

CHAPTER 2 SUMMARY

2.1 INTRODUCTION

This chapter provides a brief description of the proposed project, known areas of controversy or concern, project alternatives, all potentially significant impacts identified during the course of this environmental analysis, and issues to be resolved. This summary is intended as an overview and should be used in conjunction with a thorough reading of the EIR. The text of this report, including figures, tables and appendices, serves as the basis for this summary.

2.2 PROJECT OVERVIEW

This Environmental Impact Report (EIR) addresses the potential environmental effects of construction of This Environmental Impact Report (EIR) addresses the potential environmental effects of a series of proposed amendments to the following adopted plans and regulations; a full description of all project components is provided in the Chapter 3.0, Project Description, of this EIR.

- ☐ Downtown Recovery Plan: Amendment to extend Additional Height Zone A, modify Additional Height Zone B, and modify development standards
- ☐ General Plan 2030: Amendment to modify Floor Area Ratio for the Regional Visitor Commercial land use designation in the downtown area
- ☐ Local Coastal Plan (LCP): Amendment to Land Use Plan text to modify San Lorenzo Urban River Plan land use development policies
- ☐ Zoning Code sections: Amendment to Municipal Code Section 24.10, Part 24, Central Business District (CBD), of the Zoning Code to modify extension area regulations and add Parklet standards.

2.3 AREAS OF CONTROVERSY OR CONCERN

The City of Santa Cruz, as the Lead Agency, has identified areas of concern based on the Initial Study and Notice of Preparation (NOP), which are included in Appendix A. In response to the NOP, letters of comment were received from three agencies (California Coastal Commission, Caltrans and FEMA), two organizations (Friends of San Lorenzo River Wildlife and Sierra Club), and five individuals (Candace Brown, Gillian Greensite, Debbie Hencke, Jane Mio, and Jack Nelson). An agency and public scoping also was held at the Planning Commission meeting on June 15, 2017 to receive public comments on the scope of the EIR's analyses and project alternatives. Both the written comments and oral comments received at the scoping meeting

have been taken into consideration in the preparation of this EIR for comments that address environmental issues.

Written comments on the NOP and oral comments received at the scoping meeting raised the following environmental concerns, some of which may be areas of controversy:

- ☐ Aesthetics and impacts to the visual character of the surrounding area;
- ☐ Biological impacts to San Lorenzo River habitat, including potential impacts to birds;
- ☐ Flood hazards and effects of climate change and sea level rise;
- ☐ Drainage and water quality impacts;
- ☐ Traffic and parking impacts; and
- ☐ Provision of public access and recreation along the river.

2.4 SUMMARY OF ALTERNATIVES

CEQA Guidelines require that an EIR describe and evaluate alternatives to the project that could eliminate significant adverse project impacts or reduce them to a less-than-significant level. The following alternatives are evaluated in Section 5.5.

- ☐ No Project – Required by CEQA
- ☐ Alternative 1 – Reduced Height for Expanded Additional Height Zone A to 75 feet and Elimination of Additional Height Zone B
- ☐ Alternative 2 – Reduced Height for Additional Height Zone A to 75 feet along Pacific/Front and Reduced Height for Additional Height Zone B to 60 feet along the San Lorenzo River with Development Standard Modifications: eliminate encroachment over property line and require 10-foot setback above 50 feet

Table 5-5 in Section 5 of this EIR presents a comparison of project impacts between the proposed project and each alternative. None of the alternatives, including the No Project Alternative would eliminate significant project impacts and cumulative impacts related to traffic, although all alternatives would result reduce the level of impact. Table 5-5 (on the next page) presents a comparison of project impacts between the proposed project and the alternatives. Excluding the No Project Alternative, Alternative 1 – Reduced Height for Additional Height Zone A and Elimination of Additional Height Zone B – is considered the environmentally superior alternative of the alternatives considered. Although it would not reduce significant impacts to less-than-significant levels, it could result in the greatest reduction of traffic and water demand impacts and reduce some of the other identified significant impacts. However, it would not fully meet project objectives.

2.5 SUMMARY OF IMPACTS AND MITIGATION MEASURES

All impacts identified in the subsequent environmental analyses are summarized in this section. This summary groups impacts of similar ranking together, beginning with significant unavoidable impacts, followed by significant impacts that can be mitigated to a less-than-significant level, followed by impacts not found to be significant. The discussions in the Initial Study of impacts that are not being addressed in detail in the text of the Draft EIR are intended to satisfy the requirement of CEQA Guidelines section 15128 that an EIR “shall contain a statement briefly indicating the reasons that various possible significant effects of a project were determined not to be significant and therefore were not discussed in detail in the EIR.” The Initial Study is included in Appendix A of this EIR. A summary of less-than-significant and no impacts identified in the Initial study is presented at the end of this section.

