

City of Capitola Agenda

Mayor: Sam Storey
Vice Mayor: Dennis Norton
Council Members: Ed Bottorff
Stephanie Harlan
Michael Termini
Treasurer: Christine McBroom



REVISED

CAPITOLA CITY COUNCIL REGULAR MEETING

THURSDAY, MAY 8, 2014

**CITY HALL COUNCIL CHAMBERS
420 CAPITOLA AVENUE, CAPITOLA, CA 95010**

CLOSED SESSION – 6:45 PM

An announcement regarding the items to be discussed in Closed Session will be made in the City Hall Council Chambers prior to the Closed Session. Members of the public may, at this time, address the City Council on closed session items only. There will be a report of any final decisions in City Council Chambers during the City Council's Open Session Meeting.

CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION (Govt. Code §54956.9)

Rae Ellen Leonard vs. the City of Capitola et al.
[United States District, Case #C13-3714]

REGULAR MEETING OF THE CAPITOLA CITY COUNCIL – 7:00 PM

All matters listed on the Regular Meeting of the Capitola City Council Agenda shall be considered as Public Hearings.

1. ROLL CALL AND PLEDGE OF ALLEGIANCE

Council Members Stephanie Harlan, Dennis Norton, Ed Bottorff, Michael Termini, and Mayor Sam Storey

2. PRESENTATIONS

- A. Mayor's Proclamation regarding "National Poetry Month," and poetry reading by 2014-15 Santa Cruz County Poet Laureate Ellen Bass.
- B. Mayor's Proclamation in recognition and appreciation to retiring Leslie White, Santa Cruz Metropolitan Transit District General Manager.

3. REPORT ON CLOSED SESSION

4. ADDITIONAL MATERIALS

Additional information submitted to the City Council after distribution of the agenda packet.

5. ADDITIONS AND DELETIONS TO AGENDA

6. PUBLIC COMMENTS

Oral Communications allows time for members of the Public to address the City Council on any item not on the Agenda. Presentations will be limited to three minutes per speaker. 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. 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. A MAXIMUM of 30 MINUTES is set aside for Oral Communications at this time.

7. CITY COUNCIL / CITY TREASURER / STAFF COMMENTS

City Council Members/City Treasurer/Staff may comment on matters of a general nature or identify issues for staff response or future council consideration.

8. BOARDS, COMMISSIONS AND COMMITTEES APPOINTMENTS

9. CONSENT CALENDAR

All items listed in the "Consent Calendar" will be enacted by one motion in the form listed below. There will be no separate discussion on these items prior to the time the Council votes on the action unless members of the public or the City Council request specific items to be discussed for separate review. Items pulled for separate discussion will be considered following General Government.

Note that all Ordinances which appear on the public agenda shall be determined to have been read by title and further reading waived.

- A. Consider approving the City Council Minutes of the Regular Meeting held on April 24, 2014.

RECOMMENDED ACTION:

Approve Minutes.

CAPITOLA CITY COUNCIL REGULAR MEETING - Thursday, May 8, 2014

- B. Receive Planning Commission Action Minutes for the Regular Meeting of May 1, 2014.
RECOMMENDED ACTION:
Receive Minutes.

10. GENERAL GOVERNMENT / PUBLIC HEARINGS

General Government items are intended to provide an opportunity for public discussion of each item listed. The following procedure is followed for each General Government item: 1) Staff explanation; 2) Council questions; 3) Public comment; 4) Council deliberation; 5) Decision.

- A. Receive update regarding the Santa Cruz County Library Joint Powers Authority.
RECOMMENDED ACTION:
Receive update.
- B. Consider a Resolution adopting the City's General Plan Update and a Resolution certifying the Final Environmental Impact Report, adopting the Mitigation Monitoring and Reporting Program and Statement of Overriding Considerations.
RECOMMENDED ACTION:
Adopt Resolutions.

11. ADJOURNMENT

Adjourn to the next Special Budget Study Session of the City Council on Wednesday, May 21, 2014, at 6:00 PM, in the City Hall Council Chambers, 420 Capitola Avenue, Capitola, California.

Note: Any person seeking to challenge a City Council decision made as a result of a proceeding in which, by law, a hearing is required to be given, evidence is required to be taken, and the discretion in the determination of facts is vested in the City Council, shall be required to commence that court action within ninety (90) days following the date on which the decision becomes final as provided in Code of Civil Procedure §1094.6. Please refer to code of Civil Procedure §1094.6 to determine how to calculate when a decision becomes "final." Please be advised that in most instances the decision become "final" upon the City Council's announcement of its decision at the completion of the public hearing. Failure to comply with this 90-day rule will preclude any person from challenging the City Council decision in court.

Notice regarding City Council: The Capitola City Council meets on the 2nd and 4th Thursday of each month at 7:00 p.m. (or in no event earlier than 6:00 p.m.), in the City Hall Council Chambers located at 420 Capitola Avenue, Capitola.

Agenda and Agenda Packet Materials: The City Council Agenda and the complete Agenda Packet are available for review on the City's website: www.cityofcapitola.org and at Capitola City Hall and at the Capitola Branch Library, 2005 Wharf Road, Capitola, on the Monday prior to the Thursday meeting. Agendas are also available at the Capitola Post Office located at 826 Bay Avenue, Capitola. Need more information? Contact the City Clerk's office at 831-475-7300.

Agenda Materials Distributed after Distribution of the Agenda Packet: Pursuant to Government Code §54957.5, materials related to an agenda item submitted after distribution of the agenda packet are available for public inspection at the Reception Office at City Hall, 420 Capitola Avenue, Capitola, California, during normal business hours.

Americans with Disabilities Act: Disability-related aids or services are available to enable persons with a disability to participate in this meeting consistent with the Federal Americans with Disabilities Act of 1990. Assisted listening devices are available for individuals with hearing impairments at the meeting in the City Council Chambers. Should you require special accommodations to participate in the meeting due to a disability, please contact the City Clerk's office at least 24-hours in advance of the meeting at 831-475-7300. In an effort to

CAPITOLA CITY COUNCIL REGULAR MEETING - Thursday, May 8, 2014

accommodate individuals with environmental sensitivities, attendees are requested to refrain from wearing perfumes and other scented products.

Televised Meetings: City Council meetings are cablecast "Live" on Charter Communications Cable TV Channel 8 and are recorded to be rebroadcasted at 8:00 a.m. on the Wednesday following the meetings and at 1:00 p.m. on Saturday following the first rebroadcast on Community Television of Santa Cruz County (Charter Channel 71 and Comcast Channel 25). Meetings are streamed "Live" on the City's website at www.cityofcapitola.org by clicking on the Home Page link "**Meeting Video**". Archived meetings can be viewed from the website at anytime.

City of Capitola Mayor's Proclamation

Designating April 2014 "National Poetry Month"

WHEREAS, the Academy of American Poets established the month of April as National Poetry Month in 1996; and

WHEREAS, National Poetry Month is the now the largest literary celebration in the world; and

WHEREAS, the legacy and ongoing achievement of American poets is extraordinary; and

WHEREAS, poetry is an essential part of the arts and humanities, and inspires artists in other fields such as music, theatre, film, dance, and the visual arts; and

WHEREAS, the Capitola City Council celebrates the beauty of language and the vistas of imagination poetry creates; acknowledges the importance of poetry in education; and appreciates that poetry can enhance our understanding of ourselves and our appreciation of others; and

WHEREAS, the City Council takes pride in Capitola's diverse, accomplished poets; and

WHEREAS, a commemoration like National Poetry Month encourages our recognition and enjoyment of poetry;

NOW, THEREFORE, BE IT RESOLVED, that the City Council of the City of Capitola recognizes "National Poetry Month" and I, Mayor Storey, call upon public officials, educators, librarians, and all of us in Capitola to observe the ongoing enjoyment of poetry.



[Handwritten signature of Sam Storey]

Sam Storey, Mayor

Signed and sealed this 8th day of May 2014

THIS PAGE INTENTIONALLY LEFT BLANK

City of Capitola Mayor's Proclamation In Recognition and Appreciation to Leslie R. White

WHEREAS, Mr. White joined Santa Cruz Metropolitan Transit District (Santa Cruz METRO) on November 3, 1997, as the General Manager. Mr. White is the second General Manager for Santa Cruz METRO since its inception; and

WHEREAS, since he began working at Santa Cruz METRO Mr. White has worked diligently to increase service levels and ridership. Some of his successes include the joint powers venture with Valley Transportation Authority, the Capitol Corridor Joint Powers Authority, and CalTrans (through Amtrak) to fund and run the Highway 17 Express Service. He was also instrumental in bringing ParaTransit service in-house. Called ParaCruz, this service provides transportation to individuals who are unable to use the fixed route service; and

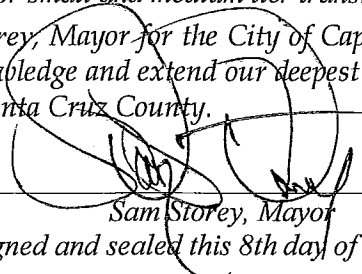
WHEREAS, Mr. White has been successful in developing the infrastructure of Santa Cruz METRO. Under his direction, Santa Cruz METRO was able to replace most of the bus fleet that used diesel fuel with buses using a propulsion system that runs on Compressed Natural Gas (CNG). This keeps Santa Cruz County air clean by reducing emissions and meets the requirements of the state for cleaner public vehicles. As part of the transition to CNG Santa Cruz METRO also built a fueling station; and

WHEREAS, Mr. White has been able to secure enough funding to build a state-of-the-art maintenance facility, buy and renovate an administration building, and fund the building of a new operations facility. Much of the cost of replacing buses, purchasing land, and building the new facilities was funded using federal and state monies with local matching, thus saving local taxpayers' expense; and

WHEREAS, throughout his career Mr. White has been an active participant in the legislative process. Here in California he was a driving force in creating legislation that makes it safer for bus drivers and their passengers. This legislation allowed Santa Cruz METRO to add special lighting and signage that warns drivers when a bus is attempting to enter a traffic lane, thus greatly increasing safety; and

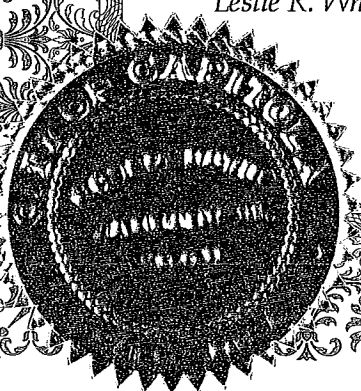
WHEREAS, Mr. White is retiring from Santa Cruz METRO after a 42-year career as a General Manager within the Public Transit Industry. His career has included two terms as Chair of American Public Transportation Association, numerous transit facility construction projects, enhancement of service, and assistance in writing legislation insuring the continued funding for small and medium tier transit agencies.

NOW, THEREFORE, I, Sam Storey, Mayor for the City of Capitola, on behalf of the entire City Council, do hereby acknowledge and extend our deepest appreciation to Leslie R. White for his years of service to Santa Cruz County.



Sam Storey, Mayor

Signed and sealed this 8th day of May 2014



THIS PAGE INTENTIONALLY LEFT BLANK



CITY COUNCIL AGENDA REPORT

MEETING OF MAY 8, 2014

FROM: OFFICE OF THE CITY CLERK

SUBJECT: MINUTES OF THE APRIL 24, 2014, REGULAR CITY COUNCIL MEETING

RECOMMENDED ACTION: Approve the subject minutes as submitted.

DISCUSSION: Attached for City Council review and approval are the minutes of the subject meeting.

ATTACHMENTS:

1. April 24, 2014, Regular City Council Meeting

Report Prepared By: Susan Sneddon, CMC
City Clerk

Reviewed and Forwarded
By City Manager: _____

A handwritten signature in black ink, appearing to be "J. B.", is written over a horizontal line that serves as a signature line.

THIS PAGE INTENTIONALLY LEFT BLANK

**CAPITOLA CITY COUNCIL
REGULAR MEETING ACTION SUMMARY
THURSDAY, APRIL 24, 2014 - 7:00 PM**

CLOSED SESSION – 6:45 PM

CALL TO ORDER

Mayor Storey called the meeting to order at 6:45 PM. He announced the items to be discussed in Closed Session, as follows:

CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION (Govt. Code §54956.9)

- (1) Rae Ellen Leonard vs. the City of Capitola et al.
[United States District, Case #C13-3714]

Mayor Storey noted that there was no one in the audience; therefore, the City Council recessed to Closed Session.

REGULAR MEETING OF THE CAPITOLA CITY COUNCIL – 7:00 PM

1. ROLL CALL AND PLEDGE OF ALLEGIANCE

Council Members Stephanie Harlan, Dennis Norton, Ed Bottorff, Michael Termini, and Mayor Sam Storey

2. PRESENTATIONS

- A. Proclamation recognizing Building Safety Month. [120-40]
Received by Community Development Director Grunow.
- B. Proclamation recognizing California Safe Digging Month. [120-40]
Received by Dawn Mathes, Government Relations Representative at Pacific Gas and Electric Company.

3. REPORT ON CLOSED SESSION

City Attorney Barisone stated that the City Council received a status report regarding Rae Ellen Leonard vs. the City of Capitola et al (existing litigation); there was no reportable action.

4. ADDITIONAL MATERIALS

Mayor Storey reported that additional material was received regarding Item No.8.A. on this evening's agenda.

5. ADDITIONS AND DELETIONS TO AGENDA (None provided)

6. PUBLIC COMMENTS (None provided)

7. CITY COUNCIL / CITY TREASURER / STAFF COMMENTS

Council Member Termini stated that on April 25, 2014, the Capitola-Soquel Chamber of Commerce will have the Annual Community Awards Celebration.

Mayor Storey stated that on April 25, 2014, he will be attending the Annual Santa Cruz World Surfing Reserve Summit. In addition, he provided appreciation to those that assisted with the April 22, 2014, memorial service for former City Police Officer Jason Grogen.

CAPITOLA CITY COUNCIL ACTION MINUTES – Thursday, April 24, 2014

8. **BOARDS, COMMISSIONS AND COMMITTEES APPOINTMENTS**

- A. Consider appointment(s) to the Library ad Hoc Committee. [230-10]
Mayor Storey requested that Council discuss at a future Council meeting the number of members to comprise the Library Ad hoc Committee.

ACTION Motion made by Council Member Termini, seconded by Council Member Harlan, to approve the appointment of Susan Westman to the Library Ad hoc Committee; and to continue advertising for appointment(s) to the Library Ad hoc Committee until the May 1, 2014, filing deadline. The motion carried unanimously.

9. **CONSENT CALENDAR**

- A. Consider approving the City Council Minutes of the Regular Meetings held on March 27, 2014, and April 10, 2014.
B. Approval of City Check Register Reports dated March 21, 2014; March 28, 2014; April 4, 2014; and April 11, 2014. [300-10]

ACTION Motion made by Council Member Termini, seconded by Council Member Bottorff, to approve Consent Calendar Item No. 9.A. and Item No. 9.B. The motion passed unanimously with the following two exceptions:

1. Council Member Harlan stated that she was not present at the April 10, 2014, City Council meeting, therefore she will abstain on the approval of the April 10, 2014, City Council minutes (portion of Item No. 9.A.).
2. Council Member Norton voted no regarding the approval of Check No. 75756 payable to Santa Cruz Regional 911 (portion of Item No. 9.B.).

10. **GENERAL GOVERNMENT / PUBLIC HEARINGS**

- A. Consider the establishment of Asset Limits for Income Restricted Mobile Home Parks [750-25].

ACTION Motion made by Council Member Termini, second by Council Member Harlan, to adopt the Administrative Policy regarding Affordable Housing Asset Limits for Mobile Home Parks with Income Restrictions using the asset limits of 1 ½ times the income limit plus \$500,000 exclusion for qualified retirement accounts, or use the State of California asset limit which is 10% of assets added to the income calculation; to direct staff to negotiate and execute regulatory amendments, as needed, to implement the Affordable Housing Asset Limits Policy; and if an alternate proposal is submitted that it be agendaized for City Council review. The motion was passed unanimously.

- B. Consider a Resolution rescinding Resolution No. 3936, and adopting a revised Conflict of Interest Code for the City of Capitola to become effective May 1, 2014. [570-20]

ACTION Motion made by Council Member Harlan, second by Council Member Termini, to adopt Resolution No. 3990 rescinding Resolution No. 3936, and adopting a revised Conflict of Interest Code for the City of Capitola to become effective May 1, 2014. The motion was passed unanimously.

CAPITOLA CITY COUNCIL ACTION MINUTES – Thursday, April 24, 2014

11. ADJOURNMENT

Mayor Storey adjourned the meeting at 8:00 p.m. to the next Regular Meeting of the City Council to be held on Thursday, May 8, 2014, at 7:00 p.m., in the City Hall Council Chambers, 420 Capitola Avenue, Capitola, California.

Sam Storey, Mayor

ATTEST:

_____, CMC
Susan Sneddon, City Clerk

THIS PAGE INTENTIONALLY LEFT BLANK



**ACTION SUMMARY MINUTES
CAPITOLA PLANNING COMMISSION
THURSDAY, MAY 1, 2014
7 P.M. CITY COUNCIL CHAMBERS**

1. ROLL CALL AND PLEDGE OF ALLEGIANCE

Commissioners: Ron Graves, Gayle Ortiz, Mick Routh, Linda Smith and TJ Welch

2. ORAL COMMUNICATIONS

- A. Additions and Deletions to Agenda
- B. Public Comments
- C. Commission Comments
- D. Staff Comments

3. APPROVAL OF MINUTES

- A. April 3, 2014, Draft Planning Commission Minutes

ACTION: Approved 5-0

4. CONSENT CALENDAR

- A. **121 Cabrillo Street #14-035 APN: 036-185-10**

Design Permit for a 151 square foot addition to the front facade of a single-family residence located in the R-1 (Residential Single Family) Zoning District.

This project does not require a Coastal Development Permit.

Environmental Determination: Categorical Exemption

Property Owner: Chris Heck

Representative: Kurt Useldinger, filed 03/10/14

ACTION: Approved 5-0

- B. **312 Capitola Ave #B #14-049 APN: 035-182-20**

Design Permit and Coastal Development Permit for front façade modifications and Conditional Use Permit for outdoor dining and the sale of alcohol for the "It's Wine Tyme" business which is located in the CV (Central Village) Zoning District.

This project is in the Coastal Zone and requires a Coastal Development Permit which is not appealable to the California Coastal Commission.

Environmental Determination: Categorical Exemption

Property Owner: Peter Portido

Representative: Mike Grabill, filed 4/1/14

ACTION: Approved 5-0

- C. **911B Capitola Avenue #14-050 APN: 036-011-11**

Conditional Use Permit for the sale of alcoholic beverages at the existing Quail and Thistle Tea Room located in the AR/CN (Automatic Review/ Neighborhood Commercial) Zoning District.

This project does not require a Coastal Development Permit.

Environmental Determination: Categorical Exemption

Property Owner: Margo Felldin
Representative: Cindy Fairhurst, filed: 4/4/14

ACTION: Approved 5-0

**D. Improvements at the Intersection of Esplanade and Stockton Avenue #14-054
APN: N/A**

Coastal Development Permit for intersection improvements at Esplanade and Stockton Avenue in the CV (Central Village) Zoning District. These improvements combine two crosswalks across Stockton Avenue into a single crosswalk, construct a median island, construct a raised bulb-out, and add street lighting to the intersection. In addition approximately 100 lineal feet of sidewalk along the eastern side of Stockton Avenue north of Esplanade will be widened 18 inches and 50 lineal feet of sidewalk fronting 103 Stockton Avenue will be replaced.

This project requires a Coastal Permit which is appealable to the California Coastal Commission after all possible appeals are exhausted through the City.

Environmental Determination: Categorical Exemption

Property Owner: City of Capitola

Representative: Steve Jesberg, filed 4/14/2014

ACTION: Approved 5-0

5. PUBLIC HEARINGS

A. 1649 41st Avenue #14-017 APN: 034-151-09

Conditional Use Permit and Design Permit application for the addition of a propane tank to an existing service station (Shell) that is located in the CC (Community Commercial) zoning district.

This project does not require a Coastal Development Permit.

Environmental Determination: Categorical Exemption

Property Owner: Peninsula Petroleum LLC

Representative: Hillary McClurg

ACTION: Approved 5-0

B. 712 Rosedale Avenue #13-153 APN: 036-072-05

Design Permit application for a 450-square-foot addition to a single-family home in the R-1 (Single-Family) Zoning District.

This project does not require a coastal permit.

