expansive soils: Goal SN-2, Policy SN-2.1 Development Restrictions, Policy SN-2.2 Mitigation, Policy SN-2.6 Hazard Considerations, Policy SN-2.7 Public Outreach, Policy SN-2.9 State Standard, and Action SN-2.3 Data Accuracy. The *GPU EIR* concluded less than significant impacts with implementation of the aforementioned General Plan goals, policies, and actions, and regulatory requirements.



Expansive soils can be a problem, as variation in moisture content will cause a volume change in the soil. Expansive soils heave when moisture is introduced and contract as they dry. During inclement weather and/or excessive landscape watering, moisture infiltrates the soil and causes the soil to heave (expansion). When drying occurs the soils will shrink (contraction). Repeated cycles of expansion and contraction of soils can cause pavement, concrete slabs on grade and foundations to crack. This movement can also result in misalignment of doors and windows.

The proposed project involves policy-level documents, and as such, does not include any site-specific development designs or proposals. Future development proposals associated with implementation of the proposed project would be required to comply with all applicable regulations and development standards, including but not limited to the most current adopted version of the *California Building Code*, preparation of site-specific geologic studies, project-specific conditions, and mitigation measures, as applicable, to reduce potential impacts required as part of the development review and environmental impact processes. Thus, adoption and implementation of the proposed project ensures that expansive soil impacts remain as less than significant impacts with implementation of regulatory requirements and standard conditions of approval.

**Conclusion:** No New Impact. The changes associated with the proposed project would not result in any new impacts or increase the severity of impacts in this regard.

**E. WOULD THE PROJECT 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?**

All existing development within the City is connected to a sewer system for the disposal of wastewater. The proposed project involves policy-level documents, and as such, does not include any site-specific development designs or proposals. Future development proposals associated with implementation of the proposed project would be required to connect to a sewer system, as well as comply with all applicable regulations, development standards, project-specific conditions, and mitigation measures, as applicable. Thus, adoption and implementation of the proposed project ensures that septic tank or alternative waste water disposal system impacts remain as less than significant impacts.

**Conclusion:** No New Impact. The changes associated with the proposed project would not result in any new impacts or increase the severity of impacts in this regard.

**F. WOULD THE PROJECT DIRECTLY OR INDIRECTLY DESTROY A UNIQUE PALEONTOLOGICAL RESOURCE OR SITE OR UNIQUE GEOLOGIC FEATURE?**

The City of Capitola contains areas identified within the *Local Coastal Program* Map I-1 as having a likelihood of prehistoric cultural resources, including paleontological resources. The entire coastal bluff area in Capitola is composed at least partially of the Purisima Formation. Paleontological resources found within the City have been located in this Purisima Formation. The *GPU EIR* identified that future development and/or redevelopment within Archaeological/Paleontological Sensitivity Areas could potentially destroy a unique paleontological resource, and would be subject to the *Coastal Act*, *Municipal Code*, and *GPU EIR* Mitigation Measure CULT-2 to avoid or mitigate impacts to paleontological resources.



The proposed project involves policy-level documents, and as such, does not include any site-specific development designs or proposals. There is the potential that future development projects could uncover paleontological resources or unique geologic features. Thus, adoption and implementation of the proposed project ensures that unique paleontological resources or geological features impacts remain as less than significant impacts with implementation of regulatory requirements, standard conditions of approval, and *GPU EIR* Mitigation Measure CULT-2.

**Conclusion:** No New Impact. The changes associated with the proposed project would not result in any new impacts or increase the severity of impacts in this regard.



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## 4.8 GREENHOUSE GASES

	New Potentially Significant Impact	New Impact Requiring New Mitigation	No New Impact/ No Impact	Reduced Impact
<b>Would the project:</b>				
A. Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?			✓	
B. Conflict with an applicable plan, policy, or regulation adopted for the purpose of reducing the emissions of greenhouse gases?			✓	

## PRIOR ENVIRONMENTAL FINDINGS

### General Plan Update EIR

The table below summarizes the greenhouse gas emissions impacts and mitigation measures, if applicable.

GREENHOUSE GAS EMISSIONS – SUMMARY OF IMPACTS AND MITIGATION MEASURES			
Impact	Significance Before Mitigation	Mitigation Measures	Significance With Mitigation
GHG-1: GHG emissions associated with the proposed Plan would exceed MBAUAPCD’s proposed GHG significance threshold of 2,000 MTCO <sub>2</sub> e per year.	Significant	GHG-1	Significant Unavoidable
GHG-2: The proposed Plan would not conflict with applicable plans, policies, or regulations adopted for the purpose of reducing GHG emissions.	Less Than Significant	Not Applicable	
GHG-3: The proposed Plan, in combination with past, present, and reasonably foreseeable projects, would result in a significant cumulative impact with respect to GHG emissions.	Significant	GHG-3: Implement Mitigation Measure GHG-1	Significant Unavoidable

Source: Capitola General Plan Update Environmental Impact Report (June 2014), Table 1-1, Summary of Impacts and Mitigation Measures

## IMPACT ANALYSIS

The 2023-2031 Housing Element includes policies and programs that are applicable City-wide and are designed to facilitate the construction of housing units to meet the City’s share of the regional housing need. The 2023-2031 Housing Element Chapter 4, Housing Need and Opportunities identifies potential residential sites and densities, inclusive of recyclable residential land, religious facility sites and State land housing, vacant and non-vacant land, and the Capitola Mall site. The 2023-2031 Housing Element Chapter 5, Housing Plan identifies the Goals, Policies, and Programs and Quantified Objectives that are based upon expected availability of resources to address the City’s housing needs, expectations regarding future housing development, as well as prior objectives established in earlier housing plans.

The 2023-2031 Housing Element is a policy document that would not change land use designations or in and of themselves authorize any development within the City. While the City is required by State law to facilitate



development commensurate with its allocated share of regional housing needs, no change in the location or nature of allowable development would be authorized by the 2023-2031 Housing Element.

- A. WOULD THE PROJECT GENERATE GREENHOUSE GAS EMISSIONS, EITHER DIRECTLY OR INDIRECTLY, THAT MAY HAVE A SIGNIFICANT IMPACT ON THE ENVIRONMENT?**
  
- B. WOULD THE PROJECT CONFLICT WITH AN APPLICABLE PLAN, POLICY, OR REGULATION ADOPTED FOR THE PURPOSE OF REDUCING THE EMISSIONS OF GREENHOUSE GASES?**

The *General Plan* includes numerous policies relative to greenhouse gas emissions, plans, policies, or regulations, which are restated on GPU EIR pages 4.15-17 to 4.15-22. The *GPU EIR* concluded less than significant impacts and significant unavoidable impacts with implementation of *General Plan* policies and actions, and mitigation measures.

The proposed project involves policy-level documents, and as such, does not include any site-specific development designs or proposals. Future development proposals associated with implementation of the proposed project would be required to comply with all applicable regulations and development standards, including but not limited to the most current adopted version of the *California Building Code* and *California Green Building Standards Code*, along with project-specific conditions and mitigation measures to reduce potential impacts required as part of the development review and environmental impact processes.

In addition, the *General Plan* includes goals and policies in the Open Space and Conservation Element that address that following topics:

- General Environmental Sustainability and Stewardship
- Climate Change and Greenhouse Gas Reduction
- Air Quality
- Renewable Energy Sources and Energy Conservation
- Biological Resources
- Water Quality and Conservation
- Food Production
- Waste Reduction

The Open Space and Conservation Element goals and policies support actions to reduce the use of resources and energy, and thus, the creation of greenhouse gas emissions. Future development proposals associated with implementation of the proposed project would be subject to these policies, as applicable.

The *GPU EIR* identified that Mitigation Measure GHG-1 (Preparation, Adoption, and Implementation of Climate Action Plan) would be applicable to future development proposals in the City. The City adopted its first *Climate Action Plan (CAP)* on October 22, 2015. The *CAP* identifies strategies and actions to reduce greenhouse gas emissions from City government operations and community activities to support the State of California’s efforts to mitigate the effects of climate change.



Thus, adoption and implementation of the proposed project ensures greenhouse gas emissions or conflicts with adopted plans, policies, and regulations remain as less than significant impacts with implementation of Mitigation Measure GHG-1 (Climate Action Plan).

**Conclusion:** No New Impact. The changes associated with the proposed project would not result in any new impacts or increase the severity of impacts in this regard.



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## 4.9 HAZARDS AND HAZARDOUS MATERIALS

Would the project:	New Potentially Significant Impact	New Impact Requiring New Mitigation	No New Impact/ No Impact	Reduced Impact
A. Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?			✓	
B. Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?			✓	
C. Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?			✓	
D. Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?			✓	
E. For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard for people residing or working in the project area?			✓	
F. Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?			✓	

## PRIOR ENVIRONMENTAL FINDINGS

### General Plan Update EIR

The table below summarizes the hazards and hazardous materials impacts and mitigation measures, if applicable.

HAZARDS AND HAZARDOUS MATERIALS- SUMMARY OF IMPACTS AND MITIGATION MEASURES			
Impact	Significance Before Mitigation	Mitigation Measures	Significance With Mitigation
HAZ-1: The proposed Plan would not create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials.	Less Than Significant	Not Applicable	
HAZ-2: The proposed Plan would not 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.	Less Than Significant	Not Applicable	
HAZ-3: The proposed Plan would not result in significant impacts associated with hazardous emissions or handling of hazardous or acutely hazardous materials, substances, or waste within ¼-mile of an existing or proposed school.	Less Than Significant	Not Applicable	
HAZ-4: Implementation of the Plan would not create a significant hazard to the public or the environment as a result of development on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5.	Less Than Significant	Not Applicable	



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HAZARDS AND HAZARDOUS MATERIALS– SUMMARY OF IMPACTS AND MITIGATION MEASURES			
Impact	Significance Before Mitigation	Mitigation Measures	Significance With Mitigation
HAZ-5: Implementation of the proposed Plan would not result in a safety hazard for people residing or working in the area due to development within an airport land use plan or, where such a plan has not been adopted, within 2 miles of a public airport or public use airport.	No Impact	Not Applicable	
HAZ-6: Implementation of the proposed Plan would not result in a safety hazard for people residing or working in the Plan Area due to development in the vicinity of a private airstrip.	No Impact	Not Applicable	
HAZ-7: The proposed Plan would not impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan.	Less Than Significant	Not Applicable	
HAZ-8: Implementation of the proposed Plan would not expose people or structures to a significant risk of loss, injury, or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands.	Less Than Significant	Not Applicable	
HAZ-9: The proposed Plan, in combination with past, present, and reasonably foreseeable projects, would result in less-than-significant cumulative impacts with respect to hazards and hazardous materials.	Less Than Significant	Not Applicable	

Source: Capitola General Plan Update Environmental Impact Report (June 2014), Table 1-1, Summary of Impacts and Mitigation Measures

**IMPACT ANALYSIS**

The 2023-2031 Housing Element includes policies and programs that are applicable City-wide and are designed to facilitate the construction of housing units to meet the City’s share of the regional housing need. The 2023-2031 Housing Element Chapter 4, Housing Need and Opportunities identifies potential residential sites and densities, inclusive of recyclable residential land, religious facility sites and State land housing, vacant and non-vacant land, and the Capitola Mall site. The 2023-2031 Housing Element Chapter 5, Housing Plan identifies the Goals, Policies, and Programs and Quantified Objectives that are based upon expected availability of resources to address the City’s housing needs, expectations regarding future housing development, as well as prior objectives established in earlier housing plans.

The 2023-2031 Housing Element is a policy document that would not change land use designations or in and of themselves authorize any development within the City. While the City is required by State law to facilitate development commensurate with its allocated share of regional housing needs, no change in the location or nature of allowable development would be authorized by the 2023-2031 Housing Element.



- A. WOULD THE PROJECT CREATE A SIGNIFICANT HAZARD TO THE PUBLIC OR THE ENVIRONMENT THROUGH THE ROUTINE TRANSPORT, USE, OR DISPOSAL OF HAZARDOUS MATERIALS?**
- B. WOULD THE PROJECT CREATE A SIGNIFICANT HAZARD TO THE PUBLIC OR THE ENVIRONMENT THROUGH REASONABLY FORESEEABLE UPSET AND ACCIDENT CONDITIONS INVOLVING THE RELEASE OF HAZARDOUS MATERIALS INTO THE ENVIRONMENT?**
- C. WOULD THE PROJECT EMIT HAZARDOUS EMISSIONS OR HANDLE HAZARDOUS OR ACUTELY HAZARDOUS MATERIALS, SUBSTANCES, OR WASTE WITHIN ONE-QUARTER MILE OF AN EXISTING OR PROPOSED SCHOOL?**
- D. WOULD THE PROJECT 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?**

The *GPU EIR* concluded that buildout of the *General Plan* would result in no impact or less than significant impacts relative to following hazards: a) significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials, b) the project creates a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment, c) the project emits hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school, d) the project is 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.

The *General Plan* includes numerous policies relative to hazards and hazardous materials plans, policies, or regulations, which are restated on GPU EIR pages 4.6-10 to 4.6-22. The *GPU EIR* concluded no impacts or less than significant impacts with implementation of *General Plan* policies and actions.

**Routine Transport, Use or Disposal of Hazardous Materials**

The *General Plan* includes policies relative to the routine transport, use or disposal of hazardous materials: Policy SN-4.1 Mitigation Processes., Policy SN-4.3 Sensitive Receptors; Policy SN-4.4 Green Building, Policy SN-4.5 County Coordination, Action SN-4.1 City Staff Training, and Action SN-4.2 Municipal Code Review. The *GPU EIR* concluded less than significant impacts with implementation of *General Plan* policies and actions, and regulatory requirements.

Businesses that use, transport, or dispose of hazardous materials are required to comply with Federal, State, and local hazardous materials regulations. Specifically, truck traffic, including trucks that transport chemicals, is restricted to designated routes per *Municipal Code* Chapter 10.48.

A number of facilities currently operate within the City of Capitola that use, store, or dispose of hazardous materials. These operations, if improperly designed or managed, could create a significant hazard to the public or the environment through the routine transport, use, or disposal of such materials. However, compliance with applicable Federal, State, and local laws and regulations regarding the handling of these materials minimize this risk.



The proposed project involves policy-level documents, and as such, does not include any site-specific development designs or proposals. Future development proposals associated with implementation of the proposed project would be required to comply with all applicable regulations and development standards, including but not limited to the most current adopted version of the *California Building Code*, project-specific conditions, and mitigation measures, as applicable, to reduce potential impacts required as part of the development review and environmental impact processes. Thus, adoption and implementation of the proposed project ensures that impacts remain as less than significant impacts with implementation of regulatory requirements and standard conditions of approval.

**Hazardous Materials**

The *General Plan* includes policies and actions relative to hazardous materials: Policy SN-4.1 Mitigation Processes, Policy SN-4.2 Site Assessments, Policy SN-4.3 Sensitive Receptors, Policy SN-4.4 Green Building, Policy SN-4.5 County Coordination, Action SN-4.1 City Staff Training, Policy SN-5.1 Coordination with Other Agencies, Policy SN-5.2 Community Groups, Policy SN-5.3 Emergency and Evacuation Routes, Policy SN-5.4 Urban Area Security Initiative, Action SN-5.1 Emergency Response Plan, Action SN-5.2 County Preparedness Exercises, Action SN-5.3 Preparedness Training; Action SN-5.4 Preparedness Outreach, Action SN-5.5 Critical Facilities, and Action SN-5.6 Local Hazard Mitigation Plan. The *GPU EIR* concluded less than significant impacts with implementation of *General Plan* policies and actions, and regulatory requirements.

The *General Plan* would facilitate new development, including residential, commercial, and mixed-use, within the city. Some new development, particularly in non-residential areas, could occur on properties that could be contaminated. Construction of new buildings and improvements would have the potential to release potentially hazardous materials, including contaminated soils, into the environment during site grading and excavation operations. Similarly, demolition of existing structures would potentially result in the release of hazardous building materials (e.g., asbestos, lead paint) into the environment. Use of hazardous materials after construction could potentially include cleaning solvents, fertilizers, pesticides, and other materials used in the regular maintenance and operation of the proposed uses.

Also, a number of sites in the City are listed on the Cortese Database, compiled pursuant to *Government Code* Section 65962.5. Some of the sites are listed as closed, indicating that they have been investigated and/or remediated to the satisfaction of the lead responsible agency (i.e., RWQCB, DTSC, or DEHS). However, compliance with applicable Federal, State, and local laws and regulations regarding the handling of these materials minimize this risk.