2.5.1 Significant Unavoidable Impacts

The following impacts were found to be potentially significant, and while mitigation measures have been identified in some cases, the impact cannot be reduced to a less-than-significant level. Section 5.5, Project Alternatives, examines alternatives to eliminate or reduce the level of significance of these impacts.

Cumulative Impacts

The proposed project will contribute to significant cumulative traffic impacts at six locations in the project vicinity and along state highways. Future development projects within the area of the proposed plan amendments will be required to pay the City’s traffic impact fee. However, payment of the traffic impact fee and the associated improvements would not mitigate impacts to a less-than-significant level at three intersections: Ocean Street/Water Street, Highway 1/Highway 9, and Chestnut Street/Mission Street. Improvements could be made to the other intersections to achieve an acceptable LOS of D.

MITIGATION 5-1: Require future development projects within the downtown area to contribute fair-share payments for improvements at the following intersections: Front/Soquel (signal timing and lane modifications); Front/Laurel (westbound lane addition and north and south right-turn overlap); and Pacific/Laurel (southbound left-turn lane addition).

With implementation of Mitigation 5-1, significant cumulative impacts at three intersections would be mitigated, and the project’s contribution would not be cumulatively considerable. Future development projects in the downtown area would be required to pay the City’s traffic impact fees for improvements at the other three intersections, but planned improvements would not result in acceptable levels of service, and no other feasible improvements have been identified. Therefore, cumulative traffic

impacts remain significant at three City intersections and along state highways this is a significant cumulative impact, and the project's contribution to cumulative traffic impacts would be cumulatively considerable at these locations.

2.5.2 Significant Impacts

The following impacts were found to be potentially significant, but could be reduced to a less-than-significant level with implementation of identified mitigation measures should the City's decision-makers impose the measures on the project at the time of final action on the project.

Impacts Evaluated in EIR

Biological Resources

Impact 4.3-2: Indirect Impacts to Sensitive Riparian Habitat. Future development of taller buildings as a result of the proposed Downtown Plan amendments could result in indirect impacts to birds in the area that could lead to bird mortalities.

- MITIGATION 4.3-2:** Revise Downtown Plan to include standard for design guidance for bird-safe structures along the San Lorenzo River, including:
- Minimize the overall amount of glass on building exteriors facing the San Lorenzo River.
 - Avoid mirrors and large areas of reflective glass.
 - Avoid transparent glass skyways, walkways, or entryways, free-standing glass walls, and transparent building corners.
 - Utilize glass/window treatments that create a visual signal or barrier to help alert birds to presence of glass. Avoid funneling open space to a building façade.
 - Strategically place landscaping to reduce reflection and views of foliage inside or through glass.
 - Avoid or minimize up-lighting and spotlights.
 - Turn non-emergency lighting off (such as by automatic shutoff), or shield it, at night to minimize light from buildings that is visible to birds, especially during bird migration season (February - May and August - November).

Impact 4.3-3: Indirect Impacts to Nesting Birds. Future development as a result of the proposed Downtown Plan amendments could result in disturbance to nesting birds if any are present in the vicinity of construction sites along the San Lorenzo River.

MITIGATION 4.3-3: Require that a pre-construction nesting survey be conducted by a qualified wildlife biologist if construction, including tree removal, adjacent to the San Lorenzo River is scheduled to begin between March and late July to determine if nesting birds are in the vicinity of the construction sites. If nesting raptors or other nesting species protected under the MBTA are found, construction may need to be delayed until late-August or after the wildlife biologist has determined the nest is no longer in use or unless a suitable construction buffer zone can be identified by the biologist. (Citywide Creeks and Wetlands Management Plan Standard 12).

Public Services

Impact 4.6-1c: Schools. Adoption of the proposed plan amendments could indirectly result in increased population associated with potential development that would generate elementary school student enrollments that could exceed capacity of existing schools.

MITIGATION: No mitigation measures are required beyond payment of school impact fees that will be collected at the time of issuance of a building permit.

Impact 4.6-2: Parks and Recreation. Adoption of the proposed plan amendments could indirectly result in increased population associated with potential development that could be accommodated by the Plan that would result in increased demand for parks and recreational facilities that could result in some deterioration of existing parks and recreational facilities.