Environmental Determination: Categorical Exemption

Owner: Holger Schmidt

Representative: Greg Heitzler, filed: 03/25/2014

ACTION: Approved 5-0

C. Zoning Ordinance Update Work Plan

ACTION: Report and comments only

6. DIRECTOR'S REPORT

7. COMMISSION COMMUNICATIONS

8. ADJOURNMENT

Adjourned at 8:20 p.m. to the next Planning Commission meeting Thursday, June 5, 2014, at 7 p.m., in the Capitola City Council Chambers, 420 Capitola Ave., Capitola, California.



CITY COUNCIL AGENDA REPORT

MEETING OF MAY 8, 2014

FROM: CITY MANAGER'S DEPARTMENT

SUBJECT: UPDATE REGARDING THE SANTA CRUZ COUNTY LIBRARY JOINT POWERS AUTHORITY

RECOMMENDED ACTION: Receive update regarding the Santa Cruz County Library Joint Powers Authority.

DISCUSSION: The Santa Cruz Public Libraries (SCPL) commissioned and accepted a Facilities Master Plan in April 2013. That plan identifies the capital maintenance, renovation, and development needs necessary to bring the entire system up to modern library standards, and includes a new library in Capitola. The total amount of money needed to accomplish the Master Plan objectives is approximately \$63 million county-wide.

In researching options to obtain this level of funding, SCPL has conducted public opinion polling. A poll conducted last month, indicates there is strong support for a parcel tax for the purpose of improving facilities. The overall finding is represented in the chart below:

Residential Parcel Amount	Approx Yield	Favorable before "education"	Favorable after "education"
\$58.40		65%	70%
\$48.40	\$63 million	69%	73%
\$38.40		71%	73%
\$28.40		74%	77%

Currently there are two library JPAs in the County, the Santa Cruz Public Libraries Joint Powers Authority (SCPL) which manages library operations throughout the County (excluding Watsonville), and the Library Financing Authority (LFA) which receives and disperses library revenue Countywide.

In order to consider a regional bond measure, at least one of the current JPA agreements must be amended and there is general consensus it is advisable to amend both. Over the last six months the administrators of Capitola, Santa Cruz City and County, and Scotts Valley have been meeting to review the two library JPAs to recommend specific changes that should be considered.

While no final recommendations by the administrators have been released, there is growing consensus on several points regarding the LFA:

- Amend the LFA to allow it to create a Community Facilities District (CFD), to levy taxes and issue debt to fund the CFD. Such debt issuance would be subject to voter approval.
- Amend the LFA to modify how the General Fund contributions from Santa Cruz and Watsonville are treated.

Item #: 10.A. Staff Report.pdf

AGENDA STAFF REPORT MAY 8, 2014

SANTA CRUZ COUNTY LIBRARY JOINT POWERS AUTHORITY UPDATE

In addition the group suggests the SCPL JPA should be amended to:

- Consider revisions to the governing board;
- Modify how the relationship between the City of Santa Cruz and the SCPL to clarify the terms and how costs are attributed;
- Identify that "equity of service" is a basic tenant of the agreement;
- Overall JPA clean-up to eliminate dated language.

If such amendments are ultimately proposed, they would be brought to the currently SCPL Board of Directors for comment, then each jurisdiction's city council for consideration. Changes to either of the existing JPAs require the approval of all jurisdictions involved.

ATTACHMENTS:

Link to Facilities Master Plan

<http://www.santacruzpl.org/aboutscpl/planning/27/>

Link to Current Library Joint Powers Agreement

<http://www.santacruzpl.org/aboutscpl/govern/8/>

Link to Current Library Financing Authority Agreement

<http://www.santacruzpl.org/aboutscpl/govern/12/>

Report Prepared By: Jamie Goldstein
City Manager

**Reviewed and Forwarded
by City Manager:**





CITY COUNCIL AGENDA REPORT

MEETING OF MAY 8, 2014

FROM: COMMUNITY DEVELOPMENT DEPARTMENT

SUBJECT: GENERAL PLAN UPDATE

RECOMMENDED ACTION: Staff recommends the City Council take the following actions:

1. Adopt a Resolution certifying the Final Environmental Impact Report, and adopting the Mitigation Monitoring Reporting Program and Statement of Overriding Considerations;
2. Adopt a Resolution adopting the City's General Plan Update.

BACKGROUND: State planning law requires all California cities and counties to adopt a General Plan which includes a comprehensive, long-term plan for the physical development of the jurisdiction. The General Plan is often referred to as the land use constitution and includes policies, graphics, and text which establish objectives and principles to guide future growth and development. General Plans must consist of seven mandatory elements (land use, circulation, housing, conservation, open space, noise, and safety) and may include additional, optional elements. The General Plan provides a basis for local government decision making and informs citizens, decision-makers, and other agencies of the ground rules which guide development within the city.

Capitola's first General Plan was adopted in 1964, and was later updated in 1974 and 1989. The planning horizon for a General Plan is generally 20 years. The City's current General Plan is now over 24 years old.

A comprehensive update to Capitola's General Plan was initiated in July, 2010. To help define the community's visions and values the City Council appointed an 11-member General Plan Advisory Committee (GPAC) to represent various neighborhoods and interests. Over the past three-plus years, the GPAC and staff engaged in an intensive public participation process which included 19 GPAC meetings and four public workshops. The GPAC process culminated on November 12, 2013, with a unanimous endorsement of the draft General Plan Update.

A joint Planning Commission/City Council hearing was subsequently held on November 21, 2013, to consider the draft General Plan Update and to provide guidance on key policy issues. The Planning Commission and City Council voted to initiate public review of the draft General Plan Update and associated Environmental Impact Report (EIR).

The General Plan Update and EIR were circulated for a 60-day public review period from December 19, 2013, to February 19, 2014. A total of 13 comment letters were received, including five from public agencies and eight from individuals. The vast majority of comments were editorial in nature and no significant issues were raised regarding the adequacy of the General Plan Update or EIR. A summary of comments and staff responses are included as Attachment 3.

Item #: 10.B. Staff Report.pdf

AGENDA STAFF REPORT MAY 8, 2014
GENERAL PLAN UPDATE

On April 3, 2014, the Planning Commission considered the proposed General Plan Update and voted unanimously to recommend City Councils adoption. Following City Council adoption, a final General Plan will be prepared to incorporate revisions identified in Attachment 3 and those directed by the City Council. A revised historic section (Attachment 6) will also be added to the final document to provide additional historic context to the General Plan.

DISCUSSION: The City of Capitola has experienced growth and change since its current General Plan was adopted in 1989. Additionally, numerous new laws and regulations relating specifically to General Plans or more generally to development, conservation, and sustainability have also been enacted. The proposed General Plan Update will modernize and reorganize the City's General Plan to allow these issues to be comprehensively and consistently addressed. The General Plan Update provides updates to six of the seven mandated elements (land use, conservation, mobility, noise, safety, and open space) and includes an optional economic development element. The seventh mandatory element, the housing element, is required by state law to be updated every eight years and is therefore on a separate track from the General Plan Update. The current Housing Element was approved by the Department of Housing and Community Development in 2010, and is scheduled to be updated again by December, 2015.

The principle objective of the proposed General Plan Update is to establish goals, policies, and actions which embody Capitola's fundamental visions and values while enabling efficient land use administration. The General Plan Update is founded on Guiding Principles which were developed through community outreach and the GPAC process. The Guiding Principles are statements of community values to guide growth, conservation, and enhancement which serve as the basis for underlying goals, policies, and actions.

The General Plan Update goals and policies aim to preserve and enhance Capitola's unique coastal charm while allowing for moderated growth in targeted areas of the City. As a mostly built-out city, Capitola has limited capacity for new development and there is general consensus that increased densities and intensities should not be introduced to established residential neighborhoods or developed areas of the Village. Accordingly, the General Plan emphasizes enhancements in these areas, such as improved accessibility, sustainability, historic preservation, economic viability, and ensuring new development is harmonious with existing community character. The proposed General Plan Update would retain existing residential density limits and would provide limited opportunities for increased commercial intensity.

Key changes proposed within the General Plan Update include:

- Greater attention to protecting existing residential neighborhoods;
- Increased emphasis on sustainable development practices;
- Promotion of transportation alternatives which reduce greenhouse gas emissions;
- Additional energy and water conservation initiatives which conserve finite resources and respond to climate change;
- Increased focus on historic and cultural resource preservation;
- Additional goals and policies to maintain and enhance Capitola's parks and open spaces;
- New goals and policies to preserve and enhance environmental resources;
- Reorganization to create a more user-friendly document;
- The addition of an Economic Development Element; and,
- Establishment of reasonable commercial and mixed-use Floor Area Ratio limits.

AGENDA STAFF REPORT MAY 8, 2014
GENERAL PLAN UPDATE

ISSUES FOR CITY COUNCIL CONSIDERATION

Floor Area Ratio

The primary remaining issue to resolve is establishing Floor Area Ratios (FAR) for commercial and mixed-use properties which are reflective of the existing built environment while also providing adequate capacity to accommodate anticipated growth over the next 20+ years. State law requires general plans to establish maximum development allowances, which are typically defined by density in residential designations and FAR for commercial, industrial, and mixed-use designations. FAR describes the ratio of a building's total floor area compared to its total lot area. An illustration demonstrating theoretical FARs is included in Attachment 4.

The existing General Plan establishes a citywide, 0.5 maximum FAR for commercial, industrial, and mixed-use designations, with the exception of the Village, which has no maximum FAR limit. It should be noted that numerous projects developed along the 41st Avenue corridor over the last 20 years exceed the 0.5 FAR threshold. In addition, FAR limits in the General Plan are only one method to control intensity. Intensity is also regulated by the zoning ordinance through development standards such as height, setbacks, and parking. Due to zoning standards and individual site constraints (topography, environmental resources, etc.) it is often not possible to develop to the maximum General Plan FAR limit. More importantly, FAR limits in the General Plan are not entitlements; rather, FAR represents a maximum level of intensity that may be achieved if all other development standards are satisfied and authorized by the Planning Commission or City Council through the discretionary review process.

As a first step to develop proposed FARs, staff examined commercial sites throughout the City to establish a range of baseline FARs. As shown in Attachment 4, most commercially developed properties in the City have FARs above the current 0.5 limit. Additionally, and in recognition of the General Plan's 20+ year planning horizon, the Draft General Plan Update contains a limited provision for an "Increased FAR Allowance" on 41st Avenue and the Village to provide flexibility for future City Councils and Planning Commissions to approve well-designed projects which offer significant community and economic benefits. A comparison of existing and proposed FARs is shown on the following table:

DESIGNATION	~FAR RANGE OF EXISTING BULIDINGS	EXISTING FAR IN GENERAL PLAN	PROPOSED FAR	"INCREASED FAR ALLOWANCE"
Village Mixed-Use	0.4-2.5	N/A	2.0	3.0
Neighborhood Mixed Use	0.4-0.8	0.5	1.0	N/A
Regional Commercial	0.3-1.0	0.5	2.0	3.0
Community Commercial	0.3-2.0	0.5	1.5	2.5
Visitor Accommodations	0.2-0.3	0.5	0.5	N/A
Industrial	0.2-0.4	0.5	0.5	N/A

Based on feedback from the GPAC and members of the public, the following restrictions were added to the draft General Plan Update to further limit the eligibility for "Increased FAR Allowance":

- Hotel uses only in the Village Mixed-Use designation;
- Only properties on the west side of 41st Avenue or at the 41st Ave/Capitola Road Intersection;

Item #: 10.B. Staff Report.pdf

AGENDA STAFF REPORT MAY 8, 2014
GENERAL PLAN UPDATE

- Requests for “Increased FAR Allowance” would require City Council approval based on findings:
 - Increased FAR would result in a superior project with substantial community benefit;
 - The project would significantly enhance economic vitality; and,
 - The project is designed to minimize adverse impacts to neighboring properties.

Village FAR Limits

There are very limited opportunities for increased FAR in the Village. The former theater site, if developed with a hotel, may require a FAR limit of 2.5 or more. The only other site which could potentially accommodate a higher intensity is the mercantile, which has a relatively low FAR and is one of the few Village properties which have surface parking. The proposed General Plan Update would restrict the “Increased FAR Allowance” in the Village to hotels. Staff believes this is a reasonable approach, unless the City Council wishes to allow consideration of a future commercial or mixed-use project on the mercantile site.

41st Avenue FAR Limits

There has been considerable discussion in previous hearings regarding FAR limits and proposed provisions for an “Increased FAR Allowance.” A variety of opinions have been expressed regarding appropriate locations along the 41st Avenue corridor which could accommodate increased FAR without creating impacts to nearby residential neighborhoods. To examine this issue in more detail, staff evaluated the commercial-residential interface along each side of 41st Avenue. An exhibit showing the proximity between commercial and residential zoned properties along 41st Avenue is included as Attachment 5.

Based on staff’s analysis, both sides of the 41st Avenue corridor has commercially zoned properties which could accommodate new street-facing development while providing a minimum 100-foot setback between adjacent residential neighborhoods. Accordingly, staff believes either side of 41st Avenue could be developed with higher intensity projects which enhance the pedestrian experience along the street frontage while maintaining the integrity of existing residential neighborhoods.

Planning Commission FAR Recommendation

The Planning Commission voted 3-2 to recommend modest reductions in proposed FAR limits and to retain limits for “Increased FAR Allowance” to the west side of 41st Avenue and hotels in the Village. The Commission also considered a motion to eliminate the “Increased FAR Allowance,” but the motion failed by a 3-2 vote. The FAR limits recommended by the Planning Commission are shown in the following table in ~~strikeout~~/underline:

PLANNING COMMISSION FAR RECOMMENDATION

DESIGNATION	EXISTING FAR	PROPOSED FAR	“INCREASED FAR ALLOWANCE”
Village Mixed-Use	N/A	2.0	3.0
Neighborhood Mixed Use	0.5	1.0	N/A
Regional Commercial	0.5	2.0 <u>1.5</u>	3.0 <u>2.0</u>
Community Commercial	0.5	1.5 <u>1.0</u>	2.5 <u>1.5</u>
Visitor Accommodations	0.5	0.5	N/A
Industrial	0.5	0.5	N/A

AGENDA STAFF REPORT MAY 8, 2014
GENERAL PLAN UPDATE

Planning Commission members were in general agreement about the FAR limits in the Village and supported allowances for increased FAR limits for hotels. The Commissioners were more divided about FARs in the 41st Avenue corridor, particularly in the Community Commercial designation south of Capitola Road. The Commission ultimately voted to reduce the FAR in this area to 1.5, although some commissioners felt a 2.0 limit would be appropriate given the presence of the Fairfield and Best Western Inns, both of which support approximate FARs of 2.0 and the potential for additional similar hotels in that area. Planning Commissioners also had concerns about expanding the "Increased FAR Allowance" to properties along the east side of 41st Avenue, citing compatibility issues with adjacent residential neighborhoods and the potential for it to prompt development with excessive bulk and scale.

FISCAL IMPACT: The General Plan Update contains numerous action items, which if adopted, would individually and collectively require funding to implement. The actual cost to implement the General Plan's action items is difficult to estimate given its 20+ year planning horizon. The City has a revenue source to implement and maintain the General Plan through the General Plan Maintenance Fee. No additional funds or staffing is currently requested to implement the General Plan Update.

ATTACHMENTS:

1. Resolution to certify the General Plan Update EIR and adopt the Mitigation Monitoring and Reporting Program and Statement of Overriding Considerations;
2. Resolution to adopt the General Plan Update;
3. Public comments and staff responses;
4. Floor Area Ratio information;
5. 41st Avenue Commercial and Residential Property Exhibit;
6. Historic Background Narrative Prepared by Carolyn Swift;
7. General Plan public comments to City Council.

NOTE: Copies of the General Plan Update and Environmental Impact Report have been separately distributed to the City Council. Digital copies may be viewed and obtained at www.plancapitola.com

Report Prepared By: Richard Grunow
Community Development Director

**Reviewed and Forwarded
By City Manager:**



THIS PAGE INTENTIONALLY LEFT BLANK

RESOLUTION NO. ____

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CAPITOLA CERTIFYING THE FINAL ENVIRONMENTAL IMPACT REPORT FOR THE CITY'S GENERAL PLAN UPDATE, AND ADOPTING A MITIGATION MONITORING AND REPORTING PROGRAM, A STATEMENT OF OVERRIDING CONSIDERATIONS, AND ASSOCIATED ENVIRONMENTAL IMPACT FINDINGS

WHEREAS, a Notice of Preparation (NOP) of an Environmental Impact Report (EIR) for the General Plan Update was issued by the City of Capitola Community Development Department on July 2, 2013; and

WHEREAS, a Public Scoping Meeting was held on July 23, 2013, to receive comments regarding the scope of issues to be addressed in the EIR; and

WHEREAS, a Draft EIR was prepared and issued for agency and public review and comment on December 19, 2013, for a 60-day review period that ended on February 19, 2014; and

WHEREAS, thirteen comment letters were received on the Draft EIR from private individuals and public entities; and

WHEREAS, a Final EIR incorporating all comments received on the Draft EIR and responses to comments was issued on March 28, 2014; and

WHEREAS, the completed Final EIR consists of the December 19, 2013, Draft EIR, comments received on the document, and responses to comments contained in the March 28, 2014 Final EIR, modifications made to the text of the Draft EIR that are also included in the Final EIR, appendices to the Draft and Final EIRs, items included in attachments to this Resolution, and all documents and resources referenced and incorporated by reference in the EIR; and

WHEREAS, the Final EIR has been completed in accordance with the California Environmental Quality Act (CEQA), Public Resources Code Section 21000 et seq., the Guidelines for implementation of the California Environmental Quality Act (14 Cal. Code Regs. Section 15000 et seq.) (the "State CEQA Guidelines") and local procedures adopted pursuant thereto; and

WHEREAS, the Planning Commission held a public hearing on the project and Final EIR on April 3, 2014, and issued recommendations to the City Council; and

WHEREAS, the City Council considered the Final EIR at a publicly noticed meeting on May 8, 2014;

WHEREAS, on May 8, 2014, the City Council in Resolution No. ____ certified the Final EIR for the General Plan Update; and

WHEREAS, the Final EIR identified certain significant and potentially significant adverse environmental impacts that would be caused by the adoption and implementation of the General Plan Update; and

WHEREAS, the Final EIR outlined various mitigation measures that would substantially lessen or avoid the project's significant effects on the environment, as well as alternatives to the project as proposed which would provide some environmental advantages; and

WHEREAS, the City of Capitola is required, pursuant to CEQA, to adopt all feasible mitigation measures or feasible project alternatives that can substantially lessen or avoid any significant environmental effects of a proposed project while simultaneously fulfilling project objectives; and

WHEREAS, Public Resource Code section 21081, subdivision (a), requires a public agency, before approving a project for which an EIR has been prepared and certified, to adopt findings specifying whether mitigation measures and, in some instances, alternatives discussed the EIR, have been adopted or rejected as infeasible; and

RESOLUTION NO. _____

WHEREAS, Exhibit A of this Resolution includes a Statement of Overriding Considerations prepared in order to satisfy the requirements of Public Resources Code section 21081; and

WHEREAS, the Statement of Overriding Considerations explains, the City Council, reflecting the advice of City staff, the Planning Commission, and extensive input from the community, has expressed its intention to approve the proposed project; and

WHEREAS, in taking this course, the City Council has acted consistent with the CEQA mandate to consider project mitigations and/or alternatives as a means of substantially reducing or avoiding the environmental effects of projects as proposed while simultaneously fulfilling project objectives; and

WHEREAS, some of the significant and potentially significant environmental effects associated with this project, as approved, can either be substantially reduced or avoided through the inclusion of mitigation measures proposed in the Final EIR; and

WHEREAS, some of the significant environmental effects of the project can be fully avoided (i.e., rendered less than significant by the adoption of feasible mitigation measures); and

WHEREAS, the City Council in approving the project as proposed intends to adopt all mitigation measures set forth in the Mitigation Monitoring and Reporting Program; and

WHEREAS, those significant effects that cannot be avoided or substantially reduced by the adoption of feasible mitigation measures will necessarily remain significant and unavoidable; and

WHEREAS, the City Council has determined, for reasons set forth in the Statement of Overriding Considerations, that none of the alternatives addressed in the Final EIR would substantially reduce unavoidable environmental effects while also fulfilling the project objectives; and

WHEREAS, the City Council desires, in accordance with CEQA, to declare that, despite the occurrence of significant unavoidable environmental effect associated with the project, there exist certain overriding economic, social and other considerations for approving the project that the City Council, in its legislative capacity, believes justify the occurrence of those impacts and render them acceptable, and

WHEREAS, Exhibit A attached hereto includes a Statement of Overriding Considerations specifying the economic, social, and other benefits that render acceptable the significant unavoidable environmental effects associated with the mitigated project, and

WHEREAS, the City Council recognizes the City's obligation, pursuant to Public Resources Code section 21081.6, subdivision (a), to ensure the monitoring of all adopted mitigation measures necessary to substantially lessen or avoid the significant effects of the project; and

WHEREAS, Exhibit B to this Resolution contains the Mitigation Monitoring and Reporting Program prepared in order to comply with § 21081.6, subdivision (a)

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Capitola that:

- The City Council certifies that the Final EIR has been completed in compliance with CEQA, the State CEQA Guidelines and local procedures adopted pursuant thereto.
- The City Council hereby finds and declares the Final EIR reflects the independent judgment and analysis of the City Council, as required by Public Resources Code Section 21082.1.