The proposed project involves policy-level documents, and as such, does not include any site-specific development designs or proposals. Future development proposals associated with implementation of the proposed project would be required to comply with all applicable regulations and development standards, including but not limited to the most current adopted version of the *California Building Code*, project-specific conditions, and mitigation measures, as applicable, to reduce potential impacts required as part of the development review and environmental impact processes. Thus, adoption and implementation of the proposed project ensures that impacts remain as less than significant impacts with implementation of regulatory requirements and standard conditions of approval.





### **Hazardous Emissions, Materials, Substances, or Waste Within ¼-Mile of an Existing or Proposed School**

The *General Plan* includes policies and actions relative to hazardous emissions, materials, substances within ¼-mile of an existing or proposed school: Policy SN-4.1 Mitigation Processes, Policy SN-4.2 Site Assessments, Policy SN-4.3 Sensitive Receptors, Policy SN-4.4 Green Building, Policy SN-4.5 County Coordination, Action SN-4.1 City Staff Training, Action SN-4.2 Municipal Code Review, Policy SN-5.1 Coordination with Other Agencies, Policy SN-5.2 Community Groups, Policy SN-5.3 Emergency and Evacuation Routes, Policy SN-5.4 Urban Area Security Initiative, Action SN-5.1 Emergency Response Plan, Action SN-5.2 County Preparedness Exercises, Action SN-5.3 Preparedness Training, Action SN-5.4 Preparedness Outreach, Action SN-5.5 Critical Facilities, and Action SN-5.6 Local Hazard Mitigation Plan. The *GPU EIR* concluded less than significant impacts with implementation of *General Plan* policies and actions.

New Brighton Middle School and Opal Cliff 's Elementary School are located within the City. Both of these school sites are surrounded by residential neighborhoods and are located more than ¼-mile from any existing or planned non-residential land uses.

While the risk of exposure to hazardous materials cannot be eliminated, measures can be implemented to maintain risk at acceptable levels. Compliance with measures established by Federal, State, and local regulatory agencies are considered adequate to offset the negative effects related to the use, storage, emission, and transport of hazardous materials at future development sites within ¼-mile of a school.

The proposed project involves policy-level documents, and as such, does not include any site-specific development designs or proposals. Future development proposals associated with implementation of the proposed project would be required to comply with all applicable policies, regulations, and development standards, along with project-specific conditions and mitigation measures to reduce potential impacts required as part of the development review and environmental impact processes. Adoption and implementation of the proposed project would not pose a significant hazard to the public or the environment, or involve the transportation, use, or storage of hazardous or potentially hazardous materials. Thus, adoption and implementation of the proposed project ensures impacts remain as less than significant impacts.

**Conclusion:** No New Impact. The changes associated with the proposed project would not result in any new impacts or increase the severity of impacts in this regard.

### **E. FOR A PROJECT LOCATED WITHIN AN AIRPORT LAND USE PLAN OR, WHERE SUCH A PLAN HAS NOT BEEN ADOPTED, WITHIN TWO MILES OF A PUBLIC AIRPORT OR PUBLIC USE AIRPORT, WOULD THE PROJECT RESULT IN A SAFETY HAZARD FOR PEOPLE RESIDING OR WORKING IN THE PROJECT AREA?**

The *General Plan* included no policies relative to an airport land use plan or safety hazards for people residing or working within two miles of an airport. The *GPU EIR* concluded no impacts.

There are no private airstrips within or in the near vicinity of the City. The nearest airstrip, the Monterey Bay Academy airstrip, is located approximately 6.5 miles southeast of the City.

The proposed project involves policy-level documents, and as such, does not include any site-specific development designs or proposals. Thus, adoption and implementation of the proposed project ensures impacts remain as no impacts.



*Conclusion:* No New Impact. The changes associated with the proposed project would not result in any new impacts or increase the severity of impacts in this regard.

**F. WOULD THE PROJECT IMPAIR IMPLEMENTATION OF OR PHYSICALLY INTERFERE WITH AN ADOPTED EMERGENCY RESPONSE PLAN OR EMERGENCY EVACUATION PLAN?**

The *General Plan* includes policies relative to emergency response on evacuation plans: Policy SN-5.1 Coordination with Other Agencies, Policy SN-5.2 Community Groups, Policy SN-5.3 Emergency and Evacuation Routes, Policy SN-5.4 Urban Area Security Initiative, Action SN-5.1 Emergency Response Plan, Action SN-5.2 County Preparedness Exercises, Action SN-5.3 Preparedness Training, Action SN-5.4 Preparedness Outreach, Action SN-5.5 Critical Facilities, and Action SN-5.6 Local Hazard Mitigation Plan. The *GPU EIR* concluded less than significant impacts with implementation of *General Plan* policies and actions, and regulatory requirements.

The *Santa Cruz County Operational Area Emergency Management Plan* establishes a comprehensive approach to the organizational structure and emergency management responsibilities in Santa Cruz County, including prevention, preparedness, response, and recovery. Capitola is also within the region covered by the Bay Area Urban Area Security Initiative (UASI), which provides federal financial assistance for terrorism preparedness planning.

The proposed project involves policy-level documents, and as such, does not include any site-specific development designs or proposals. Adoption and implementation of the proposed project would not impair the implementation of the *Santa Cruz County Operational Area Emergency Management Plan* or interfere with other applicable emergency response or evacuation plans. Thus, adoption and implementation of the proposed project ensures impacts remain as less than significant impacts.

*Conclusion:* No New Impact. The changes associated with the proposed project would not result in any new impacts or increase the severity of impacts in this regard.



## 4.10 HYDROLOGY AND WATER QUALITY

Would the project:	New Potentially Significant Impact	New Impact Requiring New Mitigation	No New Impact/ No Impact	Reduced Impact
A. Violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or ground water quality?			✓	
B. Substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the project may impede sustainable groundwater management of the basin?			✓	
C. Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river or through the addition of impervious surfaces, in a manner which would:				
1) Result in a substantial erosion or siltation on- or off-site?			✓	
2) Substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site?			✓	
3) Create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff?			✓	
4) Impede or redirect flood flows?			✓	
D. In flood hazard, tsunami, or seiche zones, risk release of pollutants due to project inundation?			✓	
E. Conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan?			✓	

## PRIOR ENVIRONMENTAL FINDINGS

### General Plan Update EIR

The table below summarizes the hydrology and water quality impacts and mitigation measures, if applicable.

HYDROLOGY AND WATER QUALITY – SUMMARY OF IMPACTS AND MITIGATION MEASURES			
Impact	Significance Before Mitigation	Mitigation Measures	Significance With Mitigation
HYDRO-1: The proposed Plan would not violate any water quality standards or waste discharge requirements.	Less Than Significant	Not Applicable	
HYDRO-2: The proposed Plan could substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level.	Significant	No Mitigation Available	Significant Unavoidable
HYDRO-3: The proposed Plan would not substantially alter the existing drainage pattern of the Plan Area or vicinity, including through the alteration of the course of a stream or	Less Than Significant	Not Applicable	



**Addendum to the Capitola General Plan Update  
For the 2023-2031 Housing Element**

HYDROLOGY AND WATER QUALITY – SUMMARY OF IMPACTS AND MITIGATION MEASURES			
Impact	Significance Before Mitigation	Mitigation Measures	Significance With Mitigation
river, in a manner which would result in substantial erosion, siltation, or flooding on- or off-site.			
HYDRO-4: The proposed Plan would not create or contribute runoff water, which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff.	Less Than Significant	Not Applicable	
HYDRO-5: The proposed Plan would not otherwise substantially degrade water quality.	Less Than Significant	Not Applicable	
HYDRO-6: The proposed Plan would not result in a significant impact with respect to the placement of housing or structures, which would impede or redirect flood flows within a 100-year flood hazard area as mapped on a Federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map.	Less Than Significant	Not Applicable	
HYDRO-7: The proposed Plan would not expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam.	No Impact	Not Applicable	
HYDRO-8: The proposed Plan would not result in significant adverse effects related to inundation by seiche, tsunami, or mudflow.	Less Than Significant	Not Applicable	
HYDRO-9: The proposed Plan, in combination with past, present, and reasonably foreseeable development, could result in significant cumulative impacts with respect to hydrology and water quality.	Significant	No Mitigation Available	Significant Unavoidable

Source: Capitola General Plan Update Environmental Impact Report (June 2014), Table 1-1, Summary of Impacts and Mitigation Measures

**IMPACT ANALYSIS**

The 2023-2031 Housing Element includes policies and programs that are applicable City-wide and are designed to facilitate the construction of housing units to meet the City’s share of the regional housing need. The 2023-2031 Housing Element Chapter 4, Housing Need and Opportunities identifies potential residential sites and densities, inclusive of recyclable residential land, religious facility sites and State land housing, vacant and non-vacant land, and the Capitola Mall site. The 2023-2031 Housing Element Chapter 5, Housing Plan identifies the Goals, Policies, and Programs and Quantified Objectives that are based upon expected availability of resources to address the City’s housing needs, expectations regarding future housing development, as well as prior objectives established in earlier housing plans.

The 2023-2031 Housing Element is a policy document that would not change land use designations or in and of themselves authorize any development within the City. While the City is required by State law to facilitate development commensurate with its allocated share of regional housing needs, no change in the location or nature of allowable development would be authorized by the 2023-2031 Housing Element.

**A. WOULD THE PROJECT VIOLATE ANY WATER QUALITY STANDARDS OR WASTE DISCHARGE REQUIREMENTS OR OTHERWISE SUBSTANTIALLY DEGRADE SURFACE OR GROUND WATER QUALITY?**



The *General Plan* includes policies relative to water quality standards, waste discharge requirements, degradation of surface or ground water: Policy OSC-8.1 Creek Areas, Policy OSC-8.2 Non-Point Source Pollution, Policy OSC-8.3 Best Management Practices, Policy OSC-8.4 Landscaping and Re-Vegetation, Policy OSC-8.5 Native Plants, Policy OSC-8.6 City Properties, Policy OSC-8.7 Regional Collaboration, Policy OSC-8.8 Drainage Plans, Policy OSC-8.9 Impervious Surfaces, Action OSC-8.1 Stormwater Infrastructure, Action OSC-8.2 Funding for Stormwater Management, and Action OSC-8.3 Stormwater Management Program. The *GPU EIR* concluded less than significant impacts with implementation of *General Plan* policies and actions.

Surface water and groundwater quality in the City of Capitola is similar to that which is characterized for other urbanized areas surrounding the City and within Santa Cruz County. The City encourages development projects to be designed with pervious materials and landscaped areas to enhance on-site capture and absorption of stormflows. Also, through the implementation of National Pollution Discharge Elimination System (NPDES) program requirements, the City guards against high pollutant loads and erosive materials in surface runoff.

The proposed project involves policy-level documents, and as such, does not include any site-specific development designs or proposals. Future development proposals associated with implementation of the proposed project would be required to provide for the elimination/reduction of pollutant discharges, including capture and treatment of dry weather and first flush runoff in a manner consistent with Central Coast Regional Water Quality Control Board (CCRWQCB) requirements. All storm water discharges must comply with applicable provisions of Santa Cruz County's NPDES permit. As a co-permittee, the City is responsible for implementation of the requirements of the NPDES permit issued to the County. Consistent with CCRWQCB/NPDES and City requirements, appropriate Best Management Practices (BMPs) would be required throughout construction processes of future development proposals, thereby controlling potential discharge of pollutants, preventing sewage spills, and avoiding discharge of sediments into streets, stormwater channels, or waterways. In addition, long-term water quality impacts associated with future development proposals associated with implementation of the proposed project would also be avoided through the implementation of structural, non-structural and treatment control BMPs and operational and maintenance requirements that are identified in the Water Quality Management Plan (WQMP) prepared for each future development proposal to ensure that long-term water quality impacts are minimized. Thus, adoption and implementation of the proposed project ensures impacts remain as less than significant impacts.

**Conclusion:** No New Impact. The changes associated with the proposed project would not result in any new impacts or increase the severity of impacts in this regard.

**B. WOULD THE PROJECT SUBSTANTIALLY DECREASE GROUNDWATER SUPPLIES OR INTERFERE SUBSTANTIALLY WITH GROUNDWATER RECHARGE SUCH THAT THE PROJECT MAY IMPEDED SUSTAINABLE GROUNDWATER MANAGEMENT OF THE BASIN?**

The *General Plan* includes policies relative to water quality standards, waste discharge requirements, degradation of surface or ground water: Policy OSC-8.1 Creek Areas, Policy OSC-8.2 Non-Point Source Pollution, Policy OSC-8.3 Best Management Practices, Policy OSC-8.4 Landscaping and Re-Vegetation, Policy OSC-8.5 Native Plants, Policy OSC-8.6 City Properties, Policy OSC-8.7 Regional Collaboration, Policy OSC-8.8 Drainage Plans, Policy OSC-8.9 Impervious Surfaces, Action OSC-8.1 Stormwater Infrastructure, Action OSC-8.2 Funding for Stormwater Management, and Action OSC-8.3 Stormwater Management Program. The *GPU EIR* concluded significant unavoidable impacts with implementation of *General Plan* policies and actions.

The City has been fully urbanized for many years with established hydrology and water quality systems.



The City of Capitola water providers are Soquel Creek Water District (SqCWD) and the City of Santa Cruz Water Department (SCWD). Approximately 90 percent of the total water used by the City of Capitola is provided by the SqCWD, which serves the areas primarily east of 41st Avenue. Approximately 10 percent of the total water used by the City of Capitola is provided by the SCWD, which serves the areas primarily west of 41st Avenue.

The SqCWD relies solely on groundwater from aquifers underlying the Soquel-Aptos area. The SqCWD extracts groundwater from the deep water-bearing zones within the Purisima formation. Several SqCWD wells are located in this unit; however, SqCWD also operates production wells in the other units. The SqCWD also extracts groundwater from the semi-confined and unconfined units of the Aromas, a 400-foot thick aquifer divided into two units. The uppermost unit is about 225 feet thick, and the lowermost unit is about 175 feet thick. All of the SqCWD production wells in the Aromas are located in the lowermost unit.

Water supply for the SCWD relies entirely on rainfall, surface runoff, and groundwater infiltration occurring within watersheds located in Santa Cruz County. No water is imported from federal, State or other outside sources. The supply system is comprised of four main production elements, 1) the North Coast streams, 2) the San Lorenzo River, 3) Loch Lomond Reservoir, and 4) the Live Oak ground water wells.

The *General Plan* could result in an increased demand of up to 124 acre-feet/year (afy), which could indirectly result in the over-drafting of the groundwater table. In addition, other cumulative projects within the Basin could further exacerbate this impact. As such, groundwater impacts were concluded to be significant unavoidable.

The proposed project involves policy-level documents, and as such, does not include any site-specific development designs or proposals. Future development proposals associated with implementation of the proposed project would be reviewed by the City to determine if there is any change to existing runoff conditions or potential increases in the amount of impervious surfaces. In addition, future development proposals associated with implementation of the proposed project would be required to comply with all applicable policies, regulations, and development standards, along with project-specific conditions and mitigation measures to reduce potential impacts required as part of the development review and environmental impact processes. Thus, adoption and implementation of the proposed project ensures impacts remain as significant unavoidable impacts.

**Conclusion:** No New Impact. The changes associated with the proposed project would not result in any new impacts or increase the severity of impacts in this regard.

- C. WOULD THE PROJECT SUBSTANTIALLY ALTER THE EXISTING DRAINAGE PATTERN OF THE SITE OR AREA, INCLUDING THROUGH THE ALTERATION OF THE COURSE OF STREAM OR RIVER, IN A MANNER WHICH WOULD:**
  - 1. RESULT IN SUBSTANTIAL EROSION OR SILTATION ON- OR OFF-SITE?**
  - 2. SUBSTANTIALLY INCREASE THE RATE OR AMOUNT OF SURFACE RUNOFF IN A MANNER WHICH WOULD RESULT IN FLOODING ON- OR OFF-SITE?**
  - 3. CREATE OR CONTRIBUTE RUNOFF WATER WHICH WOULD EXCEED THE CAPACITY OF EXISTING OR PLANNED STORMWATER DRAINAGE SYSTEMS OR PROVIDE SUBSTANTIAL ADDITIONAL SOURCES OF POLLUTED RUNOFF?**



The *General Plan* includes policies relative to runoff capacity or polluted runoff: OSC-8.1 Creek Areas, Policy OSC-8.4 Landscaping and Re-Vegetation, Policy OSC-8.8 Drainage Plans, Policy OSC-8.9 Impervious Surfaces, and Action OSC-8.3. The *GPU EIR* concluded less than significant impacts with implementation of *General Plan* policies and actions.