MITIGATION: With implementation of the proposed General Plan 2030 goals, policies and actions that set forth measures to avoid and minimize adverse impacts on parks and recreational facilities as summarized on Table 4.6-2 and required payment of park fees, the proposed project's indirect impact on parks and recreational facilities would be considered less-than-significant.

Impacts Evaluated in Initial Study (Appendix A)

Noise

Noise-1: Exposure to Noise. Future development in the project area would be exposed to exterior and / or interior noise levels that exceed local and state requirements. However, the project area is not within locations that would expose people to noise in excess of established standards.

MITIGATION NOISE-1: Require preparation and implementation of acoustical studies for future residential development along Front Street to specify building design features that meet state interior sound levels.

2.5.3 Less-Than-Significant Impacts

The following impacts were found to be less-than-significant. Mitigation measures are not required.

Impact 4.1-1: Scenic Views. Future development accommodated by the proposed plan amendments would not eliminate or substantially adversely affect, modify, or obstruct a visually prominent or significant public scenic vista.

Impact 4.1-3: Visual Character of the Surrounding Area. The proposed project would result in amendments to the DRP and General Plan that would allow increased heights of 20 to 35 feet over existing allowable standards, and future development could result in taller and more massive buildings. With implementation of required development standards for massing, required percentage variation of heights, and upper-level skyline variation, future buildings would be of similar height and scale as the other taller buildings in the downtown area, which already contains several multi-story buildings of varied height, and would not substantially degrade the visual character of the surrounding area.

Impact 4.1-4: Introduction of Light and Glare. The proposed project would result in amendments to the DRP and General Plan that would allow increased heights and building coverage, and future development would include exterior and interior lighting typical of residential developments, but would not result in introduction of a major new source of light or glare.

Impact 4.2-1: Criteria Pollutant Emissions. Future development and growth accommodated by the proposed project would result in emissions of criteria pollutants, but would not exceed adopted thresholds of significance, violate any air quality standard or contribute substantially to an existing or projected air quality violation.

Impact 4.2-2: Greenhouse Gas (GHG) Emissions. Future development and growth accommodated by the proposed project would result in GHG emissions, which are not considered significant.

- Impact 4.3-1: Indirect Impacts to Special Status Species and Aquatic Habitat.** Future development of taller buildings as a result of the proposed Downtown Plan amendments could result in indirect impacts to riparian and aquatic special status species due to increased shading due to increased building heights, but would not substantially affect habitats.
- Impact 4.4-1: Archaeological and Tribal Cultural Resources.** Future development accommodated by the proposed plan amendments could result to impacts to archaeological, historical archaeological, human remains, and/or tribal cultural resources. However, City requirements for cultural resource investigations would ensure that future development projects assess and mitigate potential impacts (4a, 4b, 4e).
- Impact 4.4-2: Historic Resources.** Future development accommodated by the proposed plan amendments could result in impacts to historical resources (4c), however, site-specific redevelopment could occur under existing conditions without the proposed plan amendments.
- Impact 4.4-3: Paleontological Resources.** Future development accommodated by the proposed plan amendments could result to impacts to unknown paleontological resources discovered during construction. However, adherence to City procedures would not result in significant impacts.
- Impact 4.5-1: Stormwater Drainage.** Future development accommodated by the proposed plan amendments could result in stormwater runoff, but would not substantially alter the existing drainage pattern of the area, substantially increase the rate or amount of surface runoff, exceed the capacity of existing or planned storm drain facilities, cause downstream or off-site drainage problems, or increase the risk or severity of flooding in downstream areas.
- Impact 4.5-2: Water Quality.** Future development accommodated by the proposed plan amendments could result in water quality degradation to San Lorenzo River from automobile oils and greases carried in stormwater runoff. Project grading could also result in erosion and potential downstream sedimentation if not properly managed.
- Impact 4.5-3: Flood Hazards.** Future development accommodated by the proposed plan amendments could result in exposure to flood hazards, including watercourse flooding, sea level rise or tsunamis. (5d-g). However, with compliance with federal flood requirements and implementation of City plans and programs, the proposed project would not lead to indirect impacts related to exposure to flood hazards.