RESOLUTION NO. _____

- The City Council has independently reviewed and analyzed the Final EIR and considered the information contained therein and all comments, written and oral, received prior to approving this Resolution.
- The City Council therefore hereby certifies the Final Environmental Impact Report for the General Plan Update.
- In approving this Resolution, the City Council adopts Exhibit A attached hereto in order to satisfy its obligations under Public Resources Code sections 21002 and 21081;
- In approving this Resolution, the City of Capitola adopts Exhibit A attached hereto in order to satisfy its obligations under Public Resources Codes sections 21081, subdivision (b) and CEQA Guidelines section 15093;
- In approving this Resolution, the City Council adopts Exhibit B attached hereto in order to satisfy its obligations under Public Resources Code section 21081.6 subdivision (a); and
- The City Council hereby approves the Project and directs City staff to file with the County Clerk and the Office of Planning and Research in Sacramento a Notice of Determination commencing a 30-day statute of limitations for any legal challenge to the Projects based on alleged non-compliance with CEQA.

I HEREBY CERTIFY that the above and foregoing Resolution was passed and adopted by the City Council of the City of Capitola at its regular meeting held on the 8th day of May, 2014, by the following vote:

AYES:
NOES:
ABSENT/ABSTAIN:

Sam Storey, Mayor

ATTEST: _____, CMC
Susan Sneddon, City Clerk

EXHIBIT A – GENERAL PLAN UPDATE EIR FINDINGS

**THE CITY OF CAPITOLA'S FINDINGS
FOR THE CAPITOLA GENERAL PLAN UPDATE
ENVIRONMENTAL IMPACT REPORT REQUIRED UNDER
THE CALIFORNIA ENVIRONMENTAL QUALITY ACT
(Public Resources Code, Section 21000 et seq.)**

I. INTRODUCTION

The City of Capitola ("City") prepared a Draft and a Final Environmental Impact Report (collectively, "EIR") for the Capitola General Plan Update (proposed Plan), which proposes a revised organization structure, consolidated land use designations, along with adding an optional economic development element, in addition to the State mandated topics of land use, circulation, housing, open space, conservation, safety, and noise to guide future development and redevelopment in Capitola.

The EIR addresses the potential environmental effects associated with the proposed Plan. The Findings, recommendations, and a statement of overriding considerations set forth below ("Findings") are adopted by the City of Capitola City Council ("City Council") as the City's findings under the California Environmental Quality Act ("CEQA") (Pub. Resources Code, § 21000 et seq.) and the CEQA Guidelines (Cal. Code Regs., title 14, § 15000 et seq.) relating to the proposed Plan. The Findings provide the written analysis and conclusions of this City Council regarding the Plan's environmental impacts, mitigation measures, alternatives to the Plan, and the overriding considerations, which, in this City Council's view, justify approval of the Plan, despite its environmental effects.

II. GENERAL FINDINGS

A. Procedural Background

Pursuant to CEQA and the CEQA Guidelines, the City determined that an EIR would be required for the proposed Plan. On July 2, 2013, the City issued a Notice of Preparation for the EIR which was circulated to responsible agencies and interested groups and individuals for review and comment. A copy of this Notice is included in Appendix A of the General Plan Update Draft EIR ("Draft EIR").

The Draft EIR was published for public review and comment on December 19, 2013 and was filed with the State Office of Planning & Research under State Clearinghouse No. 2013072002. The Draft EIR was made available for review and comment by interested persons and public agencies through February 19, 2014.

The City prepared written responses to the comments received during the comment period and included these responses in the Final Environmental Impact Report ("Final EIR"), which was made available for public review on March 28, 2014.

B. Record of Proceedings and Custodian of Record

The record, upon which all findings and determinations related to the approval of the Plan are based, includes the following:

1. The EIR and all documents referenced in or relied upon by the EIR.
2. All information (including written evidence and testimony) provided by City staff to the City Council relating to the EIR, the approvals, and the Plan.

CAPITOLA GENERAL PLAN UPDATE EIR
 CEQA FINDINGS
 MARCH 2014

3. All information (including written evidence and testimony) presented to the City Council by the environmental consultant and subconsultants who prepared the EIR or incorporated into reports presented to the City Council.
4. All information (including written evidence and testimony) presented to the City from other public agencies related to the Plan or the EIR.
5. All applications, letters, testimony, and presentations relating to the Project.
6. All information (including written evidence and testimony) presented at any City hearing or City workshop related to the Plan and the EIR.
7. All City-adopted or City-prepared land use plans, ordinances, including without limitation general plans, specific plans, and ordinances, together with environmental review documents, findings, mitigation monitoring programs, and other documents relevant to planned growth within the area.
8. The Mitigation Monitoring and Reporting Program for the Plan.
9. All other documents composing the record pursuant to Public Resources Code section 21167.6(e).

The custodian of the documents and other materials that constitute the record of the proceedings upon which the City's decisions are based is Richard Grunow, Community Development Director, or his designee. Such documents and other material are located at 420 Capitola Avenue, Capitola, CA 95010.

C. Consideration and Certification of the EIR

In accordance with CEQA, the City Council certifies that the EIR has been completed in compliance with CEQA. The City Council has independently reviewed the record and the EIR prior to certifying the EIR and approving the Plan. By these findings, the City Council confirms, ratifies, and adopts the findings and conclusions of the EIR as supplemented and modified by these findings. The EIR and these findings represent the independent judgment and analysis of the City and the City Council. The City Council recognizes the EIR may contain clerical errors. The City Council reviewed the entirety of the EIR and bases its determination on the substance of the information it contains. The City Council certifies that the EIR is adequate to support the approval of the action that is the subject of the staff report to which these CEQA findings are attached. The City Council certifies that the EIR is adequate to support approval of the Plan described in the EIR, each component of the Plan described in the EIR, any variant of the Plan described in the EIR, any minor modifications to the Plan or variants of the Plan described in the EIR and the components of the Plan.

D. Absence of Significant New Information

The City Council recognizes the Final EIR incorporates information obtained and produced after the Draft EIR was completed, and that the EIR contains additions, clarifications, and modifications. The City Council has reviewed and considered the Final EIR and all of this information. The Final EIR does not add significant new information to the Draft EIR that would require recirculation of the EIR under CEQA. The new information added to the EIR does not involve a new significant environmental impact, a substantial increase in the severity of an environmental impact, or a feasible mitigation measure or alternative considerably different from others previously analyzed that the project sponsor declines to adopt and that would clearly lessen the significant environmental impacts of the Plan. No information indicates that the Draft EIR was inadequate or conclusory or that the public was deprived of a meaningful opportunity to review and comment on the Draft EIR. Thus, recirculation of the EIR is not required. The City Council finds that the changes and modifications made to the EIR after the Draft EIR was circulated for public review and comment do not individually or collectively constitute significant new information within the meaning of Public Resources Code Section 21092.1 or the CEQA Guidelines Section 15088.5.

E. Severability

If any term, provision, or portion of these Findings or the application of these Findings to a particular situation is held by a court of competent jurisdiction to be invalid, void or unenforceable, the remaining provisions of these Findings, or their application to other actions related to the General Plan Update, shall continue in full force and effect unless amended or modified by the City.

III. FINDINGS AND RECOMMENDATIONS REGARDING SIGNIFICANT AND UNAVOIDABLE IMPACTS

As authorized by Public Resources Code Section 21081 and CEQA Guidelines Section 15091, the Final EIR is required to identify the significant impacts that cannot be reduced to a less-than-significant level through mitigation measures. Based upon the Final EIR, public comments, and the entire record before the City, the City finds that the proposed Plan would cause the following significant and unavoidable impacts after the implementation of mitigation measures with respect to the impacts identified below. As explained in the Statement of Overriding Considerations, these effects are considered to be acceptable when balanced against the economic, legal, social, technological, and/or other benefits of the proposed Plan.

A. Air Quality

Potential Impact AIR-2. As discussed on pages 4.2-17 through 4.2-22 of the Draft EIR, buildout of the proposed Plan could result in increases to regional air pollutants exceeding air quality standards established by the MBUAPCD. The thresholds of significance that have been recommended by the MBUAPCD were established for individual projects and do not apply to cumulative development or multiple projects, air quality impacts would be regional and not confined to the Capitola city limits; therefore, given the Draft EIR was programmatic and did not consider project-specific impacts, the thresholds did not apply at a programmatic level. Thus, future site-specific development proposals would be evaluated for potential air emissions once development details have been determined and are available. However, it was determined that development projects allowed under the proposed Plan would increase regional pollutants over current conditions, specifically PM₁₀ and PM_{2.5}. Although the proposed Plan includes several goals, policies, and actions intended to minimize air quality risks, impacts for the City of Capitola would be significant.

Mitigation Measure. As discussed on page 4.2-31 of the Draft EIR, there is no mitigation measure available to reduce this impact to a less-than-significant level.

FINDING. Based on the EIR and the entire record before the City, for the reasons stated in the EIR, the City finds that Impact AIR-2 would remain significant and unavoidable. However, as more fully stated in the Statement of Overriding Considerations, the City has found that the environmental, economic, social and other benefits of the Plan override any remaining significant adverse impacts of the Plan related to compliance with MBUAPCD's air quality standards.

Potential Impact AIR-6. As discussed on pages 4.2-27 through 4.2-29 of the Draft EIR, buildout of the proposed Plan could result in increases to regional air pollutants exceeding air quality standards established by the MBUAPCD. Given that the thresholds of significance that have been recommended by the MBUAPCD were established for individual projects and do not apply to cumulative development or multiple projects, air quality impacts would be regional and not confined to the Capitola city limits. Thus, future site-specific development proposals would be evaluated for potential air emissions once development details have been determined and are available. However, it was determined that development projects allowed under the proposed Plan would increase regional pollutants over current conditions, specifically PM₁₀ and PM_{2.5}. Although the proposed Plan includes several goals, policies, and actions intended to minimize air quality risks, impacts for the City of Capitola would be significant.

Mitigation Measure. As discussed on page 4.2-31 of the Draft EIR, there is no mitigation measure available to reduce this impact to a less-than-significant level.

FINDING. Based on the EIR and the entire record before the City, for the reasons stated in the EIR, the City finds that Impact AIR-6 would remain significant and unavoidable. However, as more fully stated in the Statement of Overriding Considerations, the City has found that the environmental, economic, social and other benefits of the Plan override any remaining significant adverse cumulative impacts of the Plan related to compliance with the MBUAPCD's air quality standards.

All other air quality impacts were less than significant without mitigation (see Draft EIR pages 4.2-1 to 4.2-31).

B. Hydrology and Water Quality

Potential Impact HYDRO-2. As discussed on pages 4.7.19 through 4.4-20, future development within the Plan Area could result in an impact to groundwater supplies as a result of increased water demand associated with implementation of the proposed Plan. Further, the SqCWD anticipates that demand will exceed sustainable groundwater supply in 2020 and beyond. Although the proposed Plan would require implementation of LID guidelines for development that would include the use of permeable paving materials and on-site infiltration to increase the potential for groundwater, supplies would still be exceeded. Thus, the impact to groundwater water supply would remain significant.

Mitigation Measure. As discussed on page 4.7-32 of the Draft EIR, there is no mitigation measure available to mitigate this impact to a less-than-significant level.

FINDING. Based on the EIR and the entire record before the City, for the reasons stated in the EIR, the City finds that Impact HYDRO-2 would remain significant and unavoidable. However, as more fully stated in the Statement of Overriding Considerations, the City has found that the environmental, economic, social and other benefits of the Plan override any remaining significant adverse impacts of the Plan related to substantially depleting groundwater supplies or interfering substantially with groundwater recharge.

Potential Impact HYDRO-9. As discussed on pages 4.7-29 through 4.7-31 of the Draft EIR, construction activities associated with buildout of the proposed Plan would cause a significant cumulative impact to hydrology and water quality.

Mitigation Measure. As discussed on page 4.7-32 of the Draft EIR, there is no mitigation measure available to mitigate this impact to a less-than-significant level.

FINDING. Based on the EIR and the entire record before the City, for the reasons stated in the EIR, the City finds that Impact HYDRO-9 would remain significant and unavoidable. However, as more fully stated in the Statement of Overriding Considerations, the City has found that the environmental, economic, social and other benefits of the Plan override any remaining significant adverse impacts of the Plan related to cumulative impacts to hydrology and water quality.

All other hydrology and water quality-related impacts were less than significant without mitigation (see Draft EIR pages 4.7-1 to 4.7-32).

C. Transportation and Traffic

Potential Impact TRANS-1. As discussed on pages 4.13-20 through 4.13-28 of the Draft EIR, some intersections (intersections Wharf Rd and Cliff Dr./Stockton Ave; Porter St./Highway 1 NB ramps; Monterey Ave/Capitola Ave; Capitola Ave/Stockton Ave; and Park Ave/Kennedy Dr.) would operate at an unacceptable LOS standard under the proposed Plan

CAPITOLA GENERAL PLAN UPDATE EIR
CEQA FINDINGS
MARCH 2014

buildout conditions in 2035. Although some improvements identified in the proposed Plan would improve the LOS standards to acceptable levels, the intersection of Porter Street and Highway 1 NB Ramps is under Caltrans jurisdiction; therefore, implementation of improvements at this intersection is outside of the jurisdiction of the City of Capitola. Given that implementation of the identified improvement necessary to mitigate to a less than significant level cannot be guaranteed, and may be considered infeasible by Caltrans, the impact is considered significant.

Mitigation Measure. The following mitigation measure, discussed in the Draft EIR on page 4.13-35, is hereby adopted and will be implemented as provided in the Mitigation and Monitoring Reporting Program:

Mitigation Measure TRANS-1: To mitigate this impact, an additional westbound right turn lane would be required to be constructed on the Highway 1 northbound off-ramp at Porter Street. With implementation of this improvement, the intersection would operate at an acceptable LOS C during the AM and PM peak hour under proposed Plan in conditions in 2035. The improvements necessary to mitigate this impact to a less than significant level would require the approval of Caltrans, and implementation of the improvement may not be feasible. As there are no certain and feasible mitigation measures available to reduce this impact, a significant and unavoidable impact would remain.

FINDING. Based on the EIR and the entire record before the City, for the reasons stated in the EIR, the City finds that Impact TRANS-1 would remain significant and unavoidable. However, as more fully stated in the Statement of Overriding Considerations, the City has found that the environmental, economic, social and other benefits of the Plan override any remaining significant adverse impacts of the Plan related to intersection operations degrading to an unacceptable LOS E at the Porter Street and Highway 1 northbound ramps intersection during the AM peak hour in 2035.

Potential Impact TRANS-6. As discussed on pages 4.13-34 through 4.13-35 of the Draft EIR, implementation of the proposed Plan would result in additional cumulatively considerable impacts. Implementation of the proposed Plan would result in significant impacts at five of the study intersections and although improvements have been identified to improve the LOS to acceptable levels, the Porter Street and Highway 1 NB Ramps is under Caltrans jurisdiction and therefore cannot be guaranteed to be improved since it is out of the City of Capitola jurisdiction.

Mitigation Measure. As discussed on page 4.13-35 of the Draft EIR, the mitigation measure is to implement Mitigation Measure TRANS-1.

FINDING. Based on the EIR and the entire record before the City, for the reasons stated in the EIR, the City finds that TRANS-1 would remain significant and unavoidable. However, as more fully stated in the Statement of Overriding Considerations, the City has found that the environmental, economic, social and other benefits of the Plan override any remaining significant adverse impacts of the Plan related to intersection operations degrading to an unacceptable LOS E at the Porter Street and Highway 1 northbound ramps intersection during the AM peak hour in 2035.

All other transportation and traffic-related impacts were less than significant without mitigation (see Draft EIR pages 4.13-1 to 4.13-35).

D. Utilities and Service Systems

Potential Impact UTIL-1. As discussed on pages 4.14-16 through 4.14-21 of the Draft EIR, buildout of the proposed Plan may result in insufficient water supplies from existing entitlements and resources in 2035. The SqCWD anticipates water demand exceeding sustainable groundwater supply in 2020 and beyond, thus, this impact would remain significant in the City of Capitola.

CAPITOLA GENERAL PLAN UPDATE EIR
CEQA FINDINGS
MARCH 2014

Mitigation Measure. As discussed on page 4.14-23 of the Draft EIR, there is no mitigation measure available to reduce this impact to a less-than-significant level.

FINDING. Based on the EIR and the entire record before the City, for the reasons stated in the EIR, the City finds that Impact UTIL-1 would remain significant and unavoidable. However, as more fully stated in the Statement of Overriding Considerations, the City has found that the environmental, economic, social and other benefits of the Plan override any remaining significant adverse impacts of the Plan related to insufficient water supplies from existing entitlements and resources in 2035.

Potential Impact UTIL-2. As discussed on pages 4.14-21 through 4.14-22 of the Draft EIR, the proposed Plan would require the construction of a new desalination facility in order to meet water demand associated with the proposed Plan. Given the availability of future water supplies from the desalination plant is uncertain and demand would exceed available supplies without the plant, the impact would remain significant in the City of Capitola.

Mitigation Measure. As discussed on page 4.14-23 of the Draft EIR, there is no mitigation measure available to reduce this impact to a less-than-significant level.

FINDING. Based on the EIR and the entire record before the City, for the reasons stated in the EIR, the City finds that Impact UTIL-2 would remain significant and unavoidable. However, as more fully stated in the Statement of Overriding Considerations, the City has found that the environmental, economic, social and other benefits of the Plan override any remaining significant adverse impacts of the Plan related to the construction of new water facilities or expansion of expansion of existing facilities.

Potential Impact UTIL-3. As discussed on pages 4.14-22 through 4.14-23 of the Draft EIR, the proposed Plan, in combination with past, present, and reasonably foreseeable development, may result in significant cumulative impacts with respect to water supply. Given the proposed Plan would contribute to an increased cumulative demand for water supply, and because this increased demand would exceed long-term supply under normal circumstances, the impact would remain significant.

Mitigation Measure. As discussed on page 4.14-23 of the Draft EIR, there is no mitigation measure available to reduce this impact to a less-than-significant level.

FINDING. Based on the EIR and the entire record before the City, for the reasons stated in the EIR, the City finds that Impact UTIL-3 would remain significant and unavoidable. However, as more fully stated in the Statement of Overriding Considerations, the City has found that the environmental, economic, social and other benefits of the Plan override any remaining significant adverse impacts of the Plan related to cumulative impacts to water supply.

All other utilities impacts were less than significant without mitigation (see Draft EIR pages 4.14-1 to 4.14-50).

E. Greenhouse Gas Emissions

Potential Impact GHG-1. As discussed on pages 4.15-14 through 4.15-15 of the Draft EIR, implementation of the proposed Plan would generate GHG emissions that would significantly contribute to global climate change impacts in California. Given that Capitola would experience an increase of 3,869 MTCO_{2e} of GHG emissions in 2035 in the absence of GHG reduction measures, which would exceed the 2,000 MTCO_{2e} threshold proposed by the MBUAPCD, impacts would remain significant.