The proposed project involves policy-level documents, and as such, does not include any site-specific development designs or proposals. As such, the proposed project does not propose to alter the existing drainage pattern of any site in the City, nor does it propose to alter any streams or rivers resulting in substantial erosion, surface runoff resulting in flooding, or runoff existing the system’s capacity. Any future development proposals associated with implementation of the proposed project would occur on urban land consistent with adopted land use policy, which provides for protection of existing drainage courses. Thus, adoption and implementation of the proposed project ensures impacts remain as less than significant impacts.

**Conclusion:** No New Impact. The changes associated with the proposed project would not result in any new impacts or increase the severity of impacts in this regard.

#### **4. IMPEDE OR REDIRECT FLOOD FLOWS?**

The *General Plan* includes policies relative to runoff capacity or polluted runoff: OSC-8.1 Creek Areas, Policy OSC-8.4 Landscaping and Re-Vegetation, Policy OSC-8.8 Drainage Plans, Policy OSC-8.9 Impervious Surfaces, and Action OSC-8.3. The *GPU EIR* concluded less than significant impacts with implementation of *General Plan* policies and actions.

The proposed project involves policy-level documents, and as such, does not include any site-specific development designs or proposals. Infrastructure exists with the City, and thus, storm water runoff associated with future development proposals associated with implementation of the proposed project would continue to be conveyed and discharged into the local stormwater system. Additionally, construction of future development proposals associated with implementation of the proposed project would be restricted within the individual site boundary. As such, implementation of the proposed project would not lead to on-site or off-site siltation or erosion impeding or redirecting flood flow. Thus, adoption and implementation of the proposed project ensures impacts remain as less than significant impacts.

**Conclusion:** No New Impact. The changes associated with the proposed project would not result in any new impacts or increase the severity of impacts in this regard.





**D. WOULD THE PROJECT IN FLOOD HAZARD, TSUNAMI, OR SEICHE ZONES, RISK RELEASE OF POLLUTANTS DUE TO PROJECT INUNDATION?**

**Flooding**

The *General Plan* includes policies relative to flooding and flood hazards: Policy OSC-8.1 Creek Areas, Policy OSC-8.8 Drainage Plans, Action OSC-8.1 Stormwater Infrastructure, Action OSC-8.2 Funding for Stormwater Management, Action OSC-8.3 Stormwater Management Program. The *GPU EIR* concluded less than significant impacts with implementation of *General Plan* policies and actions.

According to FEMA and shown on *GPU EIR* Figure 4.7-2, all of Soquel Creek (within the City limits) and a portion of Noble Gulch are located within the 100-year flood zone. The flood zone is relatively narrow and generally follows the flow path of the main channel. Moving upstream from the creek mouth, the elevation of the 100-year flood zone (i.e., the base flood elevation) becomes progressively higher than the water surface elevations associated with the periodic formation of the Lagoon during the summer months.

Noble Gulch is a significant drainage that flows into Soquel Creek at the Village. Approximately 30+ years ago, the last approximately 2,000 feet of the Gulch (east of Bay Avenue) was diverted via a 72-inch drainage pipe that extends under the current Pacific Cove Mobile Home Park. During a heavy storm in March of 2011, rushing water overwhelmed the drainage pipe creating an upwards surge that tore apart the ground beneath several mobile homes. The water cascaded down Capitola Avenue into the Village, causing considerable damage to homes and businesses. This storm event and the failed drainage pipe, demonstrates the potential risks and vulnerability of flooding in the Village. Storm events occur relatively frequently and the Village is located at the end of Soquel Creek which is a very large watershed. Flows associated with large storm events often result in significant amounts of vegetation debris including trees and limbs which can get blocked, particularly at the Stockton Bridge, further exacerbating flood conditions.

**Dam Inundation**

Based on the *Local Hazard Mitigation Plan*, there are no levees or dams that would impact the City upon failure.

**Tsunami**

The *General Plan* includes policies relative to tsunamis: Policy OSC-8.1 Creek Areas, Policy OSC-8.9 Impervious Surfaces, Action OSC-8.1 Stormwater Infrastructure, Action OSC-8.2 Funding for Stormwater Management, and Action OSC-8.3 Stormwater Management Program. The *GPU EIR* concluded less than significant impacts with implementation of *General Plan* policies and actions.

As shown on *GPU EIR* Figure 4.7-3, nearly all of Capitola Village is located within the tsunami inundation area, as mapped by California Emergency Management Agency (Cal EMA). Other areas include a portion of Soquel Creek, from Capitola Beach to approximately one river mile upstream to Highway 1, and a portion of Noble Gulch (about ¼-mile), which flows into Soquel Creek. The Capitola shoreline would also be inundated. However, while the coastal cliffs would block inland flows, substantial erosion would likely occur as the result of a tsunami.

In the event of a tsunami, people or structures within these areas could be exposed to a significant risk of loss, injury, or death due to flooding. The tsunami inundation area, as mapped by Cal EMA, is considered a maximum





estimate (i.e., based upon the maximum tsunami run-up), taking into consideration a number of extreme, yet realistic, tsunami sources.

### **Seiche**

The *General Plan* includes policies relative to seiches: Policy OSC-8.1 Creek Areas, Policy OSC-8.9 Impervious Surfaces, Action OSC-8.1 Stormwater Infrastructure, Action OSC-8.2 Funding for Stormwater Management, and Action OSC-8.3 Stormwater Management Program. The *GPU EIR* concluded less than significant impacts with implementation of *General Plan* policies and actions.

A seiche is an oscillation wave generated in a closed or partially closed body of water, which can be compared to the back-and-forth sloshing in a bath tub. Seiches can be caused by winds, changes in atmospheric pressure, underwater earthquakes, tsunamis, or landslides into the water body. Bodies of water such as bays, harbors, reservoirs, ponds, and swimming ponds can experience seiche waves up to several feet in height during a strong earthquake. The City is located within an inundation zone of tsunamis generated by earthquakes, as discussed above, and includes large bodies of water, such as Soquel Cove and Soquel Lagoon. Therefore, seiches could result along beach areas and creeks within the City in association with a tsunami event.

### **Mudflow**

The *General Plan* includes policies relative to mudflow: Policy OSC-8.1 Creek Areas, Policy OSC-8.9 Impervious Surfaces, Action OSC-8.1 Stormwater Infrastructure, Action OSC-8.2 Funding for Stormwater Management, and Action OSC-8.3 Stormwater Management Program. The *GPU EIR* concluded less than significant impacts with implementation of *General Plan* policies and actions.

Mud and debris flows are mass movements of dirt and debris that occur after intense rainfall, earthquakes, and severe wildfires. The speed of a slide depends on the amount of precipitation, steepness of the slope, and alternate freezing and thawing of the ground. Based on the *Local Hazard Mitigation Plan*, due to steep topography, there is a potential for mudflows to occur below Wharf Road and above Soquel Creek, which could impact the Stockton Avenue Bridge and the Village.

### **Impact Analysis**

The proposed project involves policy-level documents, and as such, does not include any site-specific development designs or proposals.

Implementation of the proposed project could result in the placement of housing within a flood hazard area, as well as subject to a tsunami, seiche, or mudflow hazards. Future development within the City could result in the placement of structures in existing FEMA-designated 100-year Special Flood Hazard Areas (SFHAs). *Municipal Code* Chapter 17.50 includes standards for construction in flood hazard zones. Future development within the 100-year flood zone requires the placement of fill to elevate structures above the 100-year floodplain elevation. In order for a project to be considered outside of the floodplain and no longer subject to special flood hazard requirements, the project applicant has to submit an application to Federal Emergency Management Agency (FEMA) for a Letter of Map Revision – Fill (LOMR-F) after the fill has been placed. After FEMA has revised the Flood Insurance Rate Map (FIRM) to show that the project is now outside of the SFHA, the City would no longer be required to apply the minimum National Flood Insurance Program (NFIP) floodplain management standards to structures built on the land and the mandatory flood insurance requirements would no longer apply.



Thus, adoption and implementation of the proposed project ensures impacts remain as less than significant impacts.

**Conclusion:** No New Impact. The changes associated with the proposed project would not result in any new impacts or increase the severity of impacts in this regard.

**E. WOULD THE PROJECT CONFLICT WITH OR OBSTRUCT IMPLEMENTATION OF A WATER QUALITY CONTROL PLAN OR SUSTAINABLE GROUNDWATER MANAGEMENT PLAN?**

The *Water Quality Control Plan for the Central Coastal Basin (Basin Plan)* is the Regional Water Quality Control Board's master water quality control planning document. It designates beneficial uses and water quality objectives for waters of the State, including surface waters and groundwater. It also includes programs of implementation to achieve water quality objectives. The current *Basin Plan* consists of the 2019 *Basin Plan* edition and all of the following amendments approved after March 2019.

The *Water Quality Control Plan for the Central Coast Basin Plan*<sup>2</sup> is the water quality control plan for the geographic area that encompasses all of Santa Cruz, San Benito, Monterey, San Luis Obispo, and Santa Barbara Counties as well as the southern one-third of Santa Clara County, and small portions of San Mateo, Kern, and Ventura Counties. Included in the region are urban areas such as the Monterey Peninsula and the Santa Barbara coastal plain; prime agricultural lands as the Salinas, Santa Maria, and Lompoc Valleys; National Forest lands, extremely wet areas like the Santa Cruz mountains; and arid areas like the Carrizo Plain. The *Basin Plan* designates beneficial uses, establishes water quality objectives, and contains implementation programs and policies to achieve those objectives for all waters addressed through the Basin Plan.

In 2014, the Governor signed the Sustainable Groundwater Management Act (SGMA) into law and took effect on January 1, 2015, which requires governments and water agencies of high and medium priority basins to halt overdraft and bring groundwater basins into balanced levels of pumping and recharge. SGMA empowers local agencies to form Groundwater Sustainability Agencies (GSAs) to manage basins sustainably and requires those GSAs to adopt Groundwater Sustainability Plans (GSPs) for crucial groundwater basins in California. The SGMA is the first legislation in the state's history to mandate comprehensive sustainable groundwater resources management.

**Santa Cruz Mid-County Groundwater Sustainability Plan<sup>3</sup>**

The Santa Cruz Mid-County Groundwater Agency (MGA or Agency) was formed under SGMA to develop this Groundwater Sustainability Plan (GSP or Plan) for the Santa Cruz Mid-County Groundwater Basin (Basin). The Basin is classified by the California Department of Water Resources (DWR) as a high priority basin in a state of critical overdraft because of seawater intrusion. Based on this critical overdraft designation, the MGA is required to submit its Board adopted GSP to DWR by January 31, 2020. The MGA initiated development of this GSP in 2017 to guide ongoing management of the Basin with a goal to achieve and maintain groundwater sustainability over a 50-year planning and implementation horizon.

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<sup>2</sup> [Water Quality Control Plan for the Central Coastal Basin \(ca.gov\)](#), accessed August 16, 2023

<sup>3</sup> Santa Cruz Mid-County Groundwater Sustainability Plan, <https://sgma.water.ca.gov/portal/service/gspdocument/download/3166>, accessed August 16, 2023



While the SGMA would revolutionize groundwater management in California, MGA member agencies began studying groundwater and managing the Basin long before SGMA was passed into law. The City of Santa Cruz Water Department and Soquel Creek Water District acquired interests in groundwater pumping in the Basin, and together with Santa Cruz County commissioned the first hydrogeologic study of the Basin in the mid-1960s (USGS, 1968).

Seawater intrusion identified in the Basin in the 1980s required water managers to develop an extensive monitoring network of wells to monitor the Basin’s groundwater and to help improve understanding of the Basin, and to implement water conservation and groundwater management strategies to balance groundwater demand with the Basin’s groundwater budget.

A *Groundwater Sustainability Plan (GSP)* was prepared for the Santa Cruz Mid-County Groundwater Basin, and was approved by the California Department of Water Resources in June 2021. The *GSP* presents detailed information to understand the occurrence of groundwater in the Basin and provides solutions to achieve the Basin’s sustainability goals. The *GSP* and Executive Summary are organized following DWR’s guidance documents (DWR, 2016):

- Executive Summary
- Section 1: Introduction to the MGA
- Section 2: Plan and Basin Setting
- Section 3: Sustainable Management Criteria
- Section 4: Projects and Management Actions to Achieve Sustainability
- Section 5: Plan Implementation, Budget and Schedule
- Section 6: References and Technical Studies used to Develop the GSP

Projected Future Basin Conditions, Land Use and Water Use

The *GSP* includes projects and management actions to stop the advancement of seawater intrusion and to maintain sustainability under future Basin conditions that will be impacted by changes in land use, water use, and climate. The projected climate change effects include 2.3 feet of sea level rise by 2070 and a warmer and drier climate that has an average temperature increase of 2.4°F, a decrease in precipitation of up to 3.1 inches per year, and a 6% increase in evapotranspiration. Land use patterns are assumed to be unchanged while accommodating projected regional population growth of 4.2% pre-2035 and 2.1% post-2035. Projected nonmunicipal groundwater demand for domestic use assumes pre-drought (2012 – 2015) water demand of 0.35 acre-feet per year per household. Groundwater demand for larger institutions such as camps, retreats, and schools, and agricultural irrigation are assumed to remain the same as historical demands.

Future development projects associated with implementation of the proposed project would be subject to applicable requirements from the *GSP* and Santa Cruz Mid-County Groundwater Agency. The proposed project involves policy-level documents, and as such, does not include any site-specific development designs or proposals. The proposed project would not conflict with or obstruct implementation of a water quality control plan or a sustainable groundwater management plan. Thus, adoption and implementation of the proposed project ensures impacts remain as less than significant impacts.

**Conclusion:** No New Impact. The changes associated with the proposed project would not result in any new impacts or increase the severity of impacts in this regard.



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## 4.11 LAND USE AND PLANNING

Would the project:	New Potentially Significant Impact	New Impact Requiring New Mitigation	No New Impact/ No Impact	Reduced Impact
A. Physically divide an established community?			✓	
B. Cause a significant environmental impact due to a conflict with any land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect?			✓	

### PRIOR ENVIRONMENTAL FINDINGS

#### General Plan Update EIR

The table below summarizes the land use and planning impacts and mitigation measures, if applicable.

LAND USE – SUMMARY OF IMPACTS AND MITIGATION MEASURES			
Impact	Significance Before Mitigation	Mitigation Measures	Significance With Mitigation
LAND-1: The proposed Plan would not physically divide an established community.	Less Than Significant	Not Applicable	
LAND-2: The proposed Plan would not conflict with an applicable land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect.	Less Than Significant	Not Applicable	
LAND-3: The proposed Plan would not conflict with the Monterey Bay National Marine Sanctuary Management Plan.	Less Than Significant	Not Applicable	
LAND-4: The proposed Plan, in combination with past, present, and reasonably foreseeable development in the surrounding area, would result in less than significant cumulative impacts with respect to land use and planning.	Less Than Significant	Not Applicable	

Source: Capitola General Plan Update Environmental Impact Report (June 2014), Table 1-1, Summary of Impacts and Mitigation Measures

### IMPACT ANALYSIS

The 2023-2031 Housing Element includes policies and programs that are applicable City-wide and are designed to facilitate the construction of housing units to meet the City’s share of the regional housing need. The 2023-2031 Housing Element Chapter 4, Housing Need and Opportunities identifies potential residential sites and densities, inclusive of recyclable residential land, religious facility sites and State land housing, vacant and non-vacant land, and the Capitola Mall site. The 2023-2031 Housing Element Chapter 5, Housing Plan identifies the Goals, Policies, and Programs and Quantified Objectives that are based upon expected availability of resources to address the City’s housing needs, expectations regarding future housing development, as well as prior objectives established in earlier housing plans.



The 2023-2031 Housing Element is a policy document that would not change land use designations or in and of themselves authorize any development within the City. While the City is required by State law to facilitate development commensurate with its allocated share of regional housing needs, no change in the location or nature of allowable development would be authorized by the 2023-2031 Housing Element.

**A. WOULD THE PROJECT PHYSICALLY DIVIDE AN ESTABLISHED COMMUNITY?**

The *GPU EIR* concluded that implementation of the General Plan would result in less than significant impacts.

The City of Capitola has been urbanized for many years with established development throughout the City.