- Impact 4.6-1a: Fire Protection.** Adoption of the proposed plan amendments could indirectly result in increased population density associated with potential new development accommodated by the Plan that would result in increased fire protection and emergency service demands. Existing and future development and growth within the City would result in the need to construct new or expanded fire stations, however, the impacts of fire station construction or expansion are not expected to be significant.
- Impact 4.6-1b: Police Protection.** Adoption of the proposed plan amendments could indirectly result in increased population associated with potential development that could be accommodated by the Plan that would result in increased police protection service demands. However, future development and growth would not result in the need to construct new or expanded police facilities.
- Impact 4.6-3: Solid Waste.** Adoption of the proposed plan amendments could indirectly result in increased population associated with potential development that could be accommodated by the Plan, which could result in indirect generation of solid waste that could be accommodated within the remaining landfill capacity.
- Impact 4.6-4: Energy Use.** Adoption of the proposed plan amendments could indirectly result in increased population associated with potential development that could be accommodated by the Plan, which could result in indirect increased energy demands, which would not be wasteful or an inefficient use of resources.
- Impact 4.7-1: Circulation System Impacts.** The project will result in an increase in daily and peak hour trips, but would not cause existing or planned intersections to operate at an unacceptable Level of Service (LOS) or further degrade intersections that already operate at an unacceptable LOS.
- Impact 4.7-2: Highway Segment Impacts.** The project will result in an increase in daily and peak hour trips, but would not result in a change to an unacceptable LOS along state highway segments.
- Impact 4.8-1: Water Supply.** Adoption of the proposed plan amendments could indirectly result in intensified development with a demand for potable water in a system that, under existing conditions, has adequate supplies during average and normal years, but is subject to potential supply shortfalls during dry and critically dry years. The additional project demand would not result in a substantial increase during dry years and would not be of a magnitude to affect the level of curtailment that might be in effect.

Impact 4.8-2: Wastewater Treatment. Adoption and implementation of the proposed plan amendments could indirectly result in increased development and population growth that would result in indirect generation of wastewater that could be accommodated by the existing wastewater treatment plant.

2.5.4 No Impacts

The State CEQA Guidelines section 15128 require that an EIR contain a statement briefly indicating the reasons that various possible significant effects of a project were determined not to be significant and were therefore not discussed in detail in the EIR. Through the Initial Study, NOP scoping process, and EIR, the City of Santa Cruz determined that the proposed project would have no impact on the environmental issues outlined below, and thus, are not further analyzed in the EIR. See the Initial Study in Appendix A for further discussion.

Impacts Evaluated in EIR

Impact 4.1-2: Scenic Resources. Future development accommodated by the proposed plan amendments would not result in elimination or a substantial adverse effect to scenic resources.

Impact 4.7-3: Project Access. The project will not result in creation of hazards due to design of the project circulation system or introduction of incompatible uses.

Impact 4.7-4: Emergency Access. The project will not result in inadequate emergency access.

Impact 4.7-5: Transit, Pedestrian and Bicycle Travel. The project will not conflict with adopted policies, plans, or programs regarding public transit, bicycle or pedestrian facilities, or otherwise decrease the performance or safety of such facilities.

Impact 4.9-1: Conflicts with Policies and Regulations. The proposed project will not conflict with policies or regulations adopted for the purpose of avoiding or mitigating an environmental effect, and therefore, will result in *no impact* related to consistency with local plans and policies.

Impacts Evaluated in Initial Study (Appendix A)

- Agricultural and Forest Resources
- Hazards and Hazardous Materials, except Wildland Fire Risk
- Mineral Resources
- Noise: Generation of Vibration, Location Within Airport Land Use Plan

2.6 ISSUES TO BE RESOLVED

CEQA Guidelines section 15123 requires the Summary to identify “issues to be resolved including the choice among alternatives and whether or how to mitigate the significant effects.” This EIR has presented mitigation measures and project alternatives, and the City Planning Commission and City Council will consider the Final EIR when considering the proposed project. In considering whether to approve the project, the Planning Commission and City Council will take into consideration the environmental consequences of the project with mitigation measures and project alternatives, as well as other factors related to feasibility. “Feasible” means capable of being accomplished in a successful manner within a reasonable period of time, taking into account economic, environmental, legal, social, and technological factors (State CEQA Guidelines, section 15364). Among the factors that may be taken into account when addressing the feasibility of alternatives are site suitability, economic viability, availability of infrastructure, general plan consistency, other plans or regulatory limitations, jurisdictional boundaries (projects with a regionally significant impact should consider the regional context), and whether the proponent can reasonably acquire, control, or otherwise have access to the alternative site (or already owns the alternative site). No one of these factors establishes a fixed limit on the scope of reasonable alternatives. The concept of feasibility also encompasses the question of whether a particular alternative or mitigation measure promotes the underlying goals and objectives of a project. Moreover, feasibility under CEQA encompasses “desirability” to the extent that desirability is based on a reasonable balancing of the relevant economic, environmental, social, legal, and technological factors.