Mitigation Measure. The following mitigation measure, discussed on pages 4.15-24 to 4.15-26 of the Draft EIR, is hereby adopted and will be implemented as provided in the Mitigation and Monitoring Reporting Program:

Item #: 10.B. Attach 1.pdf

CAPITOLA GENERAL PLAN UPDATE EIR
CEQA FINDINGS
MARCH 2014

Mitigation Measure GHG-1: The City of Capitola shall prepare a Climate Action Plan within 18 months of adopting the proposed Capitola General Plan update. The Climate Action Plan shall include a community inventory of GHG emission sources, and a quantifiable GHG emissions reduction target for 2020 that is consistent with the statewide GHG reduction target under Assembly Bill 32 (2006) and an interim target for the General Plan horizon year 2035 that is consistent with the statewide GHG reduction goal under Executive Order S-03-05, as outlined in CARB's 2013 Scoping Plan Update. The City shall monitor progress toward the GHG emissions reduction goal and prepare reports every 5 years detailing that progress. Measures listed below shall be considered for all new development between the time of adoption of the proposed Capitola General Plan update and adoption of the Climate Action Plan. Local measures considered in the Climate Action Plan may include:

- Require all municipal fleet purchases to be fuel-efficient vehicles for their intended use based on the fuel type, design, size, and cost efficiency.
- Work with AMBAG to create a Metropolitan Transportation Plan/Sustainable Community Strategy (MTP/SCS) that will reduce GHG emissions generated from transportation in the region.
- Revise the Recycling Ordinance to require at least 50 percent diversion of non-hazardous construction waste from disposal, as required by the California Green Building Code.
- Amend the Green Building Ordinance to encourage building designs that minimize waste and consumption in construction projects.
- Require new development and major renovations to use energy-efficient appliances that meet ENERGY STAR standards and energy-efficient lighting technologies that exceed Title 24 standards by 30 percent.
- Amend the Zoning Code to require new development and major renovations to incorporate measures that reduce energy use through solar orientation by taking advantage of shade, prevailing winds, landscaping, and sunscreens.
- Implement incentives for the use of drought-tolerant landscaping and recycled water for landscape irrigation.
- Require all new landscaping irrigation systems installed in the city to be automated, high-efficient irrigation systems to reduce water use and require use of bubbler irrigation; low-angle, low-flow spray heads; or moisture sensors.
- Conduct periodic energy efficiency audits of existing municipal buildings by checking, repairing, and readjusting heating, ventilation, and air conditioning systems; lighting; water heating equipment; insulation; and weatherization.
- Continue to implement intelligent transportation systems, roundabouts, signal timing and synchronization, and other efficiency methods that decrease idling time and congestion.
- Investigate partnership with programs such as Zipcar to support use of energy efficient or electric vehicles for city residents.
- Continue to work with county and regional transportation leaders to explore options for additional funding sources on the regional level to support multi-modal transportation infrastructure.
- Develop a Transportation Demand Management Plan (TDM) for City and local employees. A TDM Program would offer incentives to encourage the use of alternative modes of transportation by City and local employees (e.g., in the Village, Bay Avenue, and 41st Avenue areas). Free bus

CAPITOLA GENERAL PLAN UPDATE EIR
 CEQA FINDINGS
 MARCH 2014

passes, reimbursement for not using a parking space, emergency cab services, etc. will help reduce parking demand and reduce GHG emissions through reduced commuter traffic.

- Continue to work with school districts and solicit input from elementary, middle, and high school parents to identify opportunities to decrease emissions from school commutes.
- Require bicycle parking facilities and on-site showers in major non-residential development and redevelopment projects. Major development projects include buildings that would accommodate more than 50 employees, whether in a single business or multiple tenants; major redevelopment projects include projects that change 50 percent or more of the square footage or wall space.
- Provide incentives, such as giving priority in plan review, processing, and field inspection services, for new and existing commercial and residential projects that provide parking spaces reserved for electric vehicles and have a charging connection.
- Encourage grey water use and rainwater catchment systems where their use could accomplish water conservation objectives through the following measures:
 - Integrate new California grey water building/plumbing codes into the Green Building Ordinance.
 - Adopt a residential rainwater collection policy and update the Zoning Code as needed to support permitting and regulation of residential rainwater systems.
 - Investigate emerging technologies that reuse water within residential and commercial buildings and make that information available to the public via the City's website and/or brochures.
 - Pursue funding sources to provide rebates and reduce permit fees for cisterns.
 - Provide outreach support for water-efficient landscaping programs, classes, and businesses.
- In partnership with PG&E and local alternative energy companies, develop an Alternative Energy Development Plan that includes citywide measurable goals and identifies the allowable and appropriate alternative energy facility types within the city, such as solar photovoltaics (PV) on urban residential and commercial roofs and wind power facilities. As part of this plan:
 - Propose phasing and timing of alternative energy facility and infrastructure development.
 - Conduct a review of City policies and ordinances and establish a development review process for new alternative energy projects that ensures noise, aesthetic, and other potential land use compatibility conflicts are avoided (e.g., installing tracking solar PV or angling fixed solar PV in a manner that reduces glare to surrounding land uses).
 - Develop a renewable energy expansion plan for the City.
 - Consider reducing permitting fees or other incentives for alternative energy development.
 - Participate in regional efforts to implement Community Choice Aggregation (CCA).

FINDING. Based on the EIR and the entire record before the City, for the reasons stated in the EIR, the City finds that Impact GHG-1 would remain significant and unavoidable. However, as more fully stated in the Statement of Overriding Considerations, the City has found that the environmental, economic, social and other benefits of the Plan override any remaining significant adverse impacts of the Plan related to GHG emissions associated with the proposed Plan that would exceed MBAUAPCD's proposed GHG significance threshold of 2,000 MTCO₂e per year.

CAPITOLA GENERAL PLAN UPDATE EIR
CEQA FINDINGS
MARCH 2014

Potential Impact GHG-3. As discussed on pages 4.15-23 through 4.15-24 of the Draft EIR, implementation of the proposed Plan, in combination with past, present, and reasonably foreseeable projects, would result in a significant impact with respect to GHG emissions.

Mitigation Measure. As discussed on page 4.15-27 of the draft EIR, implementation of Mitigation Measure GHG-1 also serves as Mitigation Measure GHG-3.

FINDING. Based on the EIR and the entire record before the City, for the reasons stated in the EIR, the City finds that Impact GHG-3 would remain significant and unavoidable. However, as more fully stated in the Statement of Overriding Considerations, the City has found that the environmental, economic, social and other benefits of the Plan override any remaining significant adverse impacts of the Plan related to cumulative GHG impacts.

All other GHG-related impacts were less than significant without mitigation (see Draft EIR pages 4.15-1 to 4.13-28).

IV. FINDINGS AND RECOMMENDATIONS REGARDING SIGNIFICANT IMPACTS WHICH ARE MITIGATED TO A LESS-THAN-SIGNIFICANT LEVEL

Based on the information in the administrative record of proceedings, including the Final EIR, the following environmental effects are found to be potentially significant but would be mitigated to a less-than-significant level. (CEQA Guidelines §15091)

A. Air Quality

Potential Impact 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, as discussed on pages 4.2-15 to 4.2-17 of the Draft EIR.

Mitigation Measure. The following mitigation measure, discussed in the Draft EIR on pages 4.2-29 to 4.2-30, is hereby adopted and will be implemented as provided in the Mitigation and Monitoring Reporting Program:

Mitigation Measure AIR-1a: Prior to issuance of any Grading Permit, the Community Development Director and the Building Official shall confirm that the Grading Plan, Building Plans, and specifications stipulate that, in compliance with MBUAPCD CEQA Air Quality Guidelines, the City shall limit areas of active disturbance to no more than 2.2 acres per day for initial site preparation activities that involve extensive earth moving activities (grubbing, excavation, rough grading), or 8.1 acres per day for activities that involve minimal earth moving (e.g., finish grading) during all phases of construction activities. If future development projects within the proposed Plan require that grading and excavation exceed those acreages, the City shall implement the following fugitive dust control measures per MBUAPCD CEQA Air Quality Guidelines:

- Water all active construction areas at least twice daily;
- Cover all trucks hauling soil, sand, and other loose materials or require all trucks to maintain at least 2 feet of freeboard;
- Pave, apply water three times daily, or apply (non-toxic) soil stabilizers on all unpaved access roads, parking areas and staging areas at construction sites;
- Sweep daily (with water sweepers) all paved access roads, parking areas and staging areas at construction sites;

CAPITOLA GENERAL PLAN UPDATE EIR
 CEQA FINDINGS
 MARCH 2014

- Sweep streets daily (with water sweepers) if visible soil material is carried onto adjacent public streets;
- Hydroseed or apply (non-toxic) soil stabilizers to inactive construction areas (previously graded areas inactive for ten days or more);
- Enclose, cover, water twice daily or apply (non-toxic) soil binders to exposed stockpiles (dirt, sand, etc.);
- Limit traffic speeds on unpaved roads to 15 mph;
- Install appropriate best management practices or other erosion control measures to prevent silt runoff to public roadways;
- Replant vegetation in disturbed areas as quickly as possible;
- Install wheel washers or track-out devices for all exiting trucks and equipment leaving the site;
- Limit the area subject to excavation, grading and other construction activity at any one time;
- Post a publicly visible sign which specifies the telephone number and person to contact regarding dust complaints (the person shall respond to complaints and take corrective action within 48 hours);
- Ensure that the phone number of MBUAPCD is visible to the public for compliance with Rule 402 (Nuisance); and
- Comply with MBUAPCD Rule 403 (Particulate Matter) regarding concentration, process weight and individual particles requirements. Discharge from any source of particulate matter shall not exceed of 0.15 grain per standard dry cubic foot of exhaust gas. Discharge in any one hour from any source of particulate matter shall not exceed the amount shown in Rule 403 – Particulate Matter Table 1. Additionally, emissions from any heat transfer, incinerator, or metal salvage operation of particles in sufficient number to cause damage to property, which particles are of sufficient size and nature to be visible individually as particles on property other than that under the control of the person responsible for the emission, shall not be permitted.

Mitigation Measure AIR-1b: Prior to issuance of any Grading Permit, the Director of Public Works and the Building Official shall confirm that the Grading Plan, Building Plans, and specifications stipulate that all off-road construction vehicles/equipment greater than 100 horsepower that will be used on site for more than one week shall: 1) be manufactured during or after 1996, and 2) shall meet the NOx emissions standard of 6.9 grams per brake-horsepower hour. Alternatively, the project shall implement a combination of the following emission reduction measures on some or all of the above described vehicles and equipment:

- Use alternative fuels (such as biodiesel blends);
- Require diesel particulate matter filters on equipment;
- Require diesel oxidation catalyst on equipment;
- Require General and Industry-Specific Visible Emission limitations for abrasive blasting, drinking water systems, gas turbines, pile drivers and federally regulated industries for compliance with Rule 400 (Visible Emissions);
- Install temporary electrical service whenever possible to avoid the need for independently powered equipment (e.g., compressors);
- Enforce state required idle restrictions (e.g., post signs). Diesel equipment standing idle for more than five minutes shall be turned off. This would include trucks waiting to deliver or receive soil, aggregate or other bulk materials. Rotating drum concrete trucks may keep their engines running continuously as long as they were on-site and staged away from residential areas;
- Properly tune and maintain equipment; and
- Stage large diesel-powered equipment at least 100 feet from any active land uses (e.g., residences).

FINDING: For the reasons stated in the Final EIR, the City finds that implementation of the mitigation measure above, together with applicable federal, State, and local regulations and proposed Plan policies and actions listed in the Draft EIR on pages 4.2-17, would result in a less-than-significant impact to air quality standards in the Plan Area.

B. Cultural Resources

Potential Impact CULT-2: As discussed on pages 4.4-13 to 4.4-14, buildout of the proposed Plan could result in significant impacts to known or unknown archaeological resources in the Plan Area as a result of construction activities associated with implementation of the proposed Plan.

Mitigation Measure. The following mitigation measure, discussed in the Draft EIR on pages 4.4-17 to 4.4-18, is hereby adopted and will be implemented as provided in the Mitigation and Monitoring Reporting Program:

Mitigation Measure CULT-2: If cultural resources or human remains are accidentally discovered during construction, work shall be halted within 50 meters (150 feet) of the find until it can be evaluated by a qualified professional archaeologist and/or paleontologist. If the find is determined to be significant, appropriate mitigation measures shall be formulated and implemented. Disturbance shall not resume until the significance of the cultural resource is determined and appropriate mitigations to preserve the resource on the site are established. If human remains are encountered during construction or any other phase of development, work in the area of discovery must be halted, the Santa Cruz County coroner notified, and the provisions of Public Resources Code 5097.98-99, Health and Safety Code 7050.5, carried out. If the remains are determined to be Native American, the Native American Heritage Commission (NAHC) shall be notified within 24 hours as required by Public Resources Code 5097.

FINDING: For the reasons stated in the Final EIR, the City finds that implementation of the mitigation measures listed above, together with applicable federal, State, and local regulations and proposed Plan policies and actions listed in the Draft EIR on pages 4.4-14, would result in a less-than-significant impact to archaeological resources.

Potential Impact CULT-3: As discussed on page 4.4-15, buildout of the proposed Plan could result in significant impacts to unique paleontological resources or site or unique geologic features in the Plan Area as a result of construction activities associated with implementation of the proposed Plan.

Mitigation Measure. As discussed on page 4.4-18 of the Draft EIR, Mitigation Measure CULT-2 would also serve as Mitigation Measure CULT-3.

FINDING: For the reasons stated in the Final EIR, the City finds that implementation of the mitigation measures listed above, together with applicable federal, State, and local regulations and proposed Plan policies and actions listed in the Draft EIR on pages 4.4-15, would result in a less-than-significant impact to directly or indirectly destroying a unique paleontological resource or site or unique geologic feature from construction activities associated with implementation of the proposed Plan.

Potential Impact CULT-4: The proposed Plan would result in significant impacts related the potential disturbance to human remains, including those interred outside of formal cemeteries, as discussed on pages 4.4-15 to 4.4-16 of the Draft EIR.

Mitigation Measure: As discussed on page 4.4-18 of the Draft EIR, Mitigation Measure CULT-2 would also serve as Mitigation Measure CULT-4.

CAPITOLA GENERAL PLAN UPDATE EIR
 CEQA FINDINGS
 MARCH 2014

FINDING: For the reasons stated in the Final EIR, the City finds that implementation of the mitigation measures listed above, together with applicable federal, State, and local regulations and proposed Plan policies and actions listed in the Draft EIR on pages 4.4-16, would result in a less-than-significant impact with respect to the potential disturbance of human remains, including those interred outside of formal cemeteries.

C. Noise

Potential Impact NOISE-2: As discussed on pages 4.9-16 to 4.9-17 of the Draft EIR, the proposed Plan would generate or expose persons or structures to excessive ground-borne vibration from construction-related activities resulting from implementation of the proposed Plan, and thus would result in a significant impact before mitigation.

Mitigation Measure. The following mitigation measure, discussed in the Draft EIR on pages 4.9-27 to 4.9-28, is hereby adopted and will be implemented as provided in the Mitigation and Monitoring Reporting Program:

NOISE-2a: Project applicants shall ensure by contract specifications that construction staging areas along with the operation of earthmoving equipment within the City would be located as far away from vibration and noise sensitive sites as possible. For projects that involve the displacement of more than 100 cubic yards of soil and is located within 25 feet of an occupied structure, the Community Development Director or the Public Works Director may require at their discretion that a project specific vibration impact analysis be conducted to determine the specific vibration control mechanisms that would be incorporated into the project's construction bid documents, if necessary. Contract specifications shall be included in construction documents, which shall be reviewed by the City prior to issuance of a grading permit.

NOISE-2b: The City shall require future developments to implement the following measures to reduce the potential for human annoyance and architectural/structural damage resulting from elevated groundborne noise and vibration levels.

- Pile driving within a 50-foot radius of historic structures (as determined by the City) shall utilize alternative installation methods where possible (e.g., pile cushioning, jetting, predrilling, cast-in-place systems, resonance-free vibratory pile drivers).
- The pre-existing condition of all designated historic buildings (as determined by the City) within a 50-foot radius of proposed construction activities shall be evaluated during a preconstruction survey, if deemed necessary at the discretion of the Community Development Director or the Public Works Director. The preconstruction survey shall document conditions (photographically and in writing) that exist before construction begins for use in evaluating damage caused by construction activities. All damage shall be repaired back to its preexisting condition.
- Vibration monitoring shall be conducted prior to and during pile driving operations occurring within 100 feet of historic structures (as determined by the City). Every attempt shall be made to limit construction-generated vibration levels during pile driving and impact activities in the vicinity of the historic structures.

FINDING: For the reasons stated in the Final EIR, the City finds that implementation of the mitigation measures listed above, together with applicable federal, State, and local regulations and proposed Plan policies and actions listed in the Draft EIR on pages 4.9-17, would result in a less-than-significant impact with respect to groundborne or vibration related to construction activities as a result of implementation of the proposed Plan.

V. IMPACTS WHICH ARE LESS THAN SIGNIFICANT

Specific impacts within the following categories of environmental effects were found to be less than significant or have no impact as set forth in more detail in the Draft EIR. Pursuant to CEQA Guidelines Section 15128, agricultural and forestry resources, and mineral resources were determined to have no likelihood of significant impacts and, therefore, were “scoped out,” as discussed on pages 7-1 to 7-2 of the Draft EIR.

Significant impacts are described in Sections III and IV, above. All other potential impacts identified in the Final EIR would be less than significant without mitigation. Therefore, further findings are not required for those impacts. The following impacts were found to be less than significant or have no impact before mitigation:

- Aesthetics:
 - AES-1
 - AES-2
 - AES-3
 - AES-4
 - AES-5
- Air Quality
 - AIR-3
 - AIR-4
 - AIR-5
- Biological Resources
 - BIO-1
 - BIO-2
 - BIO-3
 - BIO-4
 - BIO-5
 - BIO-6
- Cultural Resources
 - CULT-1
 - CULT-5
- Geology, Soils, and Seismicity
 - GEO-1
 - GEO-2
 - GEO-3
 - GEO-4
 - GEO-5
 - GEO-6
- Hazards and Hazardous Materials
 - HAZ-1
 - HAZ-2
 - HAZ-3
 - HAZ-4
 - HAZ-7
 - HAZ-8
 - HAZ-9
- Hydrology and Water Quality
 - HYDRO-1

CAPITOLA GENERAL PLAN UPDATE EIR
CEQA FINDINGS
MARCH 2014

- HYDRO-3
- HYDRO-4
- HYDRO-5
- HYDRO-6
- HYDRO-7
- HYDRO-8
- Land Use and Planning
 - LAND-1
 - LAND-2
 - LAND-3
 - LAND-4
- Noise
 - NOISE-1
 - NOISE-3
 - NOISE-4
- Population and Housing
 - POP-1
 - POP-2
 - POP-3
 - POP-4
- Public Services
 - SVCS-1
 - SVCS-2
 - SVCS-3
 - SVCS-4
 - SVCS-5
 - SVCS-6
 - SVCS-7
 - SVCS-8
- Parks and Recreation
 - PS-1
 - PS-2
 - PS-3
 - PS-4
- Transportation and Traffic
 - TRANS-2
 - TRANS-3
 - TRANS-4
 - TRANS-5
- Utilities and Service Systems
 - UTIL-4
 - UTIL-5
 - UTIL-6
 - UTIL-7
 - UTIL-8
 - UTIL-9
 - UTIL-10
 - UTIL-11
 - UTIL-12

- Greenhouse Gas Emissions
 - GHG-2

VI. FINDINGS AND RECOMMENDATIONS REGARDING SIGNIFICANT IRREVERSIBLE CHANGES

Section 21100(b)(2)(B) of CEQA requires that an EIR identify any significant effect on the environment that would be irreversible if the project were implemented. Section 15126.2(c) of the CEQA Guidelines identifies irreversible environmental changes as those involving a large commitment of nonrenewable resources or irreversible damage resulting from environmental accidents.

The significant and irreversible changes of the proposed Plan are discussed on pages 7-2 through 7-7 of the Draft EIR. The Draft EIR explains that while development under the proposed Plan would generally maintain the land use pattern of the current General Plan, development under the proposed Plan would involve development and redevelopment of previously disturbed sited in urbanized areas. Further changes would result in the consolidation of residential and commercial land use designations, as well as the addition of two new mixed-use designations. The multiple community facilities designations have been consolidated into a single Public/Quasi-Public designation, while remaining designation would be maintained. Although increased development would be allowed under the proposed Plan, development would be relatively consistent with the growth anticipated for the Plan Area by AMBAG's regional growth forecasts, which the exception of housing units, which would be slightly greater. The Plan estimates development of housing opportunity sites consistent with the 2007-2014 Housing Element, which would result in greater housing growth than AMBAG's projections by approximately 60 more units. Based on the available sites and Capitola's development history, this projection is considered reasonable and appropriate.

The Draft EIR also explains that implementation of the Plan would result in the commitment of limited, renewable resources such as lumber and water, and the irretrievable commitment of nonrenewable resources, such as sand, gravel, steel, lead, copper, and other metals, for the construction of buildings, infrastructure, and roadway improvements. Additionally, the Draft EIR explains buildout of the proposed Plan also represents a long-term commitment to the consumption of fossil fuels, natural gas, and gasoline for lighting, heating, and cooling of residences, and transportation of people within, to, and from Capitola. Although the construction and operation of future development under the Plan would involve the use of nonrenewable resources, compliance with applicable standards and regulations and implementation of Plan policies would minimize the use of nonrenewable resources to the maximum extent practicable, and as such, the Plan would not represent a large commitment of nonrenewable resources in comparison to a business as usual situation.