The proposed project involves policy-level documents, and as such, does not include any site-specific development designs or proposals nor provide for new land use uses that would physically divide or disrupt established neighborhoods or create physical barriers in Capitola. Thus, adoption and implementation of the proposed project ensures impacts remain as less than significant impacts.

**Conclusion:** No New Impact. The changes associated with the proposed project would not result in any new impacts or increase the severity of impacts in this regard.

**B. WOULD THE PROJECT CAUSE A SIGNIFICANT ENVIRONMENTAL IMPACT DUE TO A CONFLICT WITH ANY APPLICABLE LAND USE PLAN, POLICY, OR REGULATION ADOPTED FOR THE PURPOSE OF AVOIDING OR MITIGATING AN ENVIRONMENTAL EFFECT?**

The *General Plan* includes policies relative to conflicts with an applicable land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect: Policy LU-1.1 Community Character, Policy LU-2.1 Historic Structures, Policy LU-3.3 Infill Development, Policy LU-3.4 Transit and Pedestrian Access, Policy LU-3.7 Regional Outlook, Policy LU-13.4 New Brighton State Beach, Policy LU-13.6 Beach Management, Policy LU-13.7 Beach Structures, and Action LU-14.3 Coastal Recreation. The *GPU EIR* concluded less than significant impacts with implementation of *General Plan* policies and actions.

The City is required by State law to facilitate development commensurate with its allocated share of regional housing needs; however, no change in the location or nature of allowable development would be authorized by the 2023-2031 Housing Element. The 2023-2031 Housing Element enhances the General Plan goals and policies calling for additional housing types and expanding the supply of housing.

The adoption and implementation of the proposed project further enhances the goals, policies, and actions in the *General Plan*, would not conflict with goals or objectives contained within regional plans, or cause a significant environmental impact due to a conflict with any applicable land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect.

The proposed project involves policy-level documents, and as such, does not include any site-specific development designs or proposals. Future development proposals associated with implementation of the proposed project would be required to comply with all applicable regulations and development standards, along with project-specific conditions and mitigation measures to reduce potential impacts required as part of the development review and environmental impact processes. Thus, adoption and implementation of the proposed project ensures impacts remain as less than significant impacts.



**Conclusion:** No New Impact. The changes associated with the proposed project would not result in any new impacts or increase the severity of impacts in this regard.



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## 4.12 MINERAL RESOURCES

Would the project:	New Potentially Significant Impact	New Impact Requiring New Mitigation	No New Impact/ No Impact	Reduced Impact
A. Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?			✓	
B. Result in the loss of availability of a locally-important mineral resource recovery site delineated on a local general plan, specific plan, or other land use plan?			✓	

### PRIOR ENVIRONMENTAL FINDINGS

#### General Plan Update EIR

*CEQA Guidelines* Section 15128 allows environmental issues for which there is no likelihood of significant impact to be “scoped out” and not analyzed further in the EIR. It was determined that the *General Plan* would not result in significant impacts with respect to Mineral Resources, and as such were not analyzed in the *GPU EIR*.

### IMPACT ANALYSIS

The 2023-2031 Housing Element includes policies and programs that are applicable City-wide and are designed to facilitate the construction of housing units to meet the City’s share of the regional housing need. The 2023-2031 Housing Element Chapter 4, Housing Need and Opportunities identifies potential residential sites and densities, inclusive of recyclable residential land, religious facility sites and State land housing, vacant and non-vacant land, and the Capitola Mall site. The 2023-2031 Housing Element Chapter 5, Housing Plan identifies the Goals, Policies, and Programs and Quantified Objectives that are based upon expected availability of resources to address the City’s housing needs, expectations regarding future housing development, as well as prior objectives established in earlier housing plans.

The 2023-2031 Housing Element is a policy document that would not change land use designations or in and of themselves authorize any development within the City. While the City is required by State law to facilitate development commensurate with its allocated share of regional housing needs, no change in the location or nature of allowable development would be authorized by the 2023-2031 Housing Element.

#### **A. WOULD THE PROJECT 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?**

The proposed project involves policy-level documents, and as such, does not include any site-specific development designs or proposals. Within the City, there are no known mineral resource of value to the region and the residents of the State. Thus, adoption and implementation of the proposed project ensures impacts remain as no impacts.



**Conclusion:** No New Impact. The changes associated with the proposed project would not result in any new impacts or increase the severity of impacts in this regard.

**B. WOULD THE PROJECT 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?**

The proposed project involves policy-level documents, and as such, does not include any site-specific development designs or proposals. There are no known locally important mineral resource recovery sites in the City. Thus, adoption and implementation of the proposed project ensures impacts remain as no impacts.

**Conclusion:** No New Impact. The changes associated with the proposed project would not result in any new impacts or increase the severity of impacts in this regard.



## 4.13 NOISE

Would the project result in:	New Potentially Significant Impact	New Impact Requiring New Mitigation	No New Impact/ No Impact	Reduced Impact
A. Generation of a substantial temporary or permanent increase in ambient noise levels in the vicinity of the project in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?			✓	
B. Generation of excessive groundborne vibration or groundborne noise levels?			✓	
C. For a project located within the vicinity of a private airstrip or an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?			✓	

## PRIOR ENVIRONMENTAL FINDINGS

### General Plan Update EIR

The table below summarizes the noise impacts and mitigation measures, if applicable.

NOISE – SUMMARY OF IMPACTS AND MITIGATION MEASURES			
Impact	Significance Before Mitigation	Mitigation Measures	Significance With Mitigation
NOISE-1: Construction-related activities resulting from implementation of the proposed Plan would not result in the generation of noise levels in excess of established standards.	Less Than Significant	Not Applicable	
NOISE-2: Construction-related activities resulting from implementation of the proposed Plan could generate or expose persons or structures to excessive ground-borne vibration.	Significant	Noise 2a Noise-2b	Less Than Significant
NOISE-3: Future noise levels associated with implementation of the proposed Plan could contribute to an exceedance of the City's noise standards resulting in potential noise impacts to sensitive receptors.	Less Than Significant	Not Applicable	
NOISE-4: The Plan, in combination with past, present, and reasonably foreseeable projects, would result in less than significant cumulative impacts with respect to noise.	Less Than Significant	Not Applicable	

Source: Capitola General Plan Update Environmental Impact Report (June 2014), Table 1-1, Summary of Impacts and Mitigation Measures

## IMPACT ANALYSIS

The 2023-2031 Housing Element includes policies and programs that are applicable City-wide and are designed to facilitate the construction of housing units to meet the City's share of the regional housing need. The 2023-2031 Housing Element Chapter 4, Housing Need and Opportunities identifies potential residential sites and densities, inclusive of recyclable residential land, religious facility sites and State land housing, vacant and non-vacant land,



and the Capitola Mall site. The 2023-2031 Housing Element Chapter 5, Housing Plan identifies the Goals, Policies, and Programs and Quantified Objectives that are based upon expected availability of resources to address the City’s housing needs, expectations regarding future housing development, as well as prior objectives established in earlier housing plans.

The 2023-2031 Housing Element is a policy document that would not change land use designations or in and of themselves authorize any development within the City. While the City is required by State law to facilitate development commensurate with its allocated share of regional housing needs, no change in the location or nature of allowable development would be authorized by the 2023-2031 Housing Element.

- A. WOULD THE PROJECT RESULT IN GENERATION OF A SUBSTANTIAL TEMPORARY OR PERMANENT INCREASE IN AMBIENT NOISE LEVELS IN THE VICINITY OF THE PROJECT IN EXCESS OF STANDARDS ESTABLISHED IN THE LOCAL GENERAL PLAN OR NOISE ORDINANCE, OR APPLICABLE STANDARDS OF OTHER AGENCIES?**
  
- B. WOULD THE PROJECT RESULT IN GENERATION OF EXCESSIVE GROUNDBORNE VIBRATION OR GROUNDBORNE NOISE LEVELS?**

The *General Plan* includes policies and actions relative to noise levels, and groundborne vibration and groundborne noise levels: Policy SN-7.1 Noise Sensitive Land Uses, Policy SN-7.2 Noise Level Standards, Policy SN-7.3 Noise Control Ordinance, Policy SN-7.4 Acoustical Analyses, Policy SN-7.5 Rail Service, and Action SN-7.1 Noise Ordinance Effectiveness. The *GPU EIR* concluded less than significant impacts and less than significant impacts with mitigation incorporated with implementation of *General Plan* policies and actions.

***Increase in Ambient Noise Levels in Excess of Standards Established in the General Plan, Noise Ordinance, or Applicable Standards.*** The *GPU EIR* concluded that construction-related activities resulting from implementation of the *General Plan* would not result in the generation of noise levels in excess of established standards.

While adoption and implementation of the proposed project would not directly result in the construction of housing, implementation of Housing Element policy would facilitate the construction of future development proposals associated with implementation of the proposed project consistent with adopted land use policy. Typically, residential uses do not generate high noise levels. However, individual residential development projects may result in the exposure of persons to noise levels in excess of standards established in the *General Plan* or Noise Ordinance. Without identifying the location of future development proposals associated with implementation of the proposed project, it is not possible to determine if they would be placed near land uses that would generate noise levels or groundborne vibrations that would exceed acceptable standards.

Future development proposals would be required to comply with all applicable regulations and development standards, along with project-specific conditions and mitigation measures to reduce potential impacts required as part of the development review and environmental impact processes. This can include, but is not limited to, *Municipal Code* requirements; *General Plan* goals, policies, and implementation programs, including those identified in the proposed project, and mitigation measures. Thus, adoption and implementation of the proposed project ensures impacts remain as less than significant impacts.



**Ground-Borne Construction Vibration Noise.** The GPU EIR concluded that with the imposition of regulatory requirements and Mitigation Measures Noise-2a and Noise-2b, ground-borne construction vibration noise impacts are less than significant.

While adoption and implementation of the proposed project would not directly result in the construction of housing, implementation of Housing Element policy would facilitate the construction of future development proposals associated with implementation of the proposed project consistent with adopted land use policy. However, individual residential development projects may result in the exposure of persons to ground-borne construction vibration noise levels in excess of standards established in the *General Plan* or Noise Ordinance. Without identifying the location of future development proposals associated with implementation of the proposed project, it is not possible to determine if they would be placed near land uses that would generate noise levels or groundborne vibrations that would exceed acceptable standards.

Future development proposals would be required to comply with all applicable regulations and development standards, along with project-specific conditions and mitigation measures to reduce potential impacts required as part of the development review and environmental impact processes. This can include, but is not limited to, *Municipal Code* requirements; *General Plan* goals, policies, and implementation programs, including those identified in the proposed project, and mitigation measures. Thus, adoption and implementation of the proposed project ensures impacts remain as less than significant with mitigation incorporated.

**Conclusion:** No New Impact. The changes associated with the proposed project would not result in any new impacts or increase the severity of impacts in this regard.

**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?**

There are no airports in Capitola. The closest airport is the Watsonville Municipal Airport, a public airport in Watsonville located approximately 8 miles to the southeast of Capitola. Any aircraft overflights do not contribute significantly to the ambient noise environment in the City.

The proposed project involves policy-level documents, and as such, does not include any site-specific development designs or proposals. Adoption and implementation of the proposed project would not expose future residents or workers in the City to substantial sources of airport or heliport of noise in the City. Thus, adoption and implementation of the proposed project ensures impacts remain as less than significant impacts.

**Conclusion:** No New Impact. The changes associated with the proposed project would not result in any new impacts or increase the severity of impacts in this regard.



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**Addendum to the Capitola General Plan Update  
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**4.14 POPULATION AND HOUSING**

Would the project:	New Potentially Significant Impact	New Impact Requiring New Mitigation	No New Impact/ No Impact	Reduced Impact
a. Induce substantial unplanned population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?			✓	
b. Displace substantial numbers of existing people or housing, necessitating the construction of replacement housing elsewhere?			✓	

**PRIOR ENVIRONMENTAL FINDINGS**

**General Plan Update EIR**

The table below summarizes the population and housing impacts and mitigation measures, if applicable.

POPULATION AND HOUSING – SUMMARY OF IMPACTS AND MITIGATION MEASURES			
Impact	Significance Before Mitigation	Mitigation Measures	Significance With Mitigation
POP-1: The Plan would not induce substantial unexpected population growth, or growth for which inadequate planning has occurred, either directly or indirectly.	Less Than Significant	Not Applicable	
POP-2: The Plan would not displace substantial numbers of existing housing units, necessitating the construction of replacement housing elsewhere.	Less Than Significant	Not Applicable	
POP-3: The proposed Plan would not displace substantial numbers of people, necessitating the construction of replacement housing elsewhere.	Less Than Significant	Not Applicable	
POP-4: The proposed Plan, in combination with past, present, and reasonably foreseeable projects, would result in less than significant cumulative impacts with respect to population and housing.	Less Than Significant	Not Applicable	

Source: Capitola General Plan Update Environmental Impact Report (June 2014), Table 1-1, Summary of Impacts and Mitigation Measures

**IMPACT ANALYSIS**

The 2023-2031 Housing Element includes policies and programs that are applicable City-wide and are designed to facilitate the construction of housing units to meet the City’s share of the regional housing need. The 2023-2031 Housing Element Chapter 4, Housing Need and Opportunities identifies potential residential sites and densities, inclusive of recyclable residential land, religious facility sites and State land housing, vacant and non-vacant land, and the Capitola Mall site. The 2023-2031 Housing Element Chapter 5, Housing Plan identifies the Goals, Policies, and Programs and Quantified Objectives that are based upon expected availability of resources to address the City’s housing needs, expectations regarding future housing development, as well as prior objectives established in earlier housing plans.



The 2023-2031 Housing Element is a policy document that would not change land use designations or in and of themselves authorize any development within the City. While the City is required by State law to facilitate development commensurate with its allocated share of regional housing needs, no change in the location or nature of allowable development would be authorized by the 2023-2031 Housing Element.

**A. WOULD THE PROJECT 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)?**

The *General Plan* includes policies relative to local and regional population growth: Policy LU-1.3 Compatible Development, Policy LU-1.6 Balanced Community, Policy LU-3.3 Infill Development, Policy LU-5.1 Neighborhood Characteristics, Policy LU- 5.2 Development Impacts, and Policy LU-3.7 Regional Outlook. The *GPU EIR* concluded less than significant impacts with implementation of *General Plan* policies.

The City of Capitola has been urbanized for many years with established development throughout the City.

The Association of Monterey Bay Area Governments (AMBAG) is the responsible agency for developing and adopting regional housing and population forecasts for the Counties and Cities of Monterey, San Benito and Santa Cruz, and provides population projection estimates in five-year increments.

AMBAG developed the *2045 Metropolitan Transportation Plan/Sustainable Communities Strategy (2045 MTP/SCS)*. Federal and state law requires that AMBAG prepare a long-range transportation plan every four years. The draft *2045 MTP/SCS* was released for public review and comment on November 22, 2021. On June 15, 2022, the AMBAG Board of Directors certified the Final Environmental Impact Report (EIR) prepared for the *2045 Metropolitan Transportation/Sustainable Communities Strategy*; adopted CEQA Findings of Fact, Statement of Overriding Considerations, and Mitigation Monitoring and Reporting Program; made a finding that the SCS achieves the greenhouse gas reduction targets established by the California Air Resources Board; adopted the *Final 2022 Regional Growth Forecast*; and adopted the *Final 2045 MTP/SCS*.

AMBAG’s Regional Housing Needs Assessment (RHNA) for the Capitola 2023-2031 housing element period is 1,336 housing units.<sup>4</sup>

As of 2020, the City of Capitola included a population of 10,108 and 5,554 households. The *2045 MTP/SCS* projects a 2040 population of 11,049 and 6,017 households for the City of Capitola. Refer to [Table 4.14-1, 2020 and 2040 Population and Household Projections](#).

<sup>4</sup> AMBAG, 2022 Regional Growth Forecasts, [Appendix A 2022 RGF \(ambag.org\)](#)





**TABLE 4.14-1**  
**2020 AND 2040 POPULATION AND HOUSEHOLD PROJECTIONS**

	2020	2040	Change 2020 - 2040
Population	10,108	11,049	941
Households	5,554	6,017	463
Sources: AMBAG, 2045 Metropolitan Transportation Plan/Sustainable Communities Strategy (MTP/SCS)			

As previously noted, the 2023-2031 Housing Element projects 1,336 housing units during the eight-year period. Adoption and implementation of the 2023-2031 Housing Element provides for adequate sites to accommodate the 2023-2031 RHNA number of 1,336 housing units. Assuming 2.12<sup>5</sup> persons per household, the City’s population could increase by up to 2,832 persons.