VII. FINDINGS AND RECOMMENDATIONS REGARDING GROWTH-INDUCING IMPACTS

Section 15126.2(d) of the CEQA Guidelines states that an EIR should discuss "...the ways in which the Proposed [Plan] could foster economic or population growth, or the construction of additional housing, either directly or indirectly, in the surrounding environment." Growth can be induced in a number of ways, including through elimination of obstacles to growth, through the stimulation of economic activity within the region, or through precedent-setting action.

The growth inducing impacts of the Plan are discussed on pages 7-7 through 7-8 of the Draft EIR. As discussed, the City of Capitola is located in a predominantly urbanized portion of Santa Cruz County, well served by existing roadway and utility infrastructure. Buildout of the proposed Plan is projected to result in approximately 10,198 residents, 5,614 housing units, and 7,370 jobs in Capitola by 2035. Future growth under the proposed Plan would be concentrated primarily occur through infill development and redevelopment of

CAPITOLA GENERAL PLAN UPDATE EIR
 CEQA FINDINGS
 MARCH 2014

currently developed sites, as described in Chapter 3 of the Draft EIR. Significant expansion of existing infrastructure is not anticipated. As such, the Plan would not be considered to have substantial adverse growth-inducing impacts.

As described in the Draft EIR, growth under the proposed Plan would have beneficial effects as well. Growth under the Plan would provide greater opportunities for employment growth, potentially providing jobs for people residing in the city. Future development and redevelopment activities would be pedestrian-friendly, use land efficiently, and promote transportation alternatives. Additionally, numerous policies and actions in the proposed Plan, as described above, would serve to minimize the increase in VMT and energy consumption that would result from buildout of the Plan, consistent with regional planning initiatives to address air quality and greenhouse gas emissions concerns.

Overall, while implementation of the Plan would induce growth, this growth would occur incrementally over a period of 20 years and there is a policy framework in place at the local and regional level to ensure that adequate planning occurs to accommodate it.

VIII. ALTERNATIVES

Chapter 6 of the Draft EIR evaluated a reasonable range of potential alternatives to the proposed Plan. In compliance with CEQA and the CEQA Guidelines, the alternatives analysis included an analysis of a No Project Alternative and discussed the environmentally superior alternative. The analysis examined the feasibility, environmental impacts, and ability of alternatives to meet the project objectives identified in Chapter 3, Section 3.3 of the Draft EIR. Table 6-2 in the Draft EIR compares the environmental impacts of the proposed Plan and each of the alternatives.

The City certifies that it has independently reviewed and considered the information on alternatives provided in the Final EIR and the administrative record. Based on this review, the City finds that, while the Reduced Commercial Floor Area Ratio (FAR) Alternative would be similar to the proposed Plan and generally meet the project objectives, it would not provide as many opportunities to growth the local economy.

A. Identification of Plan Objectives:

The CEQA Guidelines state that the “range of potential alternatives to the proposed [Plan] shall include those that could feasibly accomplish most of the basic purposes of the project and could avoid or substantially lessen one or more of the significant effects” of the Plan. CEQA Guidelines § 15126(d)(2). Thus, an evaluation of the Plan objectives is key to determining which alternatives should be assessed in the EIR.

The primary purpose of the proposed Plan is to update the policy framework and land use designations that will guide future development in Capitola to incorporate recent planning efforts undertaken by the City and satisfy new State and regional regulations that have come into force since the General Plan was last updated.

As stated in Section 3, Project Description, of the Draft EIR, the following Guiding Principles are included in the proposed Plan and outline the objectives of the proposed Plan:

- **Community Identity.** Preserve and enhance Capitola’s intimate small-town feel and coastal village charm. Ensure that all areas of Capitola, not just the Village, possess a unique, memorable, and high-quality identity. Promote Capitola’s reputation as a community that is sustainable, welcoming, historic, and family-friendly.
- **Community Connections.** Provide year-round opportunities for residents of all ages to meet and gather in public places. Enhance the ability for residents to engage in civic life. Ensure that all

neighborhoods enjoy access to high-quality community events, services, and amenities that foster community connections.

- **Neighborhoods and Housing.** Protect and enhance the quality of life within residential neighborhoods. Strive for neighborhoods that are stable, inclusive, and friendly. Minimize impacts to neighborhoods—such as noise, cut-through traffic, and overflow parking—caused by new development.
- **Environmental Resources.** Embrace environmental sustainability as a foundation for Capitola’s way of life. Protect and enhance all natural resources—including the beaches, creeks, ocean, and lagoon—that contribute to Capitola’s unique identity and scenic beauty. Reduce greenhouse gas emissions and prepare for the effects of global climate change, including increased flooding and coastal erosion caused by sea-level rise.
- **Economy.** Support a local economy that is vibrant, diverse, and dynamic. Create a brand identity for Capitola that is grounded in the city’s unique identity. Support local businesses, “green” businesses, and employers that provide jobs for Capitola residents.
- **Fiscal Responsibility.** Practice fiscally responsible municipal decision making to avoid shifting today’s costs to future generations.
- **Mobility.** Provide a balanced transportation system that accommodates the needs of automobiles, pedestrians, and bicycles. Reduce dependence on the automobile with a complete network of sidewalks, trails, and pathways, and support development patterns that encourage the use of public transportation. Promote transportation options that are safe and convenient for all residents, including youth, seniors, and persons with disabilities.
- **Health and Safety.** Promote a safe and healthy community for people of all ages. Ensure that residents, businesses, and visitors are protected from natural and man-made disasters. Continue to provide excellent public services that support the public well-being while enhancing a sense of community.

B. Alternatives Analyzed in the EIR

The EIR evaluated two alternatives to the proposed Plan in detail: The No Project Alternative and the Reduced Commercial FAR Alternative.

1. No Project Alternative

Under this alternative, discussed on pages 6-2 through 6-9 of the Draft EIR, the Capitola General Plan would not be adopted and future development in Capitola would be subject to existing policies and land use designations in the existing 1989 General Plan. Under this scenario, because allowable residential densities would be the same as under the proposed Plan, residential growth would be the same as under the proposed Plan. As such, the No Project Alternative could result in up to 5,614 housing units in Capitola by 2035. The maximum allowable commercial FAR would not increase in the 41st Avenue Corridor and Capitola Village. In the 41st Avenue Corridor, the FAR would remain at 0.5 and in Capitola Village the allowable building density and intensity would continue to be set forth in the Central Village Design Guidelines. Therefore, non-residential buildout would be lower under the No Project Alternative than under the proposed Plan, with a non-residential square footage of 1,901,748 and up to 6,580 jobs by 2035. In comparison to the proposed Plan, this alternative would result in an equal number of housing units, and 226,777 less non-residential square footage, resulting in 790 fewer jobs. When compared to the proposed Plan, this alternative would result in the same amount of population growth with a projected increase of 280 residents by 2035.

The No Project Alternative would result in similar biological resource, cultural resources, hydrology, population and housing, parks and recreation, and transportation and traffic impacts as the proposed Plan. The No Project Alternative would represent a deterioration compared to the proposed Plan in terms of aesthetics, air quality,

CAPITOLA GENERAL PLAN UPDATE EIR
 CEQA FINDINGS
 MARCH 2014

land use, public service, utilities, and GHG emissions impacts. The No Project Alternative would represent an improvement in terms of geology, hazards, and noise impacts. The No Project Alternative would not satisfy all of the Plan Objectives to the same extent as the proposed Plan. Specifically, the No Project Alternative would not increase the allowable commercial FAR in the 41st Avenue Corridor and Capitola Village and would therefore not support the local economy to the same extent as the proposed Plan. Because this alternative would not meet the Plan objectives and not avoid the impacts of the proposed Plan, and in some instances would represent an environmental deterioration in comparison to the proposed Plan, this alternative was found to be infeasible and was rejected.

2. Reduced Commercial FAR Alternative

Under the Reduced Commercial FAR Alternative, the maximum allowable commercial FAR would increase in the 41st Avenue Corridor and Capitola Village to 1.0 to allow more commercial development than what is permitted under the 1989 General Plan and Central Village Design Guidelines. As under the proposed Plan, the Regional Commercial and Community Commercial land use designations would apply in the 41st Avenue Corridor and the Village Mixed Use designation would apply in Capitola Village. Under this Alternative the non-residential square footage would be 2,002,176, which is 126,349 square feet less than the proposed Plan, and result in 6,930 jobs, totaling 440 fewer jobs than that of the proposed Plan. Additionally, there would be a total of 5,614 housing units at buildout, which would be similar to the proposed Plan. The consolidation of land use designations proposed in the Plan, including residential land use categories, would also apply under this alternative and the goals, policies, and actions contained in proposed Plan would also be adopted under this alternative.

The Reduced Commercial FAR Alternative would result in similar impacts as the proposed Plan for all environmental topics, with the exception of GHG emissions, for which this alternative would represent an insubstantial improvement in comparison to the proposed Plan. This alternative would not satisfy all of the Plan objectives to the same extent as the proposed Plan. Specifically, the Reduced Commercial FAR Alternative would permit less commercial development in the 41st Avenue Corridor and Capitola Village and would therefore not support the local economy to the same extent as the proposed Plan. Therefore, this alternative was found to be infeasible and was rejected.

IX. STATEMENT OF OVERRIDING CONSIDERATIONS

Pursuant to Public Resources Code Section 21081 and CEQA Guidelines Section 15093, this City adopts and makes the following Statement of Overriding Considerations regarding the remaining significant and unavoidable impacts of the Plan, as discussed above, and the anticipated economic, social, and other benefits of the Plan.

A. Findings and Statement

The City finds and determines that the majority of the significant impacts of the Plan will be reduced to less-than-significant levels by the mitigation measures recommended in these Findings. However, as set forth above, the City's approval of the Plan as proposed will result in certain significant adverse environmental effects that cannot be avoided, even with the incorporation of all feasible mitigation measures into the Plan. Further, as set forth above, and there are no feasible Plan alternatives which would mitigate or avoid those significant environmental effects.

In light of the environmental, social, economic, and other considerations set forth below, the City chooses to approve the Plan because, in its view, the economic, social, technological, and other benefits resulting from the Plan will render the significant effects acceptable.

Item #: 10.B. Attach 1.pdf

CAPITOLA GENERAL PLAN UPDATE EIR
CEQA FINDINGS
MARCH 2014

The following statement identifies the reasons why, in the City's judgment, the benefits of the Plan outweigh the significant and unavoidable effects. The substantial evidence supporting the enumerated benefits of the Plan can be found in the preceding findings, which are herein incorporated by reference, in the Plan itself, and in the record of proceedings as defined in Section II(B). Each of the overriding considerations set forth below constitutes a separate and independent ground for findings that the benefits of the Plan outweigh its significant adverse environmental effects and is an overriding consideration warranting approval.

The City finds that the Plan, as approved, would have the following economic and social benefits:

1. The Plan will provide for the long-term social and economic vitality of Capitola by fostering the development of up to 5,614 housing units in Capitola.
2. The Plan will provide for economic growth in Capitola, both through short-term jobs related to construction of individual projects under the Plan and through jobs added with the expansion of employment activities in the city through 2035.
3. Future growth under the proposed Plan would primarily occur through infill development and redevelopment of currently developed sites, as Capitola is primarily developed and urbanized. The Plan will guide redevelopment and conservation in Capitola in line with basic community values, ideals, and aspirations through 2035.
4. The Plan will support and enhance Capitola's small-town feel and village charm.
5. The Plan promotes environmental sustainability and the reduction of GHG emissions.
6. The Plan will support the local economy, including "green jobs."

EXHIBIT B: MITIGATION MONITORING AND REPORTING PROGRAM

This document is a Mitigation Monitoring and Reporting Program (MMRP) for the proposed City of Capitola General Plan Update (proposed Plan). The purpose of the MMRP is to ensure the implementation of mitigation measures identified as part of the environmental review for the project. The Draft MMRP includes the following information:

- ◆ A list of mitigation measures.
- ◆ The party responsible for implementing the mitigation measures.
- ◆ The timing and procedure for implementation of the mitigation measure.
- ◆ The agency responsible for monitoring the implementation.

The City of Capitola must adopt this MMRP, or an equally effective program, if it approves the proposed Plan with the mitigation measures included in the EIR. Public Resources Code sec. 21081.6(a) requires an agency to adopt a program for reporting or monitoring mitigation measures that were adopted or made Conditions of Project Approval.

TABLE 1 MITIGATION MONITORING AND REPORTING PROGRAM

No.	Mitigation Measures	Party Responsible for Implementation	Implementation Trigger/Timing	Agency Responsible for Monitoring	Monitoring Action	Monitoring Frequency	Verified Implementation
AIR-1a	<p>Prior to issuance of any Grading Permit, the Community Development Director and the Building Official shall confirm that the Grading Plan, Building Plans, and specifications stipulate that, in compliance with MBUAPCD CEQA Air Quality Guidelines, the City shall limit areas of active disturbance to no more than 2.2 acres per day for initial site preparation activities that involve extensive earth moving activities (grubbing, excavation, rough grading), or 8.1 acres per day for activities that involve minimal earth moving (e.g., finish grading) during all phases of construction activities. If future development projects within the proposed Plan require that grading and excavation exceed those acreages, the City shall implement the following fugitive dust control measures per MBUAPCD CEQA Air Quality Guidelines:</p> <ul style="list-style-type: none"> ◆ Water all active construction areas at least twice daily; ◆ Cover all trucks hauling soil, sand, and other loose materials or require all trucks to maintain at least 2 feet of freeboard; ◆ Pave, apply water three times daily, or apply (non-toxic) soil stabilizers on all unpaved access roads, parking areas and staging areas at construction sites; ◆ Sweep daily (with water sweepers) all paved access roads, parking areas and staging areas at construction sites; ◆ Sweep streets daily (with water sweepers) if visible soil material is carried onto adjacent public streets; ◆ Hydroseed or apply (non-toxic) soil stabilizers to inactive construction areas (previously graded areas inactive for ten days or more); ◆ Enclose, cover, water twice daily or apply 	City of Capitola	Prior to issuance of grading permit	City of Capitola Community Development and Building Departments	Plan review/ Site inspection	<p>Review grading and building plans once;</p> <p>Conduct site inspections during regularly scheduled site inspections</p>	<p>Initials: _____</p> <p>Date: _____</p>

CITY OF CAPITOLA
 GENERAL PLAN UPDATE EIR
 DRAFT MITIGATION MONITORING AND REPORTING PROGRAM

TABLE 1 MITIGATION MONITORING AND REPORTING PROGRAM

No.	Mitigation Measures	Party Responsible for Implementation	Implementation Trigger/Timing	Agency Responsible for Monitoring	Monitoring Action	Monitoring Frequency	Verified Implementation
	<p>(non-toxic) soil binders to exposed stockpiles (dirt, sand, etc.);</p> <ul style="list-style-type: none"> ◆ Limit traffic speeds on unpaved roads to 15 mph; ◆ Install appropriate best management practices or other erosion control measures to prevent silt runoff to public roadways; ◆ Replant vegetation in disturbed areas as quickly as possible; ◆ Install wheel washers or track-out devices for all exiting trucks and equipment leaving the site; ◆ Limit the area subject to excavation, grading and other construction activity at any one time; ◆ Post a publicly visible sign which specifies the telephone number and person to contact regarding dust complaints (the person shall respond to complaints and take corrective action within 48 hours); ◆ Ensure that the phone number of MBUAPCD is visible to the public for compliance with Rule 402 (Nuisance); and ◆ Comply with MBUAPCD Rule 403 (Particulate Matter) regarding concentration, process weight and individual particles requirements. Discharge from any source of particulate matter shall not exceed of 0.15 grain per standard dry cubic foot of exhaust gas. Discharge in any one hour from any source of particulate matter shall not exceed the amount shown in Rule 403 – Particulate Matter Table 1. Additionally, emissions from any heat transfer, incinerator, or metal salvage operation of particles in sufficient number to cause damage to property, which particles are 						

CITY OF CAPITOLA
 GENERAL PLAN UPDATE EIR
 DRAFT MITIGATION MONITORING AND REPORTING PROGRAM

TABLE 1 MITIGATION MONITORING AND REPORTING PROGRAM

No.	Mitigation Measures	Party Responsible for Implementation	Implementation Trigger/Timing	Agency Responsible for Monitoring	Monitoring Action	Monitoring Frequency	Verified Implementation
AIR-1b	<p>of sufficient size and nature to be visible individually as particles on property other than that under the control of the person responsible for the emission, shall not be permitted.</p> <p>Prior to issuance of any Grading Permit, the Director of Public Works and the Building Official shall confirm that the Grading Plan, Building Plans, and specifications stipulate that all off-road construction vehicles/equipment shall comply with the California Air Resources Board's In-Use Offroad Diesel Vehicle Regulation. Alternatively, the project shall implement a combination of the following emission reduction measures on some or all of the above described vehicles and equipment:</p> <ul style="list-style-type: none"> ◆ Use alternative fuels (such as biodiesel blends); ◆ Require diesel particulate matter filters on equipment; ◆ Require diesel oxidation catalyst on equipment; ◆ Require General and Industry-Specific Visible Emission limitations for abrasive blasting, drinking water systems, gas turbines, pile drivers and federally regulated industries for compliance with Rule 400 (Visible Emissions); ◆ Install temporary electrical service whenever possible to avoid the need for independently powered equipment (e.g., compressors); ◆ Enforce state required idle restrictions (e.g., post signs). Diesel equipment standing idle for more than five minutes shall be turned off. This would include trucks waiting to deliver or receive soil, aggregate or other bulk materials. Rotating drum concrete trucks may 	City of Capitola	Prior to issuance of grading permit	City of Capitola Public Works and Building Departments	Plan Review	As determined by City based on the scope and type of project applications	Initials: _____ Date: _____

CITY OF CAPITOLA
 GENERAL PLAN UPDATE EIR
 DRAFT MITIGATION MONITORING AND REPORTING PROGRAM

TABLE 1 MITIGATION MONITORING AND REPORTING PROGRAM

No.	Mitigation Measures	Party Responsible for Implementation	Implementation Trigger/Timing	Agency Responsible for Monitoring	Monitoring Action	Monitoring Frequency	Verified Implementation
	<p>keep their engines running continuously as long as they were onsite and staged away from residential areas;</p> <ul style="list-style-type: none"> ◆ Properly tune and maintain equipment; and ◆ Stage large diesel-powered equipment at least 100 feet from any active land uses (e.g., residences). ◆ Equipment greater than 100 horsepower that will be used on site for more than one week shall meet the United States Environmental Protection Agency (EPA)-Certified Tier 3 or newer emissions standards (model year 2006 or newer) model year 2006 or newer). 						
CULT-2	<p>If cultural resources or human remains are accidentally discovered during construction, work shall be halted within 50 meters (150 feet) of the find until it can be evaluated by a qualified professional archaeologist and/or paleontologist. If the find is determined to be significant, appropriate mitigation measures shall be formulated and implemented. Disturbance shall not resume until the significance of the cultural resource is determined and appropriate mitigations to preserve the resource on the site are established. If human remains are encountered during construction or any other phase of development, work in the area of discovery must be halted, the Santa Cruz County coroner notified, and the provisions of Public Resources Code 5097.98-99, Health and Safety Code 7050.5, carried out. If the remains are determined to be Native American, the Native American Heritage Commission (NAHC) shall be notified within 24 hours as required by Public Resources Code 5097.</p>	<p>City of Capitola; Project Applicant; Construction Manager</p>	<p>During construction</p>	<p>City of Capitola Building Department</p>	<p>Consult with a qualified professional archaeologist and/or paleontologist if cultural resources or human remains are accidentally discovered</p>	<p>As determined by qualified archaeologist/paleontologist</p>	<p>Initials: _____ Date: _____</p>
CULT-3	<p>Refer to Mitigation Measure CULT-2.</p>						<p>Initials: _____ Date: _____</p>

CITY OF CAPITOLA
 GENERAL PLAN UPDATE EIR
 DRAFT MITIGATION MONITORING AND REPORTING PROGRAM

TABLE 1 MITIGATION MONITORING AND REPORTING PROGRAM

No.	Mitigation Measures	Party Responsible for Implementation	Implementation Trigger/Timing	Agency Responsible for Monitoring	Monitoring Action	Monitoring Frequency	Verified Implementation
CULT-4	Refer to Mitigation Measure CULT-2.						Initials: _____ Date: _____
NOISE-2a	Project applicants shall ensure by contract specifications that construction staging areas along with the operation of earthmoving equipment within the City would be located as far away from vibration and noise sensitive sites as possible. For projects that involve the displacement of more than 100 cubic yards of soil and is located within 25 feet of an occupied structure, the Community Development Director or the Public Works Director may require at their discretion that a project specific vibration impact analysis be conducted to determine the specific vibration control mechanisms that would be incorporated into the project's construction bid documents, if necessary. Contract specifications shall be included in construction documents, which shall be reviewed by the City prior to issuance of a grading permit.	City of Capitola; Project Applicant	Prior to issuance of grading permit	City of Capitola Community Development and Public Works Departments	Review construction documents and specifications/As determined by the Community Development Director or the Public Works Director, require and review vibration impact analysis	Once	Initials: _____ Date: _____
NOISE-2b	The City shall require future developments to implement the following measures to reduce the potential for human annoyance and architectural/structural damage resulting from elevated groundborne noise and vibration levels. ♦ Pile driving within a 50-foot radius of historic structures (as determined by the City) shall utilize alternative installation methods where possible (e.g., pile cushioning, jetting, predrilling, cast-in-place systems, resonance-free vibratory pile drivers). ♦ The pre-existing condition of all designated historic buildings (as determined by the City) within a 50-foot radius of proposed construction activities shall be evaluated during a preconstruction survey, if deemed necessary at the discretion of the Community Development Director or the Public Works Director.	City of Capitola	Project review, prior to approval	City of Capitola Community Development Department	Review preconstruction surveys/Conduct site inspections during construction activities	During regularly scheduled site inspections	Initials: _____ Date: _____

CITY OF CAPITOLA
 GENERAL PLAN UPDATE EIR
 DRAFT MITIGATION MONITORING AND REPORTING PROGRAM

TABLE 1 MITIGATION MONITORING AND REPORTING PROGRAM

No.	Mitigation Measures	Party Responsible for Implementation	Implementation Trigger/Timing	Agency Responsible for Monitoring	Monitoring Action	Monitoring Frequency	Verified Implementation
	<p>tor. The preconstruction survey shall document conditions (photographically and in writing) that exist before construction begins for use in evaluating damage caused by construction activities. All damage shall be repaired back to its preexisting condition.</p> <p>♦ Vibration monitoring shall be conducted prior to and during pile driving operations occurring within 100 feet of historic structures (as determined by the City). Every attempt shall be made to limit construction-generated vibration levels during pile driving and impact activities in the vicinity of the historic structures.</p>						
TRANS-1	The improvements necessary to mitigate this impact to a less than significant level would require the approval of Caltrans, and implementation of the improvement may not be feasible.						
TRANS-6	Implement Mitigation Measure TRANS-1.						
GHG-1	The City of Capitola shall prepare a Climate Action Plan within 18 months of adopting the proposed Capitola General Plan update. The Climate Action Plan shall include a community inventory of GHG emission sources, and a quantifiable GHG emissions reduction target for 2020 that is consistent with the statewide GHG reduction target under Assembly Bill 32 (2006) and an interim target for the General Plan horizon year 2035 that is consistent with the statewide GHG reduction goal under Executive Order S-03-05, as outlined in CARB's 2013 Scoping Plan Update. The City shall monitor progress toward the GHG emissions reduction goal and prepare reports every 5 years detailing that progress. Measures listed below shall be considered for all new development between the time of adoption of the	City of Capitola	Within 18 months of adopting the General Plan Update	City of Capitola Community Development Department	Prepare a Climate Action	Once	Initials: _____ Date: _____

TABLE 1 MITIGATION MONITORING AND REPORTING PROGRAM

No.	Mitigation Measures	Party Responsible for Implementation	Implementation Trigger/Timing	Agency Responsible for Monitoring	Monitoring Action	Monitoring Frequency	Verified Implementation
	<p>proposed Capitola General Plan update and adoption of the Climate Action Plan. Local measures considered in the Climate Action Plan may include:</p> <ul style="list-style-type: none"> ◆ Require all municipal fleet purchases to be fuel-efficient vehicles for their intended use based on the fuel type, design, size, and cost efficiency. ◆ Work with AMBAG to create a Metropolitan Transportation Plan/Sustainable Community Strategy (MTP/SCS) that will reduce GHG emissions generated from transportation in the region. ◆ Revise the Recycling Ordinance to require at least 50 percent diversion of non-hazardous construction waste from disposal, as required by the California Green Building Code. ◆ Amend the Green Building Ordinance to encourage building designs that minimize waste and consumption in construction projects. ◆ Require new development and major renovations to use energy-efficient appliances that meet ENERGY STAR standards and energy-efficient lighting technologies that exceed Title 24 standards by 30 percent. ◆ Amend the Zoning Code to require new development and major renovations to incorporate measures that reduce energy use through solar orientation by taking advantage of shade, prevailing winds, landscaping, and sunscreens. ◆ Implement incentives for the use of drought-tolerant landscaping and recycled water for landscape irrigation. ◆ Require all new landscaping irrigation sys- 						

TABLE 1 MITIGATION MONITORING AND REPORTING PROGRAM

No.	Mitigation Measures	Party Responsible for Implementation	Implementation Trigger/Timing	Agency Responsible for Monitoring	Monitoring Action	Monitoring Frequency	Verified Implementation
	<p>tems installed in the city to be automated, high-efficient irrigation systems to reduce water use and require use of bubbler irrigation; low-angle, low-flow spray heads; or moisture sensors.</p> <ul style="list-style-type: none"> ◆ Conduct periodic energy efficiency audits of existing municipal buildings by checking, repairing, and readjusting heating, ventilation, and air conditioning systems; lighting; water heating equipment; insulation; and weatherization. ◆ Continue to implement intelligent transportation systems, roundabouts, signal timing and synchronization, and other efficiency methods that decrease idling time and congestion. ◆ Investigate partnership with programs such as Zipcar to support use of energy efficient or electric vehicles for city residents. ◆ Continue to work with county and regional transportation leaders to explore options for additional funding sources on the regional level to support multi-modal transportation infrastructure. ◆ Develop a Transportation Demand Management Plan (TDM) for City and local employees. A TDM Program would offer incentives to encourage the use of alternative modes of transportation by City and local employees (e.g., in the Village, Bay Avenue, and 41st Avenue areas). Free bus passes, reimbursement for not using a parking space, emergency cab services, etc. will help reduce parking demand and reduce GHG emissions through reduced commuter traffic. ◆ Continue to work with school districts and solicit input from elementary, middle, and 						

TABLE 1 MITIGATION MONITORING AND REPORTING PROGRAM

No.	Mitigation Measures	Party Responsible for Implementation	Implementation Trigger/Timing	Agency Responsible for Monitoring	Monitoring Action	Monitoring Frequency	Verified Implementation
	<p>high school parents to identify opportunities to decrease emissions from school commutes.</p> <ul style="list-style-type: none"> ◆ Require bicycle parking facilities and on-site showers in major non-residential development and redevelopment projects. Major development projects include buildings that would accommodate more than 50 employees, whether in a single business or multiple tenants; major redevelopment projects include projects that change 50 percent or more of the square footage or wall space. ◆ Provide incentives, such as giving priority in plan review, processing, and field inspection services, for new and existing commercial and residential projects that provide parking spaces reserved for electric vehicles and have a charging connection. ◆ Encourage grey water use and rainwater catchment systems where their use could accomplish water conservation objectives through the following measures: <ul style="list-style-type: none"> ◆ Integrate new California grey water building/plumbing codes into the Green Building Ordinance. ◆ Adopt a residential rainwater collection policy and update the Zoning Code as needed to support permitting and regulation of residential rainwater systems. ◆ Investigate emerging technologies that reuse water within residential and commercial buildings and make that information available to the public via the City's website and/or brochures. ◆ Pursue funding sources to provide rebates and reduce permit fees for cisterns. 						

CITY OF CAPITOLA
 GENERAL PLAN UPDATE EIR
 DRAFT MITIGATION MONITORING AND REPORTING PROGRAM

TABLE 1 MITIGATION MONITORING AND REPORTING PROGRAM

No.	Mitigation Measures	Party Responsible for Implementation	Implementation Trigger/Timing	Agency Responsible for Monitoring	Monitoring Action	Monitoring Frequency	Verified Implementation
GHG-3	Implement Mitigation Measure GHG-1.						Initials: _____ Date: _____

THIS PAGE INTENTIONALLY LEFT BLANK

RESOLUTION NO. _____

**RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CAPITOLA
ADOPTING THE CITY'S GENERAL PLAN UPDATE**

WHEREAS, The City of Capitola recognizes the need for a General Plan to guide future growth and development within the City; and

WHEREAS, Section 65300 et. Seq. of the Government Code of the State of California requires a comprehensive General Plan for the physical development of the City; and

WHEREAS, the City Council has provided direction for updating the General Plan for the City of Capitola and assigned City staff and a General Plan Advisory Committee (GPAC) with the task of coordinating the planning process and integrating various comments from stakeholder and interested members of the public; and

WHEREAS, the process to update the City's General Plan was initiated in 2010, and involved extensive community involvement; and

WHEREAS, the GPAC endorsed the General Plan Update on November 12, 2013; and

WHEREAS, the Planning Commission recommended adoption of the General Plan Update on April 3, 2014; and

WHEREAS, the City Council provided the required notification and conducted a public hearing on May 8, 2014, considered all testimony and proposed modifications received in the process, and made necessary revisions to the Final Draft General Plan Update; and

WHEREAS, the City Council finds:

1. The City Council reviewed and considered the information in the Final Environmental Impact Report prior to acting on the General Plan Update, and has certified the Final Environmental Impact Report.
2. The General Plan Update has been prepared consistent with the requirements of State law:
 - The General Plan Update is a comprehensive long-term plan for the physical development of the City, containing the mandatory elements of land use, circulation (mobility), conservation, open space, noise, and safety as they are contained in the chapters of the General Plan Update. The City's Housing Element is prepared as a separate volume to the General Plan as it requires updates every eight years in accordance with State law. The City's current Housing Element was updated and adopted on February 11, 2010, (and adopted by Housing and Community Development on April 6, 2010) and covers the years 2007 to 2014.
 - The General Plan Update also includes an optional Economic Development Element as allowed by State law.
 - The General Plan Update is internally consistent in that all elements have been concurrently updated.
 - The General Plan balances various interests in arriving at its particular content and form.
 - The public hearing process has been conducted as required by State law.

Item #: 10.B. Attach 2.pdf

RESOLUTION NO. _____

- Proposed studies and actions recommended within the General Plan Update are desirable and will be pursued in accordance with priorities established by the City Council during its annual budgetary process. However, budget limitations may limit the City's ability to fulfill all of the proposed actions and studies included in the General Plan Update. Failure to carry out any specific study or action as suggested will not invalidate the General Plan Update as its adequacy is achieved through policies and land use designations which are not dependent on future studies or actions.
- The annual review of the General Plan as required by Section 65400(b) of the Government Code will serve as the principal mechanism to monitor mitigation effects of General Plan policies and actions.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Capitola that the General Plan Update is hereby adopted.

NOW, THEREFORE, BE IT FURTHER RESOLVED that the City Council of the City of Capitola hereby rescinds the superseded General Plan, adopted by Resolution No. 3087. The 2007-2014 Housing Element of the General Plan is not rescinded and remains in effect as part of the General Plan Update.

I HEREBY CERTIFY that the above and foregoing Resolution was passed and adopted by the City Council of the City of Capitola at its regular meeting held on the 8th day of May, 2014, by the following vote:

AYES:

NOES:

ABSENT/ABSTAIN:

Sam Storey, Mayor

ATTEST: _____, CMC
Susan Sneddon, City Clerk

GENERAL PLAN UPDATE RESPONSES TO COMMENTS

Comment #	Commenter	Page, Policy, Figure	Comment	Staff Response
1.	Elisabeth Russell	LU-4 or LU-5	Add a goal/policy/action item addressing the noise level as it relates to additions/new second units next to single family homes	Add new Policy SN-7.6: “Residential Additions. Ensure that residential additions, garage conversions, and new seconds units minimize noise impacts on adjacent properties.”
2.	Elisabeth Russell	Background Information on General Environmental Sustainability and Stewardship	Include information regarding the City’s Tree Ordinance	Staff will add this information.
3.	Elisabeth Russell	Policy OSC-5.2	Include “windows and energy management systems” as recommendation for new development	Staff will make this revision.
4.	Barbara and Jim Redding	Figure LU-4: Land Use Map	Change land use designation of 412-414 and 504 Bay Avenue to “Community Mixed Use”	The referenced property is proposed to be designated as Multi-Family Residential (R-MF), which is consistent with the present land use designation and existing multi-family use on the property. A change to a Neighborhood Mixed-Use designation, which is proposed for the adjacent property (Gayle’s), would allow a broad range of commercial uses (including restaurants, bars, recycling collection facilities, grocery stores, etc.) which if developed could create compatibility issues with residential uses to the north and east. Limited commercial uses, such as bed and breakfasts and lodging facilities, would continue to be conditionally

GENERAL PLAN UPDATE RESPONSES TO COMMENTS

CAPITOLA GENERAL PLAN UPDATE
PUBLIC COMMENTS & RESPONSES

PAGE 2 OF 15

Comment #	Commenter	Page, Policy, Figure	Comment	Staff Response
				permitted uses on the property. Staff recommends retaining the R-MF designation; however, this request will be presented to the Planning Commission and City Council during adoption hearings. In addition, staff will add a sentence to the description of each residential designation, including the R-MF designation, that limited commercial uses may be conditionally permitted as allowed in the Zoning Ordinance. Finally, small office uses may be considered as an additional conditional use during the Zoning Ordinance Update process.
5.	Gayle Ortiz	Figure LU-4: Land Use Map	In support of changing the land use designation of 412-414 and 504 Bay Avenue to "Community Mixed Use"	Please see response #4 above.
6.	Gayle Ortiz, Linda Smith, Kathryn Gualtieri, and Carolyn Swift	Page GP-2	Put "historic" before "welcoming."	Staff will add this language.
7.	Gayle Ortiz, Linda Smith, Kathryn Gualtieri, and Carolyn Swift	Page LU-10	<ul style="list-style-type: none"> • Change the order of the first two paragraphs to put more emphasis on the historic resources (the first paragraph should start with "Historic and potentially...") • No "s" at the end when referencing "Stockton Bridge" • Add "Historic Capitola Wharf" after 	Staff will make these changes.

GENERAL PLAN UPDATE RESPONSES TO COMMENTS

Comment #	Commenter	Page, Policy, Figure	Comment	Staff Response
			<p>“Stockton Bridge” in the same paragraph</p> <ul style="list-style-type: none"> In the paragraph referring to “Old Riverview Historic District” should say that the district includes houses on both sides of Riverview Avenue from Stockton Avenue to Bluegum Avenue. Photograph should say “circa 1931” 	
8.	Gayle Ortiz, Linda Smith, Kathryn Gualtieri, and Carolyn Swift	Page LU-11	<ul style="list-style-type: none"> Add the Hihn Superintendent’s Building on the corner of Monterey Avenue and Capitola Avenue Photo of Rispin Mansion – circa 1936 Photo of Capitola Hotel and Six Sisters – circa 1904 	Staff will make these changes.
9.	Gayle Ortiz, Linda Smith, Kathryn Gualtieri, and Carolyn Swift	Page LU-18/ Policy LU-1.1	The language should change to “Ensure that historic and cultural resources are maintained and that all new development enhances Capitola’s neighborly feel, coastal village charm and welcoming character.”	Staff will add this language.
10.	Gayle Ortiz, Linda Smith, Kathryn Gualtieri, and Carolyn Swift	Page LU-19/ Policy LU-2.1	The language should read “Encourage the preservation, restoration, rehabilitation, maintenance, and adaptive reuse...” to make historic preservation more meaningful.	Staff will add this language.
11.	Gayle Ortiz, Linda Smith, Kathryn Gualtieri, and Carolyn Swift	Page LU-20/ Policy LU-2.3	A potential preservation incentive is the federal/State Certified Local Government Program.	Staff will add this language.
12.	Gayle Ortiz, Linda	Page LU-20/	Consider change the language to indicate	Staff will make this change.

GENERAL PLAN UPDATE RESPONSES TO COMMENTS

CAPITOLA GENERAL PLAN UPDATE
PUBLIC COMMENTS & RESPONSES

PAGE 4 OF 15

Comment #	Commenter	Page, Policy, Figure	Comment	Staff Response
	Smith, Kathryn Gualtieri, and Carolyn Swift	LU-2.1	regular updates to the Historic Structures List.	
13.	Gayle Ortiz, Linda Smith, Kathryn Gualtieri, and Carolyn Swift	Page LU-20/ LU-2.2	Reword to "Continue to work with schools, public agencies, and community organizations through contacts with the Capitola Historical Museum Curator and the museum's archives."	Staff will make this change.
14.	Gayle Ortiz, Linda Smith, Kathryn Gualtieri, and Carolyn Swift	Page LU-20/ Action LU-2.3	Remove one bullet point (a duplicative item)	Staff will make this change.
15.	Gayle Ortiz, Linda Smith, Kathryn Gualtieri, and Carolyn Swift	Page LU-20	The photo is not historic; suggest to use one on Cliff Avenue	Staff will replace this photograph.
16.	Gayle Ortiz, Linda Smith, Kathryn Gualtieri, and Carolyn Swift	Page LU-21/ Action LU-2.4	Replace the word "consider" with "an historic district on Depot Hill"	Staff will make this change.
17.	Gayle Ortiz, Linda Smith, Kathryn Gualtieri, and Carolyn Swift	Page LU-22	The photo is no longer historic; suggest to use one of the good historic homes on Depot Hill.	Staff will replace this photograph.
18.	Gayle Ortiz, Linda Smith, Kathryn Gualtieri, and Carolyn Swift	Page LU-25/ Policy LU-6.7	Add wording specific to the "Historic Begonia Festival," only historic festival for Capitola.	Staff will make this change.

GENERAL PLAN UPDATE RESPONSES TO COMMENTS

CAPITOLA GENERAL PLAN UPDATE
PUBLIC COMMENTS & RESPONSES

PAGE 5 OF 15

Comment #	Commenter	Page, Policy, Figure	Comment	Staff Response
19.	Gayle Ortiz, Linda Smith, Kathryn Gualtieri, and Carolyn Swift	Page LU-25/ Policy LU-6.9	Add the word "historic" when referring to "Capitola Wharf" (Global Change)	Staff will make this change.
20.	Gayle Ortiz, Linda Smith, Kathryn Gualtieri, and Carolyn Swift	Page LU-44/ Policy LU-14.5	Add the word "historic" when referring to the "Begonia Festival"	Staff will make this change.
21.	Gayle Ortiz, Linda Smith, Kathryn Gualtieri, and Carolyn Swift	Page ED-8/ Policy ED-1.7	Add the word "historic" to "Capitola"	Staff will make this change.
22.	Gayle Ortiz, Linda Smith, Kathryn Gualtieri, and Carolyn Swift	Page GL-4	Include the Capitola Register of Historic Features (mentioned on LU-11)	Staff will make this change.
23.	Gayle Ortiz, Linda Smith, Kathryn Gualtieri, and Carolyn Swift	Page GL-8	Include the National Register of Historic Places (mentioned on LU-10)	Staff will make this change.
24.	Gayle Ortiz	Page LU-37	Change "Capitola Road" to "Capitola Avenue"	Staff will make this change.
25.	Gayle Ortiz	Page LU-35/ Goal LU-10	Still not comfortable with the designation of "day-to-day needs of Capitola residents and visitors." The heading should reflect the regional wording in another area.	Amend Goal LU-10 as follows: "Maintain and enhance the Bay Avenue commercial district as a thriving destination with businesses that meet the day-to-day needs of serve Capitola residents and visitors."
26.	Gayle Ortiz and	Page LU-39/	Do more to recognize Capitola Beach, possibly	Add new policy LU-12.7: "Capitola Beach.