AMBAG is responsible for both the developing the Regional Growth Forecast and RHNA, and would be responsible for modifying future population and household growth projections to accommodate the 2023-2031 Housing Element and future housing element RHNA numbers for the City of Capitola. And therefore, the proposed project would not induce substantial unplanned population growth within the City either directly or indirectly.

The 2023-2031 Housing Element is a policy document that would not change land use designations or in and of themselves authorize any development within the City. While the City is required by State law to facilitate development commensurate with its allocated share of regional housing needs, no change in the location or nature of allowable development would be authorized by the 2023-2031 Housing Element.

Future development proposals associated with implementation of the proposed project would be required to comply with all applicable regulations and development standards, along with project-specific conditions and mitigation measures to reduce potential impacts required as part of the development review and environmental impact processes. This can include, but is not limited to, *Municipal Code* requirements; *General Plan* goals, policies, and implementation programs, including those identified in the proposed project, and mitigation measures. Thus, adoption and implementation of the proposed project ensure impacts remain as less than significant impacts.

**Conclusion:** No New Impact. The changes associated with the proposed project would not result in any new impacts or increase the severity of impacts in this regard.

<sup>5</sup> [U.S. Census Bureau QuickFacts: Capitola city, California](https://www.census.gov/quickfacts/capitolacalifornia), accessed August 16, 2023



**B. WOULD THE PROJECT DISPLACE SUBSTANTIAL NUMBERS OF EXISTING PEOPLE OR HOUSING, NECESSITATING THE CONSTRUCTION OF REPLACEMENT HOUSING ELSEWHERE?**

The 2023-2031 Housing Element sets forth policies and programs that encourage and facilitate housing production, as well as aim to preserve and enhance the existing housing stock. While no new development would be authorized by the adoption of the 2023-2031 Housing Element, the future development of vacant properties or underutilized properties with existing homes could result in the displacement of existing housing or people necessitating the construction of replacement housing elsewhere.

Displacement would be evaluated, if needed, as part of a future proposal’s development review and environmental impact processes, along with project-specific conditions and mitigation measures to reduce impacts relative to the displacement of people or residential structures.

Future development proposals associated with implementation of the proposed project would be required to comply with all applicable regulations and development standards, along with project-specific conditions and mitigation measures to reduce potential impacts required as part of the development review and environmental impact processes. This can include, but is not limited to, *Municipal Code* requirements; *General Plan* goals, policies, and implementation programs, including those identified in the proposed project, and mitigation measures. Thus, adoption and implementation of the proposed project ensure impacts remain as less than significant impacts.

**Conclusion:** No New Impact. The changes associated with the proposed project would not result in any new impacts or increase the severity of impacts in this regard.



## 4.15 PUBLIC SERVICES

Would the project:	New Potentially Significant Impact	New Impact Requiring New Mitigation	No New Impact/ No Impact	Reduced Impact
A. Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically 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:				
1) Fire protection?			✓	
2) Police protection?			✓	
3) Schools?			✓	
4) Parks?			✓	
5) Other public facilities?			✓	

## PRIOR ENVIRONMENTAL FINDINGS

### General Plan Update EIR

The table below summarizes the public services impacts and mitigation measures, if applicable.

PUBLIC SERVICES – SUMMARY OF IMPACTS AND MITIGATION MEASURES			
Impact	Significance Before Mitigation	Mitigation Measures	Significance With Mitigation
SVCS-1: The proposed Plan would not result in the provision of or need for new or physically altered protection facilities, the construction or operation of which could cause significant environmental impacts.	Less Than Significant	Not Applicable	
SVCS-2: The proposed Plan, in combination with past, present, and reasonably foreseeable development would result in less than significant cumulative impacts with respect to fire protection service.	Less Than Significant	Not Applicable	
SVCS-3: The proposed Plan would not result in the need for construction or expansion of police facilities.	Less Than Significant	Not Applicable	
SVCS-4: The proposed Plan, in combination with past, present, and reasonably foreseeable growth, would result in less than significant cumulative impacts with respect to law enforcement services.	Less Than Significant	Not Applicable	
SVCS-5: The proposed Plan would not result in the provision of or need for new or physically altered school facilities, the construction or operation of which could cause significant environmental impacts.	Less Than Significant	Not Applicable	
SVCS-6: The proposed Plan, in combination with past, present, and reasonably foreseeable growth in the SUESD service area, would result in less than significant cumulative impacts with respect to schools.	Less Than Significant	Not Applicable	



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PUBLIC SERVICES – SUMMARY OF IMPACTS AND MITIGATION MEASURES			
Impact	Significance Before Mitigation	Mitigation Measures	Significance With Mitigation
SVCS-7: The proposed Plan would not result in the provision of or need for new or physically altered library facilities.	Less Than Significant	Not Applicable	
SVCS-8: The proposed Plan, in combination with past, present, and reasonably foreseeable development, would result in less than significant cumulative impacts with respect to libraries.	Less Than Significant	Not Applicable	

Source: Capitola General Plan Update Environmental Impact Report (June 2014), Table 1-1, Summary of Impacts and Mitigation Measures

**IMPACT ANALYSIS**

The 2023-2031 Housing Element includes policies and programs that are applicable City-wide and are designed to facilitate the construction of housing units to meet the City’s share of the regional housing need. The 2023-2031 Housing Element Chapter 4, Housing Need and Opportunities identifies potential residential sites and densities, inclusive of recyclable residential land, religious facility sites and State land housing, vacant and non-vacant land, and the Capitola Mall site. The 2023-2031 Housing Element Chapter 5, Housing Plan identifies the Goals, Policies, and Programs and Quantified Objectives that are based upon expected availability of resources to address the City’s housing needs, expectations regarding future housing development, as well as prior objectives established in earlier housing plans.

The 2023-2031 Housing Element is a policy document that would not change land use designations or in and of themselves authorize any development within the City. While the City is required by State law to facilitate development commensurate with its allocated share of regional housing needs, no change in the location or nature of allowable development would be authorized by the 2023-2031 Housing Element.

**A. WOULD THE PROJECT RESULT IN SUBSTANTIAL ADVERSE PHYSICAL IMPACTS ASSOCIATED WITH THE PROVISION OF NEW OR PHYSICALLY ALTERED GOVERNMENTAL FACILITIES, NEED FOR NEW OR PHYSICALLY 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:**

- 1. FIRE PROTECTION?**
- 2. POLICE PROTECTION?**

The *General Plan* includes policies and actions relative to fire and police protection: Policy SN-3.1 Cooperative Agreements, Policy SN-3.2 Public Education, Policy SN-3.3 City-Owned Space, Policy SN-3.4 Development Review, Policy SN-3.5 Fire Hazard Risk Assessment, Policy SN-3.6 Fire Safety Plans, Policy SN-3.7 District Support, Action SN-3.1 Invasive Species, Action SN-3.2 Sign/Address Marking Visibility, Action SN-3.3 Emergency Access, Policy SN-6.1 Police Services, Policy SN-6.2 New Development, Policy SN-6.3 Physical Site Planning, Policy SN-6.4 Lighting Plans, Policy SN-6.5 Bars and Nightclubs, and Policy SN-6.6 Crime Prevention Outreach. The *GPU EIR* concluded less than significant impacts with implementation of *General Plan* policies.



Buildout of the GPU could create an increased demand for fire and police protection services in the Central Fire Protection District (CFPD) and the Capitola Police Department service areas. However, the increase in population, units, and jobs would occur throughout a 20-year period, thereby distributing the increase over multiple years. In addition, the potential for increased service calls distributed over a longer period of time reduces impacts to existing facilities.

The 2023-2031 Housing Element is a policy document that would not change land use designations or in and of themselves authorize any development within the City. While the City is required by State law to facilitate development commensurate with its allocated share of regional housing needs, no change in the location or nature of allowable development would be authorized by the 2023-2031 Housing Element.

The 2023-2031 Housing Element include policies and programs to facilitate the production of future housing development. As such, new housing units associated with future development proposals associated with implementation of the proposed project could require additional fire and police protection services and facilities for the Central Fire District of Santa Cruz County (CFD) and Capitola Police Department.

Future development proposals associated with implementation of the proposed project would be required to comply with all applicable regulations and development standards, along with project-specific conditions and mitigation measures, as applicable, to reduce potential impacts required as part of the development review and environmental impact processes. In addition, as part of its annual budget process and periodic review of its contracts with the CFD and the Capitola Police Department, the City evaluates fire and police protection service levels, and adjusts budgets accordingly to meet identified demand and service goals. This process would continue through the course of the proposed project. With continued application of these programs, the City would be able to address anticipated increased service demands. Thus, adoption and implementation of the proposed project ensure impacts remain as less than significant impacts.

**Conclusion:** No New Impact. The changes associated with the proposed project would not result in any new impacts or increase the severity of impacts in this regard.

### **3. SCHOOLS?**

The GPU EIR concluded less than significant impacts to schools.

The 2023-2031 Housing Element is a policy document that would not change land use designations or in and of themselves authorize any development within the City. While the City is required by State law to facilitate development commensurate with its allocated share of regional housing needs, no change in the location or nature of allowable development would be authorized by the 2023-2031 Housing Element.

The 2023-2031 Housing Element includes policies and programs to facilitate the production of future housing development. As such, new housing units associated with future development proposals associated with implementation of the proposed project could require additional school services and facilities within the Soquel Union Elementary School District (SUESD) and Santa Cruz City Schools (SCCS).

New residents in the future housing developments could place an increased demand on school facilities within SUESD and SCCS. As allowed by State law, the Districts collect fees for new residential construction to help offset the costs of providing additional education facilities and services. Such fees would be paid by developers at the



time individual building permits are issued. Pursuant to SB 50, payment of fees to the School Districts is considered full mitigation for project impacts, including impacts related to the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, or other performance objectives for schools. Thus, adoption and implementation of the proposed project ensure impacts remain as less than significant impacts.

**Conclusion:** No New Impact. The changes associated with the proposed project would not result in any new impacts or increase the severity of impacts in this regard.

#### **4. PARKS?**

Refer to Section 4.16, Recreation.

#### **5. OTHER PUBLIC FACILITIES?**

The *GPU EIR* concluded less than significant impacts to libraries.

The 2023-2031 Housing Element is a policy document that would not change land use designations or in and of themselves authorize any development within the City. While the City is required by State law to facilitate development commensurate with its allocated share of regional housing needs, no change in the location or nature of allowable development would be authorized by the 2023-2031 Housing Element.

The Santa Cruz Public Libraries system consists of 10 branches located at various locations throughout Santa Cruz County. The Capitola Branch Library located at 2005 Wharf Road serves about 9,846 residents in the city of Capitola in Santa Cruz County. The library is a part of Santa Cruz Public Libraries, which maintains over 392,344 volumes and circulates about 2 million items per year, including local history collections and research materials. It provides in-person tech help, homework help, preschool storytime, Bridge club, Youth chess club, and Health Insurance Counseling for all patrons.

Future development proposals associated with implementation of the proposed project would be required to comply with all applicable regulations and development standards, along with project-specific conditions and mitigation measures, as applicable, to reduce potential impacts required as part of the development review and environmental impact processes. Thus, adoption and implementation of the proposed project ensure impacts remain as less than significant impacts.

**Conclusion:** No New Impact. The changes associated with the proposed project would not result in any new impacts or increase the severity of impacts in this regard.



## 4.16 RECREATION

Would the project:	New Potentially Significant Impact	New Impact Requiring New Mitigation	No New Impact/ No Impact	Reduced Impact
A. Would the project increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?			✓	
B. Does the project include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment?			✓	

## PRIOR ENVIRONMENTAL FINDINGS

### General Plan Update EIR

The table below summarizes the parks and recreation impacts and mitigation measures, if applicable.

PARKS AND RECREATION – SUMMARY OF IMPACTS AND MITIGATION MEASURES			
Impact	Significance Before Mitigation	Mitigation Measures	Significance With Mitigation
PS-1: The proposed Plan would not result in substantial adverse physical impacts associated with the provision of new or physically altered parks and recreational facilities in order to maintain an acceptable ratio of parkland per thousand residents.	Less Than Significant	Not Applicable	
PS-2: The proposed Plan would not 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.	Less Than Significant	Not Applicable	
PS-3: The proposed Plan would not include or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment.	Less Than Significant	Not Applicable	
PS-4: The proposed Plan, in combination with past, present, and reasonably foreseeable growth, would result in less than significant cumulative impacts with respect to parks and recreational facilities.	Less Than Significant	Not Applicable	

Source: Capitola General Plan Update Environmental Impact Report (June 2014), Table 1-1, Summary of Impacts and Mitigation Measures

## IMPACT ANALYSIS

The 2023-2031 Housing Element includes policies and programs that are applicable City-wide and are designed to facilitate the construction of housing units to meet the City’s share of the regional housing need. The 2023-2031 Housing Element Chapter 4, Housing Need and Opportunities identifies potential residential sites and densities, inclusive of recyclable residential land, religious facility sites and State land housing, vacant and non-vacant land, and the Capitola Mall site. The 2023-2031 Housing Element Chapter 5, Housing Plan identifies the Goals, Policies,



and Programs and Quantified Objectives that are based upon expected availability of resources to address the City’s housing needs, expectations regarding future housing development, as well as prior objectives established in earlier housing plans.

The 2023-2031 Housing Element is a policy document that would not change land use designations or in and of themselves authorize any development within the City. While the City is required by State law to facilitate development commensurate with its allocated share of regional housing needs, no change in the location or nature of allowable development would be authorized by the 2023-2031 Housing Element.

**A. WOULD THE PROJECT 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?**

The GPU EIR The *GPU EIR* concluded less than significant impacts to parks and recreation.

Capitola has been urbanized for many years with established development, including park and recreation facilities, throughout the City.

The 2023-2031 Housing Element is a policy document that would not change land use designations or in and of themselves authorize any development within the City. While the City is required by State law to facilitate development commensurate with its allocated share of regional housing needs, no change in the location or nature of allowable development would be authorized by the 2023-2031 Housing Element.

The 2023-2031 Housing Element includes policies and programs to facilitate the production of future housing development. New residents in future development proposals associated with implementation of the proposed project could place an increased demand on City park facilities. Future development proposals associated with implementation of the proposed project would be required to comply with all applicable regulations and development standards, along with project-specific conditions and mitigation measures, as applicable, to reduce potential impacts required as part of the development review and environmental impact process. Quimby Act park fees paid or other fair share park requirements of new residential developments are used to acquire and/or improve park facilities, which would reduce the impact of additional residents in the City. Potential impacts to recreation facilities associated with future development proposals associated with implementation of the proposed project would be mitigated on a project-by-project basis, as applicable, per *Municipal Code* requirements. Thus, adoption and implementation of the proposed project ensure impacts remain as less than significant impacts.

**Conclusion:** No New Impact. The changes associated with the proposed project would not result in any new impacts or increase the severity of impacts in this regard.





**B. DOES THE PROJECT INCLUDE RECREATIONAL FACILITIES OR REQUIRE THE CONSTRUCTION OR EXPANSION OF RECREATIONAL FACILITIES WHICH MIGHT HAVE AN ADVERSE PHYSICAL EFFECT ON THE ENVIRONMENT?**

The proposed project does not include plans for or construction of any recreational facilities. Thus, adoption and implementation of the proposed project ensure impacts remain as less than significant impacts.

**Conclusion:** No New Impact. The changes associated with the proposed project would not result in any new impacts or increase the severity of impacts in this regard.



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## 4.17 TRANSPORTATION

Would the project:	New Potentially Significant Impact	New Impact Requiring New Mitigation	No New Impact/ No Impact	Reduced Impact
A. Conflict with a program, plan, ordinance, or policy addressing the circulation system, including transit, roadway, bicycle, and pedestrian facilities?			✓	
B. Conflict or be inconsistent with CEQA Guidelines Section 15064.3 subdivision (b)?			✓	
C. Substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?			✓	
D. Result in inadequate emergency access?			✓	

## PRIOR ENVIRONMENTAL FINDINGS

### General Plan Update EIR

The table below summarizes the transportation and traffic impacts and mitigation measures, if applicable.

TRANSPORTATION AND TRAFFIC – SUMMARY OF IMPACTS AND MITIGATION MEASURES			
Impact	Significance Before Mitigation	Mitigation Measures	Significance With Mitigation
TRANS-1: Implementation of the proposed Plan would cause intersection operations to degrade to unacceptable LOS E at the Porter Street and Highway 1 northbound ramps intersection during the AM peak hour in 2035.	Significant	TRANS-1	Significant Unavoidable
TRANS-2: The proposed Plan would not result in a change in air traffic patterns including either an increase in traffic levels of a change in locations that results in substantial safety risks.	Less Than Significant	Not Applicable	
TRANS-3: The proposed Plan would not substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment).	Less Than Significant	Not Applicable	
TRANS-4: Implementation of the proposed Plan would not result in inadequate emergency access.	Less Than Significant	Not Applicable	
TRANS-5: Implementation of the proposed Plan would not conflict with adopted policies, plans, or program regarding public transit, bicycle, or pedestrian facilities, or otherwise decrease the performance or safety of such facilities.	Less Than Significant	Not Applicable	
TRANS-6: Implementation of the proposed Plan, in combination with past, present, and reasonably foreseeable project, would result in additional cumulatively considerable impacts.	Significant	TRANS 6: Implement TRANS-1	Significant Unavoidable

Source: Capitola General Plan Update Environmental Impact Report (June 2014), Table 1-1, Summary of Impacts and Mitigation Measures



## IMPACT ANALYSIS

The 2023-2031 Housing Element includes policies and programs that are applicable City-wide and are designed to facilitate the construction of housing units to meet the City’s share of the regional housing need. The 2023-2031 Housing Element Chapter 4, Housing Need and Opportunities identifies potential residential sites and densities, inclusive of recyclable residential land, religious facility sites and State land housing, vacant and non-vacant land, and the Capitola Mall site. The 2023-2031 Housing Element Chapter 5, Housing Plan identifies the Goals, Policies, and Programs and Quantified Objectives that are based upon expected availability of resources to address the City’s housing needs, expectations regarding future housing development, as well as prior objectives established in earlier housing plans.

The 2023-2031 Housing Element is a policy document that would not change land use designations or in and of themselves authorize any development within the City. While the City is required by State law to facilitate development commensurate with its allocated share of regional housing needs, no change in the location or nature of allowable development would be authorized by the 2023-2031 Housing Element.

**A. WOULD THE PROJECT CONFLICT WITH AN APPLICABLE PLAN, ORDINANCE OR POLICY ADDRESSING THE CIRCULATION, INCLUDING TRANSIT, ROADWAY, BICYCLE, AND PEDESTRIAN FACILITIES?**

The *General Plan* includes goals, policies, and actions relative to transportation and traffic: Goal MO-1, Policy MO-1.1 Responsive Transportation Services, Policy MO-1.2 Reduced Vehicle Trips, Policy MO-1.3 Regional Collaboration, Policy MO-1.4 Highway 1 Capacity, Action MO-1.1 Funding, Action MO-1.2 Regional Plan Implementation, Action MO-1.3, Goal MO-2, Policy MO-2.1 Complete Streets, Policy MO-2.6 Non-Motorized Connectivity, Goal MO-3, Policy MO-3.1 Arterial Streets, Policy MO-3.2 Street Widening, Policy MO-3.3 Level of Service Standard, Policy MO-3.4 Reduced Standards, Policy MO-3.5 Impact Fees, Action MO-3.1 Neighborhood Traffic, Action MO-3.2 Signal Timing, Action MO-3.3 Traffic Monitoring, Action MO-3.4 Impact Fees, Action MO-3.5 Financing, Goal MO-4, Action MO-4.1 Bay Avenue Roundabout, Goal MO-6, Policy MO-6.1 Traffic Congestion, Policy MO-6.2 Parking Supply, Policy MO-6.3 Signage, Policy MO-6.4 Balanced Parking Approach, Policy MO-6.5 Transportation Alternatives, Policy MO-6.6 Bicycle and Pedestrian Connections, and Policy MO-6.7 General Environment. The *GPU EIR* concluded less than significant impacts and significant unavoidable impacts with implementation of *General Plan* policies and actions.

The City of Capitola has been urbanized for many years with established development, roads, and transportation systems.

All future development proposals associated with implementation of the proposed project would be evaluated, if applicable, for potential conflicts with relevant circulation plans, ordinances, or policies relative to transit, bicycle, pedestrian, and roadway facilities. Thus, it is not anticipated that adoption and implementation of the proposed project would significantly impact the effectiveness or performance of existing pedestrian, bicycle, or multi-purpose trail facilities, nor would it limit the accessibility for pedestrians or future cyclists, or their ability to utilize existing facilities.

In addition, there is the potential for future development proposals associated with implementation of the proposed project at specific locations throughout Capitola to contribute to congestion on roadways and at intersections. The City may also require specific roadway or signal improvements to address impacts directly attributable to a specific development proposal. In addition, future development would be subject to *GPU EIR*



Mitigation Measures TRANS-1 and TRANS-6, as applicable. These practices would continue as a means of addressing potential traffic concerns associated with individual projects.

**Roadway System Level of Service.** The 2023-2031 Housing Element is a policy document that would not change land use designations or in and of themselves authorize any development within the City. While the City is required by State law to facilitate development commensurate with its allocated share of regional housing needs, no change in the location or nature of allowable development would be authorized by the 2023-2031 Housing Element. Future development proposals associated with implementation of the proposed project would be required to comply with all applicable regulations and development standards, along with project-specific conditions and mitigation measures, as applicable, to reduce potential impacts required as part of the development review and environmental impact process.

The *GPU EIR* concluded that despite the imposition of regulatory requirements and Mitigation Measures TRANS-1 and TRANS-6, impacts are significant and unavoidable. Thus, adoption and implementation of the proposed project ensures impacts remain as significant and unavoidable impacts.

**Transportation and Traffic.** The 2023-2031 Housing Element is a policy document that would not change land use designations or in and of themselves authorize any development within the City. While the City is required by State law to facilitate development commensurate with its allocated share of regional housing needs, no change in the location or nature of allowable development would be authorized by the 2023-2031 Housing Element. Future development proposals associated with implementation of the proposed project would be required to comply with all applicable regulations and development standards, along with project-specific conditions and mitigation measures, as applicable, to reduce potential impacts required as part of the development review and environmental impact process.

The *GPU EIR* concluded less than significant impacts for TRANS-2, TRANS-3, TRANS-4, and TRANS-5. Thus, adoption and implementation of the proposed project ensures impacts remain as less than significant impacts.

**Conclusion:** No New Impact. The changes associated with the proposed project would not result in any new impacts or increase the severity of impacts in this regard.

**B. WOULD THE PROJECT CONFLICT OR BE INCONSISTENT WITH CEQA GUIDELINES SECTION 15064.3 SUBDIVISION (B)?**

At the time the *GPU EIR* was certified in certified in 2014, SB 743 was not in place and thus, the *GPU EIR* did not evaluate this threshold.

The 2018 updates to the *CEQA Guidelines* included a new threshold requiring a determination of consistency with *CEQA Guidelines* Section 15064.3. *CEQA Guidelines* Section 15064.3 requires an analysis of Vehicle Miles Travelled (VMTs), in accordance with California Senate Bill (SB) 743. Level of Service (LOS) had been used as the basis for determining the significance of traffic impacts as standard practice in CEQA documents for decades. In 2013, SB 743 was passed, which is intended to balance the need for LOS for traffic planning with the need to build infill housing and mixed-use commercial developments within walking distance of mass transit facilities, downtowns, and town centers and to provide greater flexibility to local governments to balance these sometimes-competing needs. At full implementation of SB 743, the California Governor’s Office of Planning and Research (OPR) replaced LOS as the metric against which traffic impacts are evaluated with a metric based on VMTs. The City of Capitola



will implement *CEQA Guidelines* Section 15064.3 for applicable development applications submitted after July 1, 2020 to determine whether the development would have a significant transportation and traffic impact.

*Public Resources Code* Section 21099 defines Transit Priority Areas (TPAs) as an area within one-half mile of a major transit stop that is existing or planned, if the planned stop is scheduled to be completed within the planning horizon included in a Transportation Improvement Program. *Public Resources Code* Section 21155(b) defines High Quality Transit Areas (HQTAs) as areas within one-half mile of a fixed guideway transit stop or a bus transit corridor where buses pick up passengers at a frequency of every 15 minutes or less during peak commuting hours.

All future development proposals associated with implementation of the proposed project would be evaluated, if applicable, for VMT impacts and any development-related mitigation measures.

The City of Capitola has been urbanized for many years with established development, roads, and transportation systems. Within the City of Capitola or Santa Cruz County, there are no TPAs/HQTAs.<sup>6</sup> There is the potential that future development proposals associated with implementation of the proposed project would be located within ½-mile of the existing or future TPAs/HQTAs with access to Santa Cruz Metropolitan Transit District (METRO), and thus, would have the potential to reduce vehicle miles travelled (VMT).

METRO offers fixed-route and paratransit services (ParaCruz) throughout Santa Cruz County and operates a commuter service via the Highway 17 Express to San Jose Diridon Station. In addition, Santa Cruz METRO offers a microtransit service, Cruz On-Demand, operated by METRO’s trained ParaCruz operators, extending METRO’s service area three quarters of a mile from any of METRO’s fixed bus routes, excluding Highway 17 and the UCSC campus.

METRO currently operates 24 routes. Routes include 4, 10, 15, 18, 19, 20, 22, 35/35A, 40, 41, 42, 55, 66, 68, 69A, 69W, 71, 72/72W, 74S, 75, 79, 91X, WC, and Hwy-17 Express. In addition, METRO provides four Transit Centers:

- Santa Cruz METRO Center (Pacific Station): 920 Pacific Ave., Santa Cruz, CA
- Watsonville Transit Center: 475 Rodriguez St., Watsonville, CA
- Cavallaro Transit Center: 246 Kings Village Road, Scotts Valley, CA (Not Staffed)
- Capitola Mall Transit Center: 1855 41<sup>st</sup> Ave., Capitola, CA (Not Staffed)

**Roadway System Level of Service.** The 2023-2031 Housing Element is a policy document that would not change land use designations or in and of themselves authorize any development within the City. While the City is required by State law to facilitate development commensurate with its allocated share of regional housing needs, no change in the location or nature of allowable development would be authorized by the 2023-2031 Housing Element. Future development proposals associated with implementation of the proposed project would be required to comply with all applicable regulations and development standards, along with project-specific conditions and mitigation measures, as applicable, to reduce potential impacts required as part of the development review and environmental impact process.

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<sup>6</sup> [Transit Priority Areas \(2021\)](#) | [Transit Priority Areas \(2021\)](#) | [Metropolitan Transportation Commission \(ca.gov\)](#), accessed August 16, 2023



The *GPU EIR* concluded that despite the imposition of regulatory requirements and Mitigation Measures TRANS-1 and TRANS-6, impacts are significant and unavoidable. Thus, adoption and implementation of the proposed project ensures impacts remain as significant and unavoidable impacts.

**Transportation and Traffic.** The 2023-2031 Housing Element is a policy document that would not change land use designations or in and of themselves authorize any development within the City. While the City is required by State law to facilitate development commensurate with its allocated share of regional housing needs, no change in the location or nature of allowable development would be authorized by the 2023-2031 Housing Element. Future development proposals associated with implementation of the proposed project would be required to comply with all applicable regulations and development standards, along with project-specific conditions and mitigation measures, as applicable, to reduce potential impacts required as part of the development review and environmental impact process.

The *GPU EIR* concluded less than significant impacts for TRANS-2, TRANS-3, TRANS-4, and TRANS-5. Thus, adoption and implementation of the proposed project ensures impacts remain as less than significant impacts.

**Conclusion:** No New Impact. The changes associated with the proposed project would not result in any new impacts or increase the severity of impacts in this regard.

**C. WOULD THE PROJECT SUBSTANTIALLY INCREASE HAZARDS DUE TO A DESIGN FEATURE (E.G., SHARP CURVES OR DANGEROUS INTERSECTIONS) OR INCOMPATIBLE USES (E.G., FARM EQUIPMENT)?**

The *General Plan* includes policies and actions relative to design hazards: Policy MO-2.2 Design Standards, Policy MO-2.3 Community Context, Action MO-2.1 Complete Street Standards, Policy MO-4.2 Standards, Policy MO-4.4 Driveways, Policy MO-4.6 Traffic Calming, Policy MO-8.6 Curb Cuts and Driveways, Action MO-8.4 Intersection Standard, Action MO-8.5 Highway 1 Interchanges, Action MO-9.2 Obstacles and Obstructions. The *GPU EIR* concluded less than significant impacts with implementation of *General Plan* policies and actions, and regulatory requirements.

The City of Capitola has been urbanized for many years with established development, roads, and transportation systems.

Future development proposals would be evaluated to determine the appropriate land use permit for authorizing its use and the conditions for their establishment and operation. At a minimum, compliance with relevant *Municipal Code* standards would be required. In addition, future development proposals associated with implementation of the proposed project would be subject to review and approval by the City of Capitola Community Development and Public Works Departments. Access to a future development proposal site would be required to comply with all City design standards, which preclude the potential for dangerous conditions.

Also, future development proposals associated with implementation of the proposed project would be evaluated to ensure that adequate access and circulation to and within the future development site is provided. Access to the site must comply with all City design standards and would be reviewed by the City of Capitola and the Central Fire District of Santa Cruz County (CFD) to ensure that inadequate design features or incompatible uses do not occur and that they are designed to meet adopted standards. Thus, adoption and implementation of the proposed project ensures impacts remain as less than significant impacts.



**Conclusion:** No New Impact. The changes associated with the proposed project would not result in any new impacts or increase the severity of impacts in this regard.

**D. WOULD THE PROJECT RESULT IN INADEQUATE EMERGENCY ACCESS?**

The *General Plan* includes policies and actions relative to emergency access: Action SN-2.2 Transportation Infrastructure, Action SN-3.3 Emergency Access, and Policy MO-2.1 Complete Streets. The *GPU EIR* concluded less than significant impacts with implementation of *General Plan* policies and actions, and regulatory requirements.

The City of Capitola has been urbanized for many years with established development, roads, and transportation systems.

No change in the location or nature of allowable development would be authorized by the 2023-2031 Housing Element. However, the 2023-2031 Housing Element does include policies and programs that would facilitate the production of future housing development. The City of Capitola and the Central Fire District of Santa Cruz County (CFD) would review the future development proposals associated with implementation of the proposed project in order to ensure that they are designed to meet adopted standards and provide adequate emergency access. In addition, roadways and driveways associated with future development proposals associated with implementation of the proposed project would be required to meet CFD emergency access standards, as well as comply with requirements from CFD and Capitola Police Department on a project-by-project basis. Thus, adoption and implementation of the proposed project ensures impacts remain as less than significant impacts.

**Conclusion:** No New Impact. The changes associated with the proposed project would not result in any new impacts or increase the severity of impacts in this regard.





## 4.18 UTILITIES AND SERVICE SYSTEMS

Would the project:	New Potentially Significant Impact	New Impact Requiring New Mitigation	No New Impact/ No Impact	Reduced Impact
A. Require or result in the relocation or construction of new or expanded water, wastewater treatment or storm water drainage, electric power, natural gas, or telecommunications facilities, the construction or relocation of which could cause significant environmental effects?			✓	
B. Have sufficient water supplies available to serve the project and reasonably foreseeable future development during normal, dry, and multiple dry years?			✓	
C. Result in a determination by the wastewater treatment provider, which serves or may serve the project, that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?			✓	
D. Generate solid waste in excess of state or local standards, or in excess of the capacity of local infrastructure, or otherwise impair the attainment of solid waste reduction goals?			✓	
E. Comply with federal, state, and local management and reduction statutes and regulations related to solid waste?			✓	

## PRIOR ENVIRONMENTAL FINDINGS

### General Plan Update EIR

The table below summarizes the utilities and service systems impacts and mitigation measures, if applicable.