ATTACHMENT C – GENERAL PLAN UPDATE RESPONSES TO COMMENTS

CAPITOLA GENERAL PLAN UPDATE
PUBLIC COMMENTS & RESPONSES

PAGE 6 OF 15

Comment #	Commenter	Page, Policy, Figure	Comment	Staff Response
	Mick Routh	Goal LU-12	in this Goal.	Maintain and enhance Capitola Beach as a safe and enjoyable destination for Capitola residents and visitors. Protect recreational activities on the beach such as volleyball, surfing, and junior guard activities."
27.	Gayle Ortiz	OSC section	Do more to emphasize the benefit of trees and our commitment to preserving them.	Add a new Policy OSC-6.9: "Urban Forest. Continue to enforce the City's Community Tree and Forest Management Ordinance to protect trees on private and public property as important environmental and scenic resources." "
28.	Susan Westman	Page SN-5	<ul style="list-style-type: none"> • Remove "Capitola Avenue" in the lagoon. • Change the blue on the map to lighter color to make the writing legible. 	Staff will make these changes.
29.	Susan Westman	Page 4.4-9	<p>Review the status of the National Register of Historic Places and/or the California Register of Historic Places for the following locations:</p> <ul style="list-style-type: none"> • 1400 Warf Road (Capitola Wharf) • Cherry Avenue Retaining Wall • Depot Hill Staircase • Lagoon Pool 1 231 Esplanade • Monterey Avenue Palm Tree • Stockton Avenue Bridge • 507 Riverview (listed as National Register – located within the historic Riverview District) 	This comment pertains only to the Draft EIR. A response is provided in the Final EIR.

GENERAL PLAN UPDATE RESPONSES TO COMMENTS

Comment #	Commenter	Page, Policy, Figure	Comment	Staff Response
30.	Mick Routh	General Comment (regarding the beach)	Add a goal/policy/action to recognize the beach as the primary tourist draw and emphasize the need to maintain beach cleanliness and protect and encourage recreational opportunities such as surfing, beach volleyball, and junior guards need to be added.	See response to comment 26.
31.	Bill Delaney	Page I-1	<ul style="list-style-type: none"> • Begin with the definition of General Plan from Glossary • Use “task” rather than “action” (Global) 	Staff will make minor revisions to the introduction so that all ideas from the Glossary definition of the General Plan are reflected in the Introduction. Staff believes the term “action” is appropriate for use in the General Plan.
32.	Bill Delaney	Page I-2	Unfortunate “safety” is used instead of “Environmental Safety.”	“Safety Element” is a term-of-art in General Plans and State law. The Safety Element includes safety related goals, policies, and actions which are broader than environmental safety issues. ;
33.	Bill Delaney	Page I-3	Policies and actions are not equal: Delete Figure 1-1. The Mobillity element is particularly troublesome as 53 policies and 30 actions are itemized.	The referenced text and figure indicate that policies and actions are tied to overarching goals and have equal importance. It is not intended to mean that there are an equal number of policies and action items for each goal.
34.	Bill Delaney	Page I-8	Identify GPAC members and all persons who participated in the process. Provide minutes/summaries of all meetings.	Staff will add a new acknowledgements section at beginning of document that lists GPAC members and other groups and individuals who contributed to preparation of the General Plan.

GENERAL PLAN UPDATE RESPONSES TO COMMENTS

Comment #	Commenter	Page, Policy, Figure	Comment	Staff Response
				All GPAC materials are available on the City's website.
35.	Bill Delaney	Page I-9	The introduction needs a complete explanation of the EIR and the basis for its forecast	Staff will add an additional short paragraph explaining the EIR and CEQA process. However, the General Plan will not contain detailed or technical information about the impact analysis of the General Plan contained in the Draft EIR. The General Plan will direct readers to the Draft EIR for this information
36.	Bill Delaney	Page LU-35 Policy LU-10.2 and Action LU-10.1	Median structures on Bay Avenue and other heavily used driveways (i.e. north of Hill Street) in Figure LU-7 are inappropriate as any would interfere with turns by residents.	Action LU-10.1 calls for the City to explore the possibility of additional medians on Bay Ave. only where left turn movements for vehicles would not be restricted. The General Plan does not promote medians in driveways. The consideration of medians in appropriate locations along Bay Avenue was supported by the General Plan Advisory Committee and participants of public workshops.
37.	Bill Delaney	Policy LU-10.3	<ul style="list-style-type: none"> • The east side of Bay Ave between Oak Drive and Center Street already tree-lined • The west side has a little land for additional vegetation and trees 	Policy LU-10.3 encourages a tree-lined boulevard streetscape along Bay Ave. north of the Capitola Produce property. Segments of Bay Ave. which are currently tree-lined would comply with this policy. While the policy encourages additional trees and landscaping along Bay Ave., it would not require installation of trees where infeasible.
38.	Bill Delaney	Action LU-10.2	Add "The study should examine the impact of	Staff will add a sentence to Action LU-10.2: "The

GENERAL PLAN UPDATE RESPONSES TO COMMENTS

Comment #	Commenter	Page, Policy, Figure	Comment	Staff Response
			increased speeds through this intersection and on Bay Avenue between Capitola Avenue and Hill Street on access to businesses and residences. Safety and air quality should be analyzed in depth with use of models more detailed than presented in the DEIR. Public benefits should be demonstrated to exceed public costs." See OSC Policy 2.4.	study shall consider impacts on traffic speeds, delays, and air quality."
39.	Bill Delaney	Action LU-10.3	This seems an inappropriate use of scarce public resources and better left to the private sector.	Staff recognizes that Action Items contained in the General Plan will require the expenditure of public resources. The Planning Commission and City Council will consider all Action Items contained in the General Plan and following General Plan adoption will establish priorities and funding mechanisms. Staff believes development of a Streetscape Master Plan would be best completed by the City because it would apply to public rights-of-way and because it is unlikely that the dozens of property owners who share Bay Avenue frontage would all agree to finance a Streetscape Master Plan.
40.	Bill Delaney	Policy LU-12.5	Add "Increase opportunities for residents to access the wharf, especially in off-peak periods, by reducing the maximum parking time at the 8	The parking in front of the Wharf is already restricted to 4-hour parking. In Capitola Village, immediately adjacent to the Wharf the time

GENERAL PLAN UPDATE RESPONSES TO COMMENTS

CAPITOLA GENERAL PLAN UPDATE
PUBLIC COMMENTS & RESPONSES

PAGE 10 OF 15

Comment #	Commenter	Page, Policy, Figure	Comment	Staff Response
			metered spaces and prohibiting the use of parking passes for stays beyond that limit.”	limit is 2-hours. Staff considers the existing parking time limits acceptable, but will add a new Action 12.4: “Wharf Parking. Consider adjusting parking regulations in the Wharf area to increase opportunities for residents to access the wharf, particularly in off-peak periods.
41.	Bill Delaney	Action LU-14.2	Add “Use signage and outreach to promote the use of the bicycle bridge across Soquel Creek by Scenic Trail visitors.”	Staff will add the following sentence to Action MO-8.3: “Ensure that bicyclists can safely cross Soquel Creek when traveling through the Village.”
42.	Bill Delaney	Page MO-1	<ul style="list-style-type: none"> • There is no quantification of visitor impacts on mobility (Seasonality, AM/PM peaks, School-based trips, etc.). • No data for bicycle/pedestrian characteristics and volumes • Expand the background discussion or add a third section documenting assumed future conditions and the build out and growth assumptions used by consultants for DEIR analyses. Clearly identify the specific LU action that is the basis for each assumption. 	See response #35. Also, visitor impacts on mobility are a key part of the Mobility element. Policies and Actions under Goal MO-6 in particular focus on addressing mobility issues caused by visitors to the Village. Policy MO-2.6 and Action MO-2.4 address school-related circulation issues. There is no existing data of bicycle or pedestrian volumes to report. Growth assumptions in the DEIR are used to project worst case scenario environmental impacts which are unlikely to be realized; therefore, staff does not believe this information is appropriate in the General Plan.
43.	Bill Delaney	Page MO-1	There is no data on bicycle and pedestrian volumes	This type of data is appropriate for the City’s Bicycle Master Plan. The City will consider collecting this data when the Bicycle Master Plan is updated.

GENERAL PLAN UPDATE RESPONSES TO COMMENTS

Comment #	Commenter	Page, Policy, Figure	Comment	Staff Response
44.	Bill Delaney	Page MO-1	Add section on assumed future conditions and growth assumptions	See response #42. Information on General Plan buildout conditions are in Section 3.4.4 of the Draft EIR.
45.	Bill Delaney	Page MO-1	Use of term "safe"	See response to comment 32.
46.	Bill Delaney	Page MO-2	Delete "the total" and insert "estimated". Define ADT in the Glossary. It is a technical term with a complicated statistical basis. Add language to explain the source of numbers in that figure as noted below.	Staff will make these changes. Language explaining the source of numbers will be very brief.
47.	Bill Delaney	Figure MO-2	Correct the Street name typos in the insert.	Staff will make these changes.
48.	Bill Delaney	Figure MO-2	Ambiguity on the "existing" year should be fixed by changing the figure title to "Historic/Recent Traffic Levels."	Staff will make this change.
49.	Bill Delaney	Figure MO-2	Need to address future in quantitative terms	See response #35. Future traffic impacts from General Plan buildout is addressed in the Draft EIR.
50.	Bill Delaney	General Comment	Figure MO-2 says existing traffic counts are from 2011; base case analysis is not reliable	New traffic counts were collected in 2013. Staff will update the text and Figure MO-2 to reflect this new data. See also response #35.
51.	Bill Delaney	General Comment	Need a bibliography that includes complete references to all source materials	Staff will add a bibliography.
52.	Bill Delaney	Page MO-6	Replace "determine" with "grossly determine" or "roughly estimate"	Staff will make this revision.
53.	Bill Delaney	Table MO-2	Add an explanation/definition of "second/vehicle" – when does time count begin? Is total signal time added to the time if a	See response #35.

GENERAL PLAN UPDATE RESPONSES TO COMMENTS

CAPITOLA GENERAL PLAN UPDATE
PUBLIC COMMENTS & RESPONSES

PAGE 12 OF 15

Comment #	Commenter	Page, Policy, Figure	Comment	Staff Response
			vehicle is stopped by a red light?	
54.	Bill Delaney	Page MO-7	Reference on the Village shuttle bus service: Present analysis and data on increases in traffic counts resulting from eliminating service from near Hill Street	Specific traffic impacts should be considered as part of future discussions to change shuttle service. This level of detail is not appropriate for the General Plan.
55.	Bill Delaney	Page MO-8	<ul style="list-style-type: none"> Delete the reference on trucks delivering materials to stores at Kings Plaza. If reference retained, replace "south" with "east" and insert "north" after "then" Reference on East Cliff Drive in and out of the Village: Delete "East" Reference on three bus lines: delete "53" unless it's a seasonal route; Add "with light service" 	Staff will make these revisions, retaining the reference to Kings Plaza.
56.	Bill Delaney	Page MO-10	<ul style="list-style-type: none"> Add a discussion of the RTC Coastal Trail (October 2013), especially on the treatment of a Soquel Creek Crossing. Add a discussion of the proposal the City has prepared and its search for funding from RTC. Pedestrian safety and street capacity issues related to Coast Plan bicycle traffic should be addressed with some priority. 	Staff will add background information about the Soquel Creek crossing issue. See response to Comment #41. Enhanced bicycle and pedestrian facilities between the Pacific Cove parking lot and the Village are addressed under Goal LU-11 in the Land Use Element. City applications for funding should not be addressed in the General Plan.
57.	Bill Delaney	Page MO-12	<ul style="list-style-type: none"> Introduce the Complete Street Act and its significant impact 	Complete Streets Act is addressed on page MO-6.
58.	Bill Delaney	Page MO-12	<ul style="list-style-type: none"> Address issue related to pedestrian control in the village, particularly at the Capitola- 	The City Council recently approved funding to improve the pedestrian crosswalk at the

GENERAL PLAN UPDATE RESPONSES TO COMMENTS

Comment #	Commenter	Page, Policy, Figure	Comment	Staff Response
			Stockton junction.	Capitola-Stockton intersection. No changes to the General Plan are necessary.
59.	Bill Delaney	Page Mo-15 Goal MO-1	Add "safe" to read "safe and sustainable manner"	Staff will make this change.
60.	Bill Delaney	Policy MO-1.3	Delete "to infrastructure"	Staff will make this change.
61.	Bill Delaney	Page MO-16 Action Mo-1.2	Insert "of Capitola" after "requirements"	This action item is intended to work with regional partners to address cross-jurisdictional transportation issues, not just those which affect Capitola.
62.	Bill Delaney	Goal MO-2	Insert "safely" after "that"	Complete streets are, by definition, safe for all modes of transportation. No change is necessary.
63.	Bill Delaney	Policy MO-2.2	Delete "users" and insert "residents"	Users include all persons, including residents No change is necessary.
64.	Bill Delaney	Page MO-17 Policy MO-2.5	Delete "Support" and insert "Present for public review"	The General Plan Advisory Committee and participants of public workshops expressed a desire to support opportunities for re-purposing rights-of-way for improved pedestrian and bicycle connections. No change proposed.
65.	Bill Delaney	Page MO-18 Goal MO-3	Delete "as determined by the Public Works Director"	The Public Works Director is the most qualified and appropriate individual to make this determination. No changes are necessary.
66.	Bill Delaney	Page MO-20 Action MO-4.1	<ul style="list-style-type: none"> Delete "the public" and insert "residents". Insert "operational and financial" before "feasibility". Insert "and safety" after "feasibility". 	A feasibility study would include considerations of geometrics, operational efficiency, and economics. The word "public" includes residents as well as business-owners and other stakeholders who may not reside in Capitola.

GENERAL PLAN UPDATE RESPONSES TO COMMENTS

CAPITOLA GENERAL PLAN UPDATE
PUBLIC COMMENTS & RESPONSES

PAGE 14 OF 15

Comment #	Commenter	Page, Policy, Figure	Comment	Staff Response
				No changes are proposed.
67.	Bill Delaney	Page MO-20 Action MO-4.1	<ul style="list-style-type: none"> Add these sentences: "Estimate the impact on traffic speeds on all streets and compare with latest data from police radar machines. Estimate delays in existing businesses and residences on all streets including Bay Avenue between Oak Drive and Center Street and associated impacts on air quality." 	Construction of a roundabout would require an environmental analysis under the California Environmental Quality Act, which in-turn requires an evaluation of traffic and air quality. As indicated in response #66, operational efficiency would also be considered in a feasibility study.
68.	Bill Delaney	Page MO-22 Policy MO-6.3	Add at the end "and Coastal Trail visitors to the Soquel Creek pedestrian-bike bridge."	See response to comment #41 and #56.
69.	Bill Delaney	Page MO-24 Policy MO-7.6	Delete "establishment" and insert "feasibility"	Staff will revise to say "...explore the feasibility of establishing..."
70.	Bill Delaney	Page MO-25 Policy MO-8.2	Add at the end "and the Coastal Trail."	See response to comment #41 and #56.
71.	Bill Delaney	Page MO-26 Policy MO-9.3	Delete "Prioritize". Insert "Among". Insert after "improvements" ", prioritize those"	The General Plan Advisory Committee and members of the public expressed a strong design to prioritize pedestrian facilities.
72.	Alyson Tom, Santa Cruz Flood Control and Water Conservation District Zone 5	Page SN-5	Update the language to clearly show that the Santa Cruz County Flood Control and Water Conservation District Zone 5 provide maintenance and improvements for limited areas within the City where the Zone holds easement.	The City of Capitola respectfully disagrees. No changes are proposed.
73.	Alyson Tom, Santa Cruz Flood Control and Water	General Comments (DEIR)	Reference on Stormwater Management Plan (SWMP) should include the reference to the SWRCB Phase II Small MS4 General Permit	Staff will make these revisions

ATTACHMENT C – GENERAL PLAN UPDATE RESPONSES TO COMMENTS

Comment #	Commenter	Page, Policy, Figure	Comment	Staff Response
	Conservation		and/or the CCRWQCB Post Construction Stormwater Management Requirements for Development Projects in the Central Coast as the City is subject to both.	
74.	Heather Adamson, Association of Monterey Bay Area Governments	General Comment	The most recent forecast data (February 2014) should be used in the General Plan and DEIR (Appendix A of the Draft 2035 Metropolitan Transpiration Plan (MTP)/Sustainable Communities Strategy (SCS))	Growth projections are addressed only in the DEIR, not in the General Plan. The Final EIR responds to this comment.

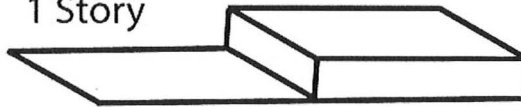
THIS PAGE INTENTIONALLY LEFT BLANK

FAR INFORMATION

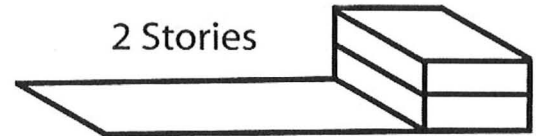
Floor Area Ratio

0.5 FAR

1 Story

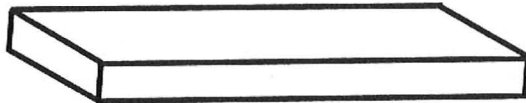


2 Stories

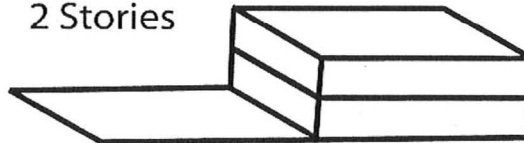


1.0 FAR

1 Story



2 Stories

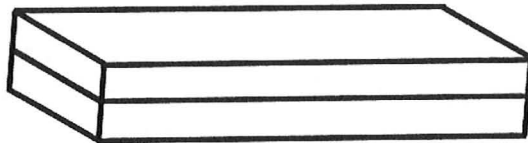


4 Stories

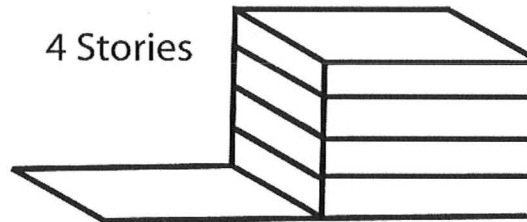


2.0 FAR

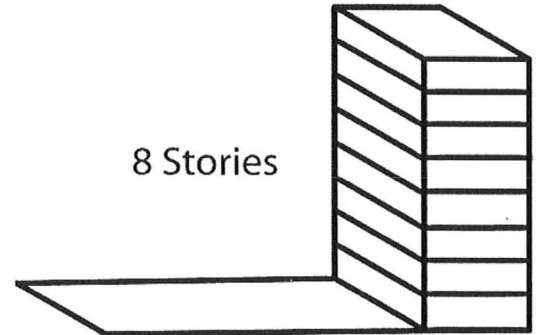
2 Stories



4 Stories



8 Stories



Entire Lot Area

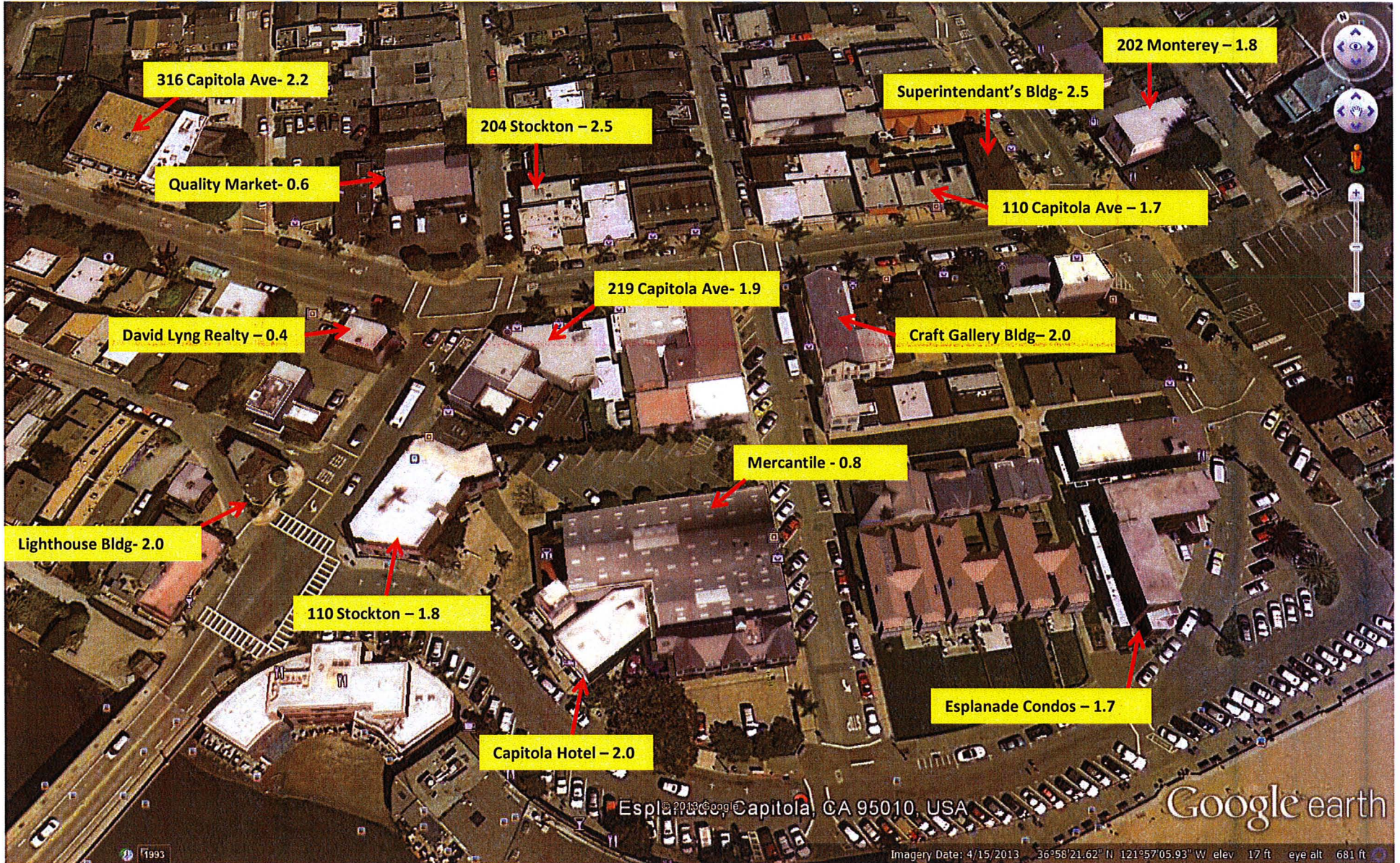
Half Lot Area

Quarter Lot Area

- **17.03.246 Floor Area Definition:**

“Floor area” means the entire floor area in all enclosed structures, without deduction for such features as interior walls, stairways or storage, except as permitted for one and one-half story single family residences pursuant to Section 17.15.100(B). It also includes covered or uncovered upper-floor decks; and porches and covered exterior open space in excess of one hundred fifty square feet, including eaves greater than eighteen inches in length. For commercial uses the floor area of patios, courtyards and outside dining areas primarily utilized by a business or group of related businesses, its customers, or its employees, as opposed to the general public. “Floor area ratio” means the gross floor area of all of the buildings on the lot divided by the net lot area.