UTILITIES AND SERVICE SYSTEMS – SUMMARY OF IMPACTS AND MITIGATION MEASURES			
Impact	Significance Before Mitigation	Mitigation Measures	Significance With Mitigation
<b>WATER</b>			
UTIL-1: Buildout of the proposed Plan may result in insufficient water supplies from existing entitlements and resources in 2035.	Significant	None Available	Significant Unavoidable
UTIL-2: The proposed Plan would require the construction of new water facilities or expansion of existing facilities, the construction of which may cause significant environmental effects.	Significant	None Available	Significant Unavoidable
UTIL-3: The Plan, in combination with past, present, and reasonably foreseeable development, may result in significant cumulative impacts with respect to water supply.	Significant	None Available	Significant Unavoidable
<b>SANITARY WASTEWATER (SEWER)</b>			
UTIL-4: The proposed Plan would not exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board (RWQCB).	Less Than Significant	Not Applicable	
UTIL-5: The proposed Plan would not require or result in the construction of new wastewater treatment facilities or	Less Than Significant	Not Applicable	



**Addendum to the Capitola General Plan Update  
For the 2023-2031 Housing Element**

<b>UTILITIES AND SERVICE SYSTEMS – SUMMARY OF IMPACTS AND MITIGATION MEASURES</b>			
<b>Impact</b>	<b>Significance Before Mitigation</b>	<b>Mitigation Measures</b>	<b>Significance With Mitigation</b>
expansion of existing facilities, the construction of which could cause significant environmental effects.			
UTIL-6: The proposed Plan would not result in a determination by the wastewater treatment provider which serves or may serve the project that it does not have adequate capacity to serve the project’s projected demand in addition to the provider’s existing commitments.	Less Than Significant	Not Applicable	
UTIL-7: The Plan, in combination with past, present, and reasonably foreseeable development, would result in less than significant cumulative impacts with respect to wastewater.	Less Than Significant	Not Applicable	
<b>STORMWATER DRAINAGE</b>			
UTIL-8: The proposed Plan would not require or result in the construction of new storm water drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects.	Less Than Significant	Not Applicable	
UTIL-9: The Plan, in combination with past, present, and reasonably foreseeable development, would result in less than significant cumulative impacts with respect to stormwater facilities.	Less Than Significant	Not Applicable	
<b>SOLID WASTE</b>			
UTIL-10: The proposed Plan would be served by a landfill with sufficient permitted capacity to accommodate the Plan’s solid waste disposal needs.	Less Than Significant	Not Applicable	
UTIL-11: The proposed Plan would comply with Federal, State, and local statutes and regulations related to solid waste.	Less Than Significant	Not Applicable	
UTIL-12: The Plan, in combination with past, present, and reasonably foreseeable development, would result in less than significant cumulative impacts with respect to solid waste.	Less Than Significant	Not Applicable	

Source: Capitola General Plan Update Environmental Impact Report (June 2014), Table 1-1, Summary of Impacts and Mitigation Measures

**IMPACT ANALYSIS**

The 2023-2031 Housing Element includes policies and programs that are applicable City-wide and are designed to facilitate the construction of housing units to meet the City’s share of the regional housing need. The 2023-2031 Housing Element Chapter 4, Housing Need and Opportunities identifies potential residential sites and densities, inclusive of recyclable residential land, religious facility sites and State land housing, vacant and non-vacant land, and the Capitola Mall site. The 2023-2031 Housing Element Chapter 5, Housing Plan identifies the Goals, Policies, and Programs and Quantified Objectives that are based upon expected availability of resources to address the City’s housing needs, expectations regarding future housing development, as well as prior objectives established in earlier housing plans.

The 2023-2031 Housing Element is a policy document that would not change land use designations or in and of themselves authorize any development within the City. While the City is required by State law to facilitate development commensurate with its allocated share of regional housing needs, no change in the location or nature of allowable development would be authorized by the 2023-2031 Housing Element.



**A. WOULD THE PROJECT REQUIRE OR RESULT IN THE RELOCATION OR CONSTRUCTION OF NEW OR EXPANDED WATER, WASTEWATER TREATMENT OR STORM WATER DRAINAGE, ELECTRIC POWER, NATURAL GAS, OR TELECOMMUNICATIONS FACILITIES, THE CONSTRUCTION OR RELOCATION OF WHICH COULD CAUSE SIGNIFICANT ENVIRONMENTAL EFFECTS?**

Existing water, sanitary sewer (wastewater, sewer), storm drain, electrical, natural gas, and telecommunications facilities exist in the City of Capitola.

Future development proposals would be required to comply with the applicable water supplier’s rules and regulations regarding water connection, service, and conservation, as well as the Central Fire District of Santa Cruz County’s requirements relative to the size of water lines and systems necessary to provide adequate fire flow service to development.

Future development proposals would be required to install or relocate, as applicable, on-site and off-site water, wastewater, storm drain, street, electricity, natural gas, and telecommunications infrastructure to serve the development. Thus, adoption and implementation of the proposed project ensure impacts remain as less than significant impacts.

**Conclusion:** No New Impact. The changes associated with the proposed project would not result in any new impacts or increase the severity of impacts in this regard.

**B. WOULD THE PROJECT HAVE SUFFICIENT WATER SUPPLIES AVAILABLE TO SERVE THE PROJECT AND REASONABLY FORESEEABLE FUTURE DEVELOPMENT DURING NORMAL, DRY, AND MULTIPLE DRY YEARS?**

The *General Plan* includes goals, policies, and actions relative to water supplies: Policy OSC-7.2 Soquel Creek, Policy OSC-8.3 Best Management Practices, Policy OSC-8.5 Native Plants, Policy OSC-8.6 City Properties, Policy OSC-8.7 Regional Collaboration, Policy OSC-8.8 Drainage Plans, Goal OSC-9, Policy OCS-9.1 Water Use, Policy OCS-9.2 Drought-Tolerant Landscaping, Policy OCS-9.3 Public Outreach, Action OCS-9.1 Greywater, Action OCS-9.2 City Conservation Goals, Action OCS-9.3 Water Efficiency Audits, and Action OCS-9.4 Incentives. The *GPU EIR* concluded significant unavoidable impacts with implementation of *General Plan* goals, policies, and actions, and regulatory requirements.

**Soquel Creek Water District**

The Soquel Creek Water District (SCWD) service area encompasses seven miles of shoreline and extends from one to three miles inland into the foothills of the Santa Cruz mountains. The City of Capitola is the only incorporated area in the District. Unincorporated communities include Aptos, La Selva Beach, Opal Cliffs, Rio Del Mar, Seascapes, and Soquel. The table below provides an overview of SCWD.

Service Area	Aptos, La Selva Beach, Opal Cliffs, Rio Del Mar, Seascapes, Soquel, and portions of the City of Capitola
Population	Over 40,600 residents (Per 2020 Annual Report to State Water Resources Control Board)
Community SCWD Serves	Approximately 18,000 jobs, 22 parks, and 18 schools



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Housing Units	20,924 (2015); projected to be 20,912 in 2020
Service Connections	Approximately 16,000 (Per 2020 Urban Water Management Plan)
District Personnel	49
Fiscal Year 2022-2023 Budget	\$64.1 million
Annual Water Production	3,348 acre-feet (2020)
Sources of Supply	100% Groundwater (from CA Basin 3-001, Santa Cruz Mid-County Groundwater Basin)
Water Use by Category	Approximately 80% residential (single-family and multi-family), and 20% non-residential (commercial, industrial, schools, governmental, landscape irrigation). SCWD has no agricultural accounts.
Average Water Use per Person	On average about 50 gallons per day per person
Miles of Pipe in System	167 miles
Number of Production Groundwater Wells	16 active, 2 standby, and 2 inactive
Number of Tanks	18
Number of Groundwater Monitoring Wells	80

### Urban Water Management Plans

State law requires an urban water supplier (supplier), providing water for municipal purposes to more than 3,000 urban connections/customers or providing more than 3,000 acre-feet annually, to adopt an Urban Water Management Plan (UWMP) every five years demonstrating water supply reliability in normal, single dry, and multiple dry water years.

These plans support the suppliers' long-term resource planning to ensure that adequate water supplies are available to meet existing and future water needs. Within the UWMP, urban water suppliers must: 1) assess the reliability of water sources over a 20-year planning time frame; 2) describe demand management measures and water shortage contingency plans, 3) report progress toward meeting a targeted 20 percent reduction in per-capita (per-person), 4) urban water consumption by a specified year (e.g., 2020, 2025, 2030, 2035, 2040), and 5) discuss the use and planned use of recycled water. The California Department of Water Resources (DWR) reviews the submitted plans to ensure they have addressed the requirements identified in the Water Code and submits a report to the Legislature summarizing the status of the plans for each five-year cycle.

The Soquel Creek Water District has an approved *2020 UWMP*. The *2020 UWMP* is a long-range planning document that assesses current water demand, projects future demand over a minimum 20-year planning horizon, and identifies a mix of water resources and conservation efforts to meet future demand. The *2020 UWMP* also includes SCWD's *Water Shortage Contingency Plan (WSCP)*, which identifies water shortage stages and associated curtailment actions to allow for efficient management of any water shortage with predictability and accountability.



### Impact Analysis

Adoption and implementation of the proposed project would not adversely affect the ability of the primary domestic water provider Soquel Creek Water District to have sufficient water supplies available during normal, dry, and multiple dry year conditions for future development proposals associated with implementation of the proposed project within the City. Thus, adoption and implementation of the proposed project ensure impacts remain as less than significant impacts.

**Conclusion:** No New Impact. The changes associated with the proposed project would not result in any new impacts or increase the severity of impacts in this regard.

**C. WOULD THE PROJECT 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?**

The *General Plan* includes policies, and actions relative to wastewater: Policy OSC-1.4 Regional Partnerships, Policy OSC-1.5 New Development, Action OSC-1.2 Education Partnerships, and Action OSC-9.1 Greywater. The *GPU EIR* concluded less than significant impacts with implementation of *General Plan* goals, policies, and actions, and regulatory requirements.

#### Santa Cruz County Sanitation District

Sanitary sewer service for the City of Capitola is provided under contract through the Santa Cruz County Sanitation District (SCCSD). The SCCSD is a non-profit public agency which provides sewage collection, treatment, and disposal services to the Live Oak, Capitola, Soquel, and Aptos areas. The City of Capitola is not responsible for nor does it have the authority to maintain the sanitary sewers.

The City of Santa Cruz treats sewage from domestic and industrial sources at the Wastewater Treatment Facility near Neary Lagoon and discharges its effluent into the Pacific Ocean under the NPDES permit No CA0048194. The design treatment capacity (wet weather flow) of the City of Santa Cruz Wastewater Treatment Facility (Plant) is 81 million gallons per day (MGD). The NPDES mandatory limit for the average dry weather (ADW) flow is 17 MGD. The average daily flow is less than 10 MGD.

The maximum daily flow in 2019 was 30.6 MGD, and 3.2 billion gallons of treated wastewater effluent gallons was discharged from the Plant at an average daily rate of 8.7 MGD.<sup>7</sup>

#### Wastewater (Sewer) Collection

Per the *Sewer System Management Plan for the Davenport, Freedom, Santa Cruz County Sanitation Districts and the County of Santa Cruz* (2022), the SCCSD serves a population of 72,200 in a 13-square mile area. SCCSD has 36,000 sewer connections, 186 miles of gravity sewers, 14 miles of force mains; 35 pump stations, and no lateral responsibility.

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<sup>7</sup> City of Santa Cruz, 2019 Wastewater Treatment Facility Annual Summary Report & Outfall Inspection Report, <https://www.cityofsantacruz.com/home/showdocument?id=78881>



The SCCSD's customers generate approximately 5 to 6 MGD of wastewater. The main pump station along the transmission main is located at the D. A. Porath Wastewater Facility at 2750 Lode Street off 27th Avenue in Live Oak. This wastewater flows to the Lode Street pre-treatment facility. The SCCSD collection system is then pumped to the City of Santa Cruz Publicly Owned Treatment Works (POTW) for treatment. SCCSD is required to comply with the requirements of the City of Santa Cruz NPDES permit No. CA0048194. SCCSD does not own nor it is responsible for maintenance or repair of any portion of the sewer service laterals (the portion between the building and the public sewer main).

Future development proposals would be required to comply with applicable SCCSD's rules and regulations regarding wastewater connection and service, including the wastewater lines and systems necessary to provide adequate services to the development. In addition, a future development proposal's wastewater (sewer) plans would be reviewed by the City Engineer and would be required to provide sufficient capacity and comply with City standards.

Future development proposals associated with adoption and implementation of the proposed project would result in the generation of raw sewage that would be collected in the existing or new sewer collection facilities to support the development, and then transported to the City of Santa Cruz Publicly Owned Treatment Works (POTW) where it would be treated and ultimately discharged.

The wastewater treatment requirements issued by the Central Coast RWQCB (Region 3) for the City of Santa Cruz POTW that would receive wastewater from the project site were developed to ensure that adequate levels of treatment would be provided for the wastewater flows emanating from all land uses in its service area. Therefore, implementation of the proposed project not adversely affect the ability of the City or SCCSD to provide adequate capacity and service to existing and future developments. Thus, adoption and implementation of the proposed project ensure impacts remain as less than significant impacts.

**Conclusion:** No New Impact. The changes associated with the proposed project would not result in any new impacts or increase the severity of impacts in this regard.

**D. WOULD THE PROJECT 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?**

The *General Plan* includes goals, policies, and actions relative to solid waste: Goal OSC-11, Policy OSC-11.1 Solid Waste Diversion, Policy OSC-11.2 City Diversion Rate, Policy OSC-11.3 Demolition Material Recycling, Policy OSC-11.4 Building Design, Policy OSC-11.5 Recycling and Composting Space, Policy OSC-11.6 Reusable Goods, Policy OSC-11.7 Consumption/Waste Reduction, Policy OSC-11.8 Recycling at Events, Action OSC-11.1 Diversion Incentives, Action OSC-11.2 Restaurant Waste, Action OSC-11.3 Recycled Asphalt Pavement, and Action OSC-11.4 City Purchasing Policies. The *GPU EIR* concluded less than significant impacts with implementation of *General Plan* goals, policies, and actions, and regulatory requirements.

Solid waste disposal within the City is subject to the requirements established in *Municipal Code* Chapter 8.04, Solid Waste and Edible Food Recovery.

The *GPU EIR* concluded less than significant impacts with implementation of regulatory requirements.





The City of Capitola has a franchise agreement with GreenWaste Recovery for the collection of refuse, recycling and yard waste. GreenWaste vehicles deliver Garbage and Organics to the Monterey Regional Waste Management District (MRWMD) in Marina for processing and/or disposal, while recyclables are delivered to the GreenWaste Transfer Facility in Watsonville.

Santa Cruz County Recycling and Trash Services is responsible for the operation and administration of solid waste diversion and disposal in the unincorporated area of the County. In addition, the County operates two solid waste facilities, the Buena Vista Landfill west of Watsonville and the Ben Lomond Transfer Station in the San Lorenzo Valley.

Presently, capacity is available at the several solid waste management facilities serving the City of Capitola, and these facilities would be available to service future development proposals associated with adoption and implementation of the proposed project. In addition, future development proposals associated with implementation of the proposed project would be required to comply with the *Municipal Code*, which requires providing adequate areas for collecting and loading recyclable materials in concert with Countywide efforts and programs to reduce the volume of solid waste entering landfills. In addition, the location of recycling/separation areas is required to comply with all applicable Federal, State, public health, or local laws relating to fire, building, access, transportation, circulation, or safety. Compliance with all applicable State, Santa Cruz County, and City regulations for the use, collection, and disposal of solid and hazardous wastes is also mandated. It can be assumed that future development proposals associated with implementation of the proposed project would include adequate, accessible and convenient areas for collecting recyclable materials. Thus, adoption and implementation of the proposed project ensure impacts remain as less than significant impacts.

**Conclusion:** No New Impact. The changes associated with the proposed project would not result in any new impacts or increase the severity of impacts in this regard.

**E. WOULD THE PROJECT COMPLY WITH FEDERAL, STATE, AND LOCAL MANAGEMENT AND REDUCTION STATUTES AND REGULATIONS RELATED TO SOLID WASTE?**

The *General Plan* includes goals, policies, and actions relative to solid waste: Goal OSC-11, Policy OSC-11.1 Solid Waste Diversion, Policy OSC-11.2 City Diversion Rate, Policy OSC-11.3 Demolition Material Recycling, Policy OSC-11.4 Building Design, Policy OSC-11.5 Recycling and Composting Space, Policy OSC-11.6 Reusable Goods, Policy OSC-11.7 Consumption/Waste Reduction, Policy OSC-11.8 Recycling at Events, Action OSC-11.1 Diversion Incentives, Action OSC-11.2 Restaurant Waste, Action OSC-11.3 Recycled Asphalt Pavement, and Action OSC-11.4 City Purchasing Policies. The *GPU EIR* concluded less than significant impacts with implementation of *General Plan* goals, policies, and actions, and regulatory requirements.

State, County, and local agencies with regulatory authority related to solid waste include the California Department of Resources Recycling and Recovery, Santa Cruz County Recycling and Trash Services, and the City of Capitola. Regulations specifically applicable to the development proposals include the California Integrated Waste Management Act of 1989 (AB 939), *CalGreen Code* Section 4.408, which the *Municipal Code* has adopted by reference, and SB 341, which requires multi-family residential development and commercial uses to implement recycling programs.

The Integrated Waste Management Act, which requires every City and County in the State to prepare a Source Reduction and Recycling Element (SRRE) to its Solid Waste Management Plan, identifies how each jurisdiction will



meet the State’s mandatory waste diversion goal of 50 percent by and after the year 2000. The diversion goal has been increased to 75 percent by 2020 by SB 341.

*Municipal Code* Chapter 8.04, Solid Waste and Edible Food Recovery stipulates standards and regulations for the collection and management of solid waste in the City, in accordance with the Integrated Waste Management Act. *CalGreen Code* Section 4.408 requires preparation of a Construction Waste Management Plan that outlines ways in which the contractor would recycle and/or salvage for reuse a minimum of 50 percent of the nonhazardous construction and demolition debris.

Future development proposals would comply with the *CalGreen Code* through the recycling and reuse of at least 50 percent of the non-hazardous construction and demolition debris from the development site during the construction phase.

Future development proposals associated with adoption and implementation of the proposed project are not anticipated to result in unusual waste production characteristics, and thus, would not include any components that would conflict with State laws governing construction or operational solid waste production or diversion. Also, future development proposals associated with implementation of the proposed project would subject to all applicable Federal, State, and local statutes and regulations related to solid waste, including the California Integrated Waste Management Act, Santa Cruz County, and City of Capitola recycling programs, ensuring compliance with Federal, State, and local statutes and implementation requirements related to the management of solid waste. Thus, adoption and implementation of the proposed project ensure impacts remain as less than significant impacts.

**Conclusion:** No New Impact. The changes associated with the proposed project would not result in any new impacts or increase the severity of impacts in this regard.





## 4.19 WILDFIRE

Would the project:	New Potentially Significant Impact	New Impact Requiring New Mitigation	No New Impact/ No Impact	Reduced Impact
A. Expose people or structures, either directly or indirectly, to a significant risk of loss, injury, or death involving wildland fires?			✓	
<b>If located in or near state responsibility areas or lands classified as high fire hazard severity zones, would the project:</b>				
B. Substantially impair an adopted emergency response plan or emergency evacuation plan?			✓	
C. 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?			✓	
D. 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?			✓	
E. 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?			✓	

## PRIOR ENVIRONMENTAL FINDINGS

### General Plan Update EIR

The table below summarizes the wildfire impacts and mitigation measures, if applicable.

WILDFIRE – SUMMARY OF IMPACTS AND MITIGATION MEASURES			
Impact	Significance Before Mitigation	Mitigation Measures	Significance With Mitigation
HAZ-8: Implementation of the proposed Plan would not expose people or structures to a significant risk of loss, injury, or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands.	Less Than Significant	Not Applicable	

Source: Capitola General Plan Update Environmental Impact Report (June 2014), Table 1-1, Summary of Impacts and Mitigation Measures



## IMPACT ANALYSIS

The 2023-2031 Housing Element includes policies and programs that are applicable City-wide and are designed to facilitate the construction of housing units to meet the City's share of the regional housing need. The 2023-2031 Housing Element Chapter 4, Housing Need and Opportunities identifies potential residential sites and densities, inclusive of recyclable residential land, religious facility sites and State land housing, vacant and non-vacant land, and the Capitola Mall site. The 2023-2031 Housing Element Chapter 5, Housing Plan identifies the Goals, Policies, and Programs and Quantified Objectives that are based upon expected availability of resources to address the City's housing needs, expectations regarding future housing development, as well as prior objectives established in earlier housing plans.

The 2023-2031 Housing Element is a policy document that would not change land use designations or in and of themselves authorize any development within the City. While the City is required by State law to facilitate development commensurate with its allocated share of regional housing needs, no change in the location or nature of allowable development would be authorized by the 2023-2031 Housing Element.

### **A. WOULD THE PROJECT EXPOSE PEOPLE OR STRUCTURES, EITHER DIRECTLY OR INDIRECTLY, TO A SIGNIFICANT RISK OF LOSS, INJURY, OR DEATH INVOLVING WILDLAND FIRES?**

The *General Plan* includes goals, policies, and actions relative to wildland fires: Goal 3, Policy SN-3.1 Cooperative Agreements, Policy SN-3.2 Public Education, Policy SN-3.3 City-Owned Space, Policy SN-3.4 Development Review, Policy SN-3.5 Fire Hazard Risk Assessment, Policy SN-3.6 Fire Safety Plans, Policy SN-3.7 District Support, Action SN-3.1 Invasive Species, Action SN-3.2 Sign/Address Marking Visibility, Action SN-3.3 Emergency Access, Goal 5, Goal SN-5, Policy SN-5.1 Coordination with Other Agencies, Policy SN-5.2 Community Groups, Policy SN-5.3 Emergency and Evacuation Routes, Policy SN-5.4 Urban Area Security Initiative, Action SN-5.1 Emergency Response Plan, Action SN-5.2 County Preparedness Exercises, Action SN-5.3 Preparedness Training, Action SN-5.4 Preparedness Outreach, Action SN-5.5 Critical Facilities, and Action SN-5.6 Local Hazard Mitigation Plan. The *GPU EIR* concluded less than significant impacts with implementation of *General Plan* goals, policies, and actions, and regulatory requirements.

The City of Capitola has been urbanized for many years with established development throughout the City. According to the California Department of Forestry and Fire Protection (CAL FIRE), the eastern edge of the City is located in a High and Moderate fire hazard severity zone within a Local Responsibility Area (LRA), as shown in *GPU EIR* Figure 4.6-1. These areas contain significant vegetation, in particular large stands of Eucalyptus trees in and around New Brighton State Park and along Park Avenue. These trees are highly flammable due to the large amounts of leaf litter on the ground and the oil content of the leaves.

The proposed project involves policy-level documents, and as such, does not include any site-specific development designs or proposals. Future development proposals associated with implementation of the proposed project would be required to comply with all applicable regulations and development standards, along with project-specific conditions and mitigation measures to reduce potential impacts required as part of the development review and environmental impact processes. This can include, but is not limited to, Federal and State laws and regulations, *California Building Code*, *California Fire Code*, *Municipal Code* requirements; and *General Plan* goals, policies, and implementation programs, including those identified in the proposed project. As such, future development proposals associated with implementation of the proposed project would expose people or structures to a significant risk of loss, injury or death involving wildland fires, including where wildlands are



adjacent to urbanized areas or where residences are intermixed with wildlands. Thus, adoption and implementation of the proposed project ensures impacts remain as less than significant impacts.

**Conclusion:** No New Impact. The changes associated with the proposed project would not result in any new impacts or increase the severity of impacts in this regard.

**B. IF LOCATED IN OR NEAR STATE RESPONSIBILITY AREAS OR LANDS CLASSIFIED AS HIGH FIRE HAZARD SEVERITY ZONES, SUBSTANTIALLY IMPAIR AN ADOPTED EMERGENCY RESPONSE PLAN OR EMERGENCY EVACUATION PLAN?**

The *General Plan* includes goals, policies, and actions relative to high fire severity zones: Goal 3, Policy SN-3.1 Cooperative Agreements, Policy SN-3.2 Public Education, Policy SN-3.3 City-Owned Space, Policy SN-3.4 Development Review, Policy SN-3.5 Fire Hazard Risk Assessment, Policy SN-3.6 Fire Safety Plans, Policy SN-3.7 District Support, Action SN-3.1 Invasive Species, Action SN-3.2 Sign/Address Marking Visibility, Action SN-3.3 Emergency Access, Goal 5, Goal SN-5, Policy SN-5.1 Coordination with Other Agencies, Policy SN-5.2 Community Groups, Policy SN-5.3 Emergency and Evacuation Routes, Policy SN-5.4 Urban Area Security Initiative, Action SN-5.1 Emergency Response Plan, Action SN-5.2 County Preparedness Exercises, Action SN-5.3 Preparedness Training, Action SN-5.4 Preparedness Outreach, Action SN-5.5 Critical Facilities, and Action SN-5.6 Local Hazard Mitigation Plan. The *GPU EIR* concluded less than significant impacts with implementation of *General Plan* goals, policies, and actions, and regulatory requirements.

The City of Capitola has been urbanized for many years with established development throughout the City. According to the California Department of Forestry and Fire Protection (CAL FIRE), the eastern edge of the City is located in a High and Moderate fire hazard severity zone within a Local Responsibility Area (LRA), as shown in *GPU EIR* Figure 4.6-1. Thus, the City would be subject to wildfire risks.

The proposed project involves policy-level documents, and as such, does not include any site-specific development designs or proposals. Nor would adoption and implementation of the proposed project impair implementation of emergency response plans or emergency evacuation plans. Thus, adoption and implementation of the proposed project ensures impacts remain as less than significant impacts.

**Conclusion:** No New Impact. The changes associated with the proposed project would not result in any new impacts or increase the severity of impacts in this regard.

**C. IF LOCATED IN OR NEAR STATE RESPONSIBILITY AREAS OR LANDS CLASSIFIED AS HIGH FIRE HAZARD SEVERITY ZONES, WOULD THE PROJECT, 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?**

**D. IF LOCATED IN OR NEAR STATE RESPONSIBILITY AREAS OR LANDS CLASSIFIED AS HIGH FIRE HAZARD SEVERITY ZONES, WOULD THE PROJECT 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?**



**E. IF LOCATED IN OR NEAR STATE RESPONSIBILITY AREAS OR LANDS CLASSIFIED AS HIGH FIRE HAZARD SEVERITY ZONES, WOULD THE PROJECT 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?**

The *General Plan* includes goals, policies, and actions relative to state responsibility areas: Goal 3, Policy SN-3.1 Cooperative Agreements, Policy SN-3.2 Public Education, Policy SN-3.3 City-Owned Space, Policy SN-3.4 Development Review, Policy SN-3.5 Fire Hazard Risk Assessment, Policy SN-3.6 Fire Safety Plans, Policy SN-3.7 District Support, Action SN-3.1 Invasive Species, Action SN-3.2 Sign/Address Marking Visibility, Action SN-3.3 Emergency Access, Goal 5, Goal SN-5, Policy SN-5.1 Coordination with Other Agencies, Policy SN-5.2 Community Groups, Policy SN-5.3 Emergency and Evacuation Routes, Policy SN-5.4 Urban Area Security Initiative, Action SN-5.1 Emergency Response Plan, Action SN-5.2 County Preparedness Exercises, Action SN-5.3 Preparedness Training, Action SN-5.4 Preparedness Outreach, Action SN-5.5 Critical Facilities, and Action SN-5.6 Local Hazard Mitigation Plan. The *GPU EIR* concluded less than significant impacts with implementation of *General Plan* goals, policies, and actions, and regulatory requirements.

The California Department of Forestry and Fire Protection (CAL FIRE) is focused on fire protection and stewardship of over 31 million acres of California's privately-owned wildlands. Preventing wildfires in the State Responsibility Area (SRA) is a key component of CAL FIRE's mission, and in more recent decades, CAL FIRE has adapted to the evolving destructive wildfires and succeeded in significantly increasing its efforts in fire prevention. CAL FIRE's Fire Prevention Program consists of multiple activities including wildland pre-fire engineering, vegetation management, fire planning, education and law enforcement. Typical fire prevention projects include brush clearance, prescribed fire, defensible space inspections, emergency evacuation planning, fire prevention education, fire hazard severity mapping, and fire-related law enforcement activities. The Office of the State Fire Marshall has the responsibility for Fire and Resource Assessment Program (FRAP), inclusive of the task preparing the Fire Hazard Severity Zone (FHSZ) mapping.

As shown in *GPU EIR* Figure 4.6-1, the eastern edge of the City is located in a High and Moderate fire hazard severity zone within a Local Responsibility Area (LRA). Per the updated CAL Fire Santa Cruz County State Responsibility Area (SRA) Fire Hazard Severity Zones dated June 15, 2023, the City of Capitola is not located within a Local SRA, but is located within a Fire Protection Responsibility Area (Non-SRA) – Local Responsibility Area.<sup>8</sup> The City of Capitola is outside a State Responsibility Area (SRA) per Fire Hazard Severity Zones viewer in State Responsibility Area<sup>9</sup>.

The City of Capitola has been urbanized for many years with established development throughout the City. Due to the urbanized nature of the City, there is potential to expose people or structures to significant wildfire risks, including downslope or downstream flooding or landslides, as a result of runoff, post-fire slope instability, or drainage changes.

The proposed project involves policy-level documents, and as such, does not include any site-specific development designs or proposals. Future development proposals associated with implementation of the proposed project would be required to comply with all applicable regulations and development standards, along with project-specific conditions and mitigation measures to reduce potential impacts required as part of the development

<sup>8</sup> CAL FIRE, [Fire Hazard Severity Zones in State Responsibility Area - Santa Cruz County \(ca.gov\)](https://www.fire.ca.gov/locations/santa-cruz-county), accessed August 17, 2023

<sup>9</sup> CAL FIRE, [Fire Hazard Severity Zones \(ca.gov\)](https://www.fire.ca.gov/locations/santa-cruz-county), accessed August 17, 2023



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review and environmental impact processes. This can include, but is not limited to, Federal and State laws and regulations, *California Building Code*, *California Fire Code*, *Municipal Code* requirements; and *General Plan* goals, policies, and implementation programs, including those identified in the proposed project. As such, future development proposals associated with implementation of the proposed project would expose people or structures to a significant risk of loss, injury or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands. Thus, adoption and implementation of the proposed project ensures impacts remain as less than significant impacts.

**Conclusion:** No New Impact. The changes associated with the proposed project would not result in any new impacts or increase the severity of impacts in this regard.



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## **4.20 ADDENDUM DETERMINATION**

As analyzed in this Addendum, potential impacts associated with the proposed changes (2023-2031 Housing Element) are consistent with potential impacts characterized and mitigated for in the Capitola General Plan Update Environmental Impact Report (EIR). The proposed changes would also be subject to the same mitigation measures as the Capitola General Plan Update EIR for Air Quality, Cultural Resources, Noise, Transportation & Traffic, and Greenhouse Gases.

Substantive revisions to the Capitola General Plan Update EIR are not necessary because no new significant impacts or impacts of substantially greater severity than previously described would occur as a result of the proposed changes (2023-2031 Housing Element). Therefore, the following determinations have been found to be applicable:

- No further evaluation of environmental impacts is required for the proposed changes;
- No Subsequent EIR is necessary per CEQA Guidelines Section 15162; and
- This Addendum is the appropriate level of environmental analysis and documentation for the revised project in accordance with CEQA Guidelines Section 15164.



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## 4.21 REFERENCES

Following is a list of reference documents and maps utilized in the preparation of this Addendum.

- Association of Monterey Bay Area Governments (AMBAG), 2022 Regional Growth Forecasts, [Appendix A 2022 RGF \(ambag.org\)](#)
- California Department of Forestry and Fire Protection (CAL FIRE), *Santa Cruz County Very High Severity Zones in LRA (Local Responsibility Area) Map*, [Fire Hazard Severity Zones \(ca.gov\)](#), accessed August 17, 2023
- California Department of Forestry and Fire Protection (CAL FIRE), *Santa Cruz County Fire Hazard Severity in SRA (State Responsibility Area) Map*, June 15, 2023
- California Department of Water Resources, Santa Cruz Mid-County Groundwater Sustainability Plan, <https://sgma.water.ca.gov/portal/service/gspdocument/download/3166>, accessed August 16, 2023
- California State Regional Water Quality Control Board, [Water Quality Control Plan for the Central Coastal Basin \(ca.gov\)](#), accessed August 16, 2023
- City of Capitola, *City of Capitola General Plan*, Adopted June 26, 2014, Updated March 13, 2019
- City of Capitola, *City of Capitola General Plan Update Environmental Impact Report*, June 26, 2014
- City of Capitola, *2023-2031 Capitola Housing Element*, August 2023
- City of Capitola, *Capitola Municipal Code*, codified through Ordinance 1060, passed June 8, 2023
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## **4.22 REPORT PREPARATION PERSONNEL**

### **CITY OF CAPITOLA (LEAD AGENCY)**

420 Capitola Avenue  
Capitola, CA 95010

*Katie Herlihy, AICP, Community Development Director*

### **MORSE PLANNING GROUP (CEQA CONSULTANT)**

145 N C Street  
Tustin, California 92780

*Collette L. Morse, AICP, Principal, Project Manager*



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