Village - Existing Floor Area Ratios (approximate)



North 41st Avenue – Existing Floor Area Ratios (approximate)



South 41st Avenue – Existing Floor Area Ratios (approximate)



THIS PAGE INTENTIONALLY LEFT BLANK

41ST AVE COMMERCIAL & RESIDENTIAL PROPERTY EXHIBIT

41st Avenue & Clares Street



41st Avenue & Capitola Road



41st Avenue & Jade Street



THIS PAGE INTENTIONALLY LEFT BLANK

**CAPITOLA HISTORIC NARRATIVE - PREPARED BY CAROLYN SWIFT
FOR THE
GENERAL PLAN UPDATE**

Capitola's earliest history evolved around the wetland at the mouth of Soquel Creek. A tribal unit of about 200 native inhabitants, the Uypi, lived here for thousands of years. The name Soquel derives from these Ohlone people and identifies the range of their settlement along the coast, the creek, and its tributaries. When the Santa Cruz Mission was established in 1791, the Uypi were taken to the mission compound. Their culture persisted, but their traditional home sites were lost.

The territory that defines present-day Capitola was awarded in two Mexican land grants. The 1,473 acre Rancho Arroyo del Rodeo took in the west side of Soquel Creek, including Forty-First Avenue, and was given to Francisco de Sales Rodriguez in 1834. Rancho Soquel, spreading over 1,668 acres, was received in 1833 by Maria Martina Castro Lodge and her husband, Michael.

Intelligent and ambitious, Frederick Augustus Hihn (1829-1913) arrived in California from Germany as the Gold Rush began. Settled in Santa Cruz by 1851, he soon owned sizable portions of the Soquel and Arroyo del Rodeo Ranchos. Among his 1856 acquisitions was a two-mile stretch between Borregas Creek and Soquel Creek and another parcel nearby that was part of Rancho Arroyo del Rodeo. This land was to become Capitola.

Construction of the 1857 wharf and the 1876 Santa Cruz-Watsonville Railroad was prompted by Hihn's investments in industry. Freighters made frequent landings at the wharf until the rail line was purchased and improved by Southern Pacific Railroad in 1881. Today, the wharf and trestle border and identify Capitola Village.

As soon as the wagon route to Capitola was linked to a turnpike over the summit in 1858, inland valley residents came to the beach to escape the summer heat. Samuel Alonzo Hall, lessee of the beach flat, recognized an opportunity coming with passenger rail service. Lumber for the trestle was delivered in May 1874, and several weeks later—with Hihn's approval—Hall opened Camp Capitola. The vacation retreat was named for a heroine in fictional novels by author E.D.E.N. Southworth.

As Capitola profited, Hihn took direct charge of the camp's development. Lots between Capitola and Cherry Avenues were subdivided in 1882. The first privately owned cottages were typically small, without foundations or plumbing.

Few of these early cottages survive. City and fire officials ordered a majority of them torn down in the early 1960s. The Hihn Superintendent's Building at the corner of Monterey and Capitola Avenue was spared. Given a foundation and renovated in 1973, it is now listed on the National Register of Historic Places.

Today's Depot Hill was defined in Hihn's 1884 subdivision map. German-American families associated with the Turn Verein, a social and athletic club, built a cluster of houses on and near Cliff Avenue. A

Item #: 10.B. Attach 6.pdf

private family retreat known as the English Cottages was built in 1897 on the eastern end of the tract, between Railroad and Grand Avenues. The resort was renamed El Salto in 1911.

During the 1880s, Hihn invested \$5,000 in village improvements. Vacationers could rent lodgings or stay in the free campground. As Capitola expanded, the tents and older cabins were moved upstream. The tract gradually filled in with private homes and is now listed as the Old Riverview Historic District on the National Register of Historic Places.

Above the wharf to the west, Hihn owned property halfway up the ridge, where he had located the railroad and trestle. Hilltop owner Dennis Feeley opened Camp Fairview in 1888. Hihn soon acquired it but added no amenities. The surrounding neighborhood was named the Jewel Box in the 1970s, its title inspired by Opal Cliffs.

Between 1894 and 1904, the 160-room Queen Anne/Colonial Revival-style Hotel Capitola, the Six Sisters duplexes, and similarly styled concessions along the ocean front were built. An electric streetcar line was then completed between Capitola and Santa Cruz, and a modern railroad depot was set at the top of the hill along Park Avenue. The resort reached a high point when Hihn promoted "Capitola by-the-Sea" as a setting for annual conferences. Lawn Way was his last Capitola project in 1911, and is listed in the Six Sisters/Lawn Way National Register Historic District.

After Hihn's death in 1913, Capitola was left to a daughter, Katherine Cope Henderson. She sold the resort in 1919 to (Henry) Allen Rispin (1872-1947). Backed by the Capitola Company syndicate of investors, Rispin intended to profit by subdividing and marketing lots on undeveloped tracts. Inside the village, he tore down many older structures and offered others for sale. Hotel Capitola was sold.

The ocean front was modernized with concrete and stucco. In 1920, the Esplanade was paved and curved out onto the beach. The Spanish Colonial Revival-style Venetian Court was developed in 1924 on the former site of a long-established fishing village at the base of the wharf. Venetian Court is now a National Register Historic District.

As Capitola prospered in the mid-Twenties, land use patterns changed in the surrounding countryside. Upstream on the creek's west side, Rispin had anticipated that his 1921 Spanish Colonial Revival/Mediterranean mansion would inspire construction of similar architectural styles nearby. The borders of the resort bloomed instead with flowers.

West of Capitola along Forty-First Avenue, James Brown became a worldwide producer of the tuberous begonia. The bulb and flower industry spread to neighboring tracts along Forty-First and between Capitola Road and Clares Street. Capitola Mall and Brown Ranch Marketplace now occupy the ranch and farm site.

The 250th Coast Artillery's Camp McQuaide was established in 1926-27 to the east of the resort and along Park Avenue. Adjoining it was an "airdrome" to become the Santa Cruz-Capitola Municipal Airport in 1934.

Overextended financially, Rispin sold the Hihn water system and began to ignore basic public services. The subdivisions of Riverview Terrace and Fanmar Terrace took shape in 1928. Rispin left abruptly in 1929, and another Capitola Company investor, Robert Hays Smith, assumed ownership of his properties. Smith himself was bankrupt within a few years. The Rispin Mansion was sold in 1940. From 1941 to 1959, it was a convent for the Order of Poor Clares. Purchased by the City in 1985, the mansion was scheduled for renovation when it burned in 2009. The building has been sealed and its exterior preserved. It remains listed on the National Register of Historic Places.

Sewer and street repairs, beach and creek pollution, adequate fire and police protection were all critical issues during the Great Depression. Hotel Capitola burned in 1929. An entire block was destroyed between Stockton and San Jose Avenues in 1933. Civic leaders began to discuss the need for municipal services.

After World War II, the Capitola Improvement Club was organized and campaigned for an incorporation election. Capitola became a city in January 1949, by a margin of 54 votes. Just completed, Highway 1 put a physical boundary between the two traditionally close communities of Capitola and Soquel.

Postwar growth hastened new construction. Closed in 1954, Capitola Airport property was the City's first annexation in 1959, preparing for the Cliffwood Heights subdivision. The 1962 opening of the nearby Cabrillo College campus added pressure for housing. Capitola shifted from a community of retirees and vacation homeowners to students and young families.

In the early Sixties, a clover-leaf was built on Highway 1 and Forty-First Avenue, and the roadway was upgraded. King's Market at the corner of Capitola Road and Forty-First Avenue, built in 1963 by George Ow, Sr., set in motion the expansion of retail business along the improved corridor.

Debating the future of the beach flat and adjoining bluffs, the City Council evaluated benefits of multi-story high rises. Cliff Apartments were built in 1964 on a former City-owned park site at the end of Grand Avenue. That year, Capitola adopted its first general plan.

Panic set in as the City resort then faced the greatest challenge of its history. Santa Cruz Harbor construction created a breakwater that blocked the sand that normally drifted down the coast to replenish the beach. Waves undercut ocean front building foundations, the storm sewer was exposed, and cliff erosion accelerated. Capitola's vacation economy shrank accordingly. A rock jetty built near the eastern bluff finally helped restore the shoreline beach after 1969. It cost more than \$1 million to get the beach back.

During the crisis, Council members investigated ways to keep the tourist resort attractive. A 1965 citizen group submitted ideas supporting a "small, intimate family-scale style of buildings" and a "rustic and individual character" rather than a "slick, modernistic style." One quickly adopted suggestion was to rename the business flat "Capitola Village."

Item #: 10.B. Attach 6.pdf

Before the beach returned, artisans and “long-hairs” settled into empty storefronts and opened businesses with counterculture charisma. By the early Seventies, the young entrepreneurs joined the Chamber of Commerce and took a role in planning and politics.

Capitola’s fortunes improved dramatically as the 1975 General Plan was drafted. In a controversial move, the city annexed 38 acres of the Forty-First Avenue Brown Bulb Ranch property. Sutter Hill Development Company then built a shopping center to be known as the Capitola Mall. Annexation was approved in March 1975, and the mall opened in 1977. Proposition 13 passed in 1976. Capitola benefited as revenue for cities shifted from property taxes to sales taxes.

The Council was able to lower taxes, increase staff, and build a new city hall. Projects over the next fifteen years included a school gym, central parking lot and metering system, a park-and-ride shuttle, Rispin Mansion and wharf purchases, plans for a new library, construction of the Jade Street Park complex, and the start of creek habitat protection.

The Capitola General Plan of 1989 followed two disasters. The 1982 flood and 1983 high tide drew attention to coastal hazards and planning development in the flood plain. Focus was given to historic preservation as builders increasingly applied to remodel or replace the Village’s older structures. An architectural survey was completed in 1987 and three National Register Historic Districts were created.

A \$35 million mall expansion doubled the retail shopping area in 1988. Forty-First Avenue was widened in the shopping district to a six-lane boulevard, attracting new businesses and a number of smaller shopping centers. The opening of the Capitola Auto Center further increased tax revenue base, allowing the city to move with confidence toward the new millennium in 2001.

Today Forty-First Avenue is the most traveled street in Santa Cruz County.

Sneddon, Su

From: Grunow, Rich
Sent: Friday, May 02, 2014 2:30 PM
To: Westman, Nels
Cc: City Council
Subject: RE: General Plan Comments for Council Meeting on 5/8/14

Nels,

Thank you for your comments regarding the proposed General Plan Update. Since you'll be out of town on the 8th, I thought I would offer a response in advance of the Council hearing.

As it relates to single-family residential densities, state law requires General Plans to establish maximum allowable densities for residential neighborhoods. Single-family neighborhoods in the City currently have a R-LM (Residential Low-Medium) GP land use designation. The existing maximum allowable density in the R-LM land use designation is 10 dwelling units/acre. The proposed GP would retain the current maximum 10 du/ac density.

The 5,000 square-foot minimum lot size requirement for single-family neighborhoods is established through the zoning ordinance. The proposed GP would not affect ZO lot size requirements and I'm not aware of any desire to reduce minimum lot size requirements in the upcoming zoning ordinance update.

Density and lot sizes both regulate development intensity; however, they are not the same standard. Lot size is a component of the density formula: density = number of dwelling units/lot size (described in acres).

It's important to note that density regulations only apply to subdivisions and multi-family projects. Density would have no affect on development within a recorded legal lot.

Subdivision requests are required to comply with both GP density and ZO minimum lot size requirements. Although both current and proposed GPs allow a maximum of 10 du/ac, an applicant would still need to comply with the minimum 5,000 square foot lot size requirement of the ZO. As you correctly point out, compliance with ZO lot size requirements effectively reduce density yield to 8.7 du/ac. We added language on page LU-12 of the proposed GP in response to concerns about the density/lot size distinction: "*Densities on individual parcels may be lower due to site constraints or other City regulations such as minimum lot sizes as specified by the zoning code*".

One of the oddities in the current GP is that it provides a density range for various residential land use designations. For instance, the R-LM designation has a range of 5-10 du/ac. This is highly unusual for General Plans and I think it has caused confusion. The maximum allowable density within this range, however, remains 10 du/ac.

The City Council could reduce the single-family density allowance to 8.7 du/ac, but I think it's highly unlikely the City will see any single-family subdivision applications which would be affected by a density reduction from 10 du/ac to 8.7 du/ac. If you run the math, lot yields would be the same unless an applicant had a parcel larger than 30,000 square feet. Even then, compliance with ZO minimum lot size requirements would prevent an applicant from gaining an extra lot through the existing density standard.

Max Density Allowance	Parcel Size	Formula	GP Density Yield	ZO Lot Size Yield (5,000 sq. ft.)
10 du/ac	10,000 sq. ft	.23 acres x 10 du/ac = 2.3 du/ac	2 lots	2 lots

Item #: 10.B. Attach 7.pdf

8.7 du/ac	10,000 sq. ft	.23 acres x 8.7 du/ac = 2.0 du/ac	2 lots	2 lots
10 du/ac	20,000 sq. ft	.46 acres x 10 du/ac = 4.6 du/ac*	4 lots	4 lots
8.7 du/ac	20,000 sq. ft	.46 acres x 8.7 du/ac = 4.0 du/ac	4 lots	4 lots
10 du/ac	30,000 sq. ft	.69 acres x 10 du/ac = 6.9 du/ac*	6 lots	6 lots
8.7 du/ac	30,000 sq. ft	.69 acres x 8.7 du/ac = 6.0 du/ac	6 lots	6 lots
10 du/ac	31,000 sq. ft	.71 acres x 10 du/ac = 7.1 du/ac	7 lots	6 lots
8.7 du/ac	31,000 sq. ft	.71 acres x 8.7 du/ac = 6.2 du/ac	6 lots	6 lots

*NOTE: The General Plan does not allow densities to be rounded-up.

Sorry for the long-winded explanation, but it's a bit of a convoluted issue which is challenging to succinctly explain.

You also noted concerns about Policy LU-3.5, which states: *"Pedestrian and Bicycle Connections. Require new development to provide for pedestrian and bicycle connections between residential and commercial areas"*.

The intent here is not to require single-family residential projects to provide access through their properties, but to make it safe and convenient for people to walk to nearby commercial uses. There were concerns raised during the GPAC process that pedestrians and bicyclists have to navigate through dangerous and uninviting parking areas to access entrances to commercial buildings. Staff would be happy to revise this language to more clearly communicate intent.

Please contact me if you would like to discuss further.

Safe and happy travels,

Rich

> -----Original Message-----

> From: Nels Westman [mailto:nels@bestwestman.com]

> Sent: Tuesday, April 29, 2014 2:35 PM

> To: City Council

> Cc: Grunow, Rich

> Subject: General Plan Comments for Council Meeting on 5/8/14

>

> Dear City Council,

>

> Susan and I will be out of the country on May 8th and will miss this important meeting. Sorry.

>

> First, if I may, an editorial comment about the whole General Plan update process. It has been mind-numbingly long, repetitive and far more expensive than any small, built-out town like Capitola should have to bear. And it seems that you have only accomplished a portion

> of the grand task you originally envisioned three years ago.
 > Interested members of the public have sat through many, many hours of
 > meetings and have read literally reams of papers, minutes and reports
 > in the hope of being able to contribute just a few small 3-minute
 > sound bites to the discussion. All are burned out; most are disillusioned with the process.
 > There just has to be a better way to update Capitola's General Plan
 > next time around.

>
 > In the early stages of the process, staff introduced their vision of a
 > bigger, better, higher, denser, visitor-driven Capitola as though they
 > alone knew what was best for us. During the following couple of years,
 > the GPAC and the public worked hard to reel in the staff vision and
 > produce a document that more accurately reflected what the community
 > wanted instead. In the next few years we will see which vision
 > resonates better with the voters.

>
 > I can't even begin to wrap my mind around the EIR document. It is just
 > too much for a mere mortal to assimilate. However, I do have a couple
 > of comments about the General Plan document that is before you.

>
 > I have had a couple of good discussions with Rich about residential
 > densities on Page LU-14. I respect his professional interpretation of
 > the R-SF paragraph, but I remain concerned. Our current R-1
 > neighborhoods, the backbone of our community, have historically had a
 > maximum density of 8 dwelling units per acre. The proposed R-SF
 > designation which will include the current R-1 neighborhoods, clearly
 > has a maximum density of 10 units per acre. If I understand Rich
 > correctly, he feels our current zoning ordinance will protect the
 > current 8 units per acre density. I worry that with the General Plan
 > calling for 10 units, there will be an eventual attempt to revise the
 > zoning ordinance to conform to the General Plan number resulting in a
 > 25% increase in density in what are now R-1 neighborhoods. I won't
 > spend a lot of time outlining the traffic, parking, privacy and
 > congestion implications of such an increase other than to say it isn't pretty.
 > Please protect our existing R-1 neighborhoods by either adding
 > specific language that the maximum R-1 density shall be 8 units per
 > acre or give a density range for R-SF of 8 to 10 units per acre.

>
 > My other area of concern is the potential negative impact of
 > commercial development on adjacent residential neighborhoods resulting
 > from the increase in development density coupled with reduction of
 > required parking. Additional language has been added to the General
 > Plan that emphasizes taking great care insuring new development and
 > reduced parking do not hurt nearby residents. That, I think, is a wise
 > improvement.

>
 > However, Policy LU-3.5 continues to be problematic. While requiring
 > direct pedestrian and bike access from residential areas to commercial
 > areas might seem desirable for residents, it also allows employees and
 > overflow parkers convenient and direct access to residential streets
 > for their parking needs. This will become worse as parking along the
 > 41st Ave corridor is reduced. Creating buffers between commercial and
 > residential areas protects residents. This policy would work to remove
 > an important buffer. This policy is also unclear as to whether a new
 > single family residence on 42nd Ave, for example, could be required to
 > provide a public pathway and access point to the 41st Ave commercial
 > area. This should be clarified.

Item #: 10.B. Attach 7.pdf

- >
- > And, finally, one other request. I assume that the adoption of the
- > General Plan at your May 8th meeting is a possibility. If, however,
- > during your meeting any significant change to the document is made,
- > please do not approve it on May 8th. Rather, give the public the
- > opportunity to study and comment on these changes by continuing the
- > approval process at least two weeks.
- > This is only fair and respectful to folks who have been working on
- > this process literally for years.
- >
- > Thank you.
- >
- > Nels Westman
- >
- >