

**City of Scotts Valley  
Initial Study/ Negative Declaration**

## **Bay Photo Apartments – Scotts Valley Drive**

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**19 residential apartment units in two buildings**

**Located at:** 4627 Scotts Valley Drive  
APN 022-082-34 and 35

**Prepared by:** City of Scotts Valley Planning and Public Works Departments  
to meet the evaluation requirements of the California  
Environmental Quality Act (CEQA)

<b>Requested</b>	Environmental Assessment	EA17-002
<b>Planning</b>	General Plan Amendment	GPA17-001
<b>Permits:</b>	Zone Change	ZC17-001
	Planned Development	PD17-001
	Design Review	DR16-006
	Lot Merger	

**Property Owners:** Larry Abitbol, SV Housing, LLC

**Applicant:** Larry Abitbol

**Public Review Period:** April 16 – May 7, 2018

# TABLE OF CONTENTS

<b>I.</b>	<b>Introduction</b> .....	3
	A. Project Address and Title .....	3
	B. Lead Agency Name and Address .....	3
	C. City Contact Name and Information .....	3
	D. Applicant and Property Owner Names and Contact Information .....	3
	E. Existing General Plan Land Use Designations and Zoning Districts .....	3
	F. Existing Site Description .....	3
	G. Project Description .....	4
	H. Requested Planning Permits .....	4
	I. Public Hearings at City Hall .....	5
	J. Other Public Agencies whose Approval is Required .....	5
	K. Project Location Map .....	6
<b>II.</b>	<b>Environmental Checklist</b>	
	Environmental Factors Potentially Affected .....	7
	The checklist of questions is required by the California Environmental Quality Act (CEQA), and is organized by the discussion topics listed below:	
	A. Aesthetics .....	7
	B. Agricultural Resources .....	9
	C. Air Quality .....	9
	D. Biological Resources .....	12
	E. Cultural Resources .....	14
	F. Geology and Soils .....	16
	G. Greenhouse Gases .....	17
	H. Hazards and Hazardous Materials .....	18
	I. Hydrology and Water Quality .....	21
	J. Land Use and Planning .....	22
	K. Mineral Resources .....	24
	L. Noise .....	25
	M. Population and Housing .....	27
	N. Public Services .....	28
	O. Recreation .....	29
	P. Transportation and Traffic .....	30
	Q. Utilities and Service Systems .....	31
	R. Mandatory Findings .....	33
<b>III.</b>	<b>Determination - Mitigated Negative Declaration</b> .....	34
<b>IV.</b>	<b>Data Sources</b> .....	35
<b>V.</b>	<b>Exhibits</b> .....	35

# I. INTRODUCTION

This Initial Study/Mitigated Negative Declaration evaluates the environmental impacts of the proposed project and identifies ways to reduce those impacts to less than significant levels (called “mitigation measures”).

**A. Project Address and Title:** Project is called “Housing Project for: Bay Photo Lab”. The property is located at 4627 Scotts Valley Drive / APN 022-082-34 and 35.

**B. Lead Agency Name and Address:**

Planning Department  
City of Scotts Valley  
One Civic Center Drive  
Scotts Valley, California 95060

**C. City Contact Name and Information:**

Scott Harriman, Contract Planner, (650) 587-7300 ext. 66  
[sharriman@rgs.ca.gov](mailto:sharriman@rgs.ca.gov)

**D. Applicant and Property Owner Names and Contact Information:**

Larry Abitbol, SV Housing, LLC  
5005 Ironwood Drive  
Soquel, CA. 95073.  
(831) 419-1337

**E.**

Existing General Plan Land Use Designations	Existing Zoning Districts
Service-Commercial	Service-Commercial (C-S)

**F. Existing Site Description:** The 0.93-acre development site is made up of two parcels, which are developed together as a paved parking lot. The site contains mature landscaping along the perimeter of the site and throughout the lot in landscape islands. The site obtains ingress and egress through two existing driveways; one along Scotts Valley Drive and one along a flag-lot style access roadway on Civic Center Drive (see the Location Map on following page). The site slopes toward Scotts Valley Drive with the central portion of the site (the main parking lot area) having a moderate slope of approximately eight percent, while the driveway from Civic Center Drive is more significantly sloped downward toward Scotts Valley Drive.

The project site has a 20-foot right of way easement along the southern property line and a 30' x 85' parking easement in favor of the adjacent office building,

situated to the southwest, owned by the Scotts Valley Water District. Other adjacent uses to the project site include an existing A.T.&T. building to the south, and two retail/commercial buildings to the north.

- G. Project Description:** The project proposes to convert an existing 92-space parking lot into a multi-family development. The project consists of two buildings (Buildings A and B) totaling 19 apartment units, and associated parking and site improvements.

Building A, along the Scotts Valley Drive frontage, would be two stories (approximately 28-feet) in height, and contain two potential live/work apartment units on the ground floor and two apartment units on the second floor. The two, ground floor, live/work units each have an office space and accessible bathroom, which could also be used as a second bedroom.

Building B, centrally located on the site, would be three stories (approximately 39-feet) in height, and contain 15 apartment units, five per floor. Each floor would include four two-bedroom units and one three-bedroom unit. Two of the ground floor units would be (handicap) accessible and three units would be adaptable.

Other site improvements include a one-story, detached, trash/recycling and storage building, and parking, outdoor lighting, landscaping improvements, and private and group open space areas. Access to the project site is retained through the existing two driveways off Scotts Valley Drive and Civic Center Drive.

Submitted Plans: Plans are on file at the City of Scotts Valley Planning Department, and online at:  
[http://www.scottsvalley.org/planning/current\\_projects.html](http://www.scottsvalley.org/planning/current_projects.html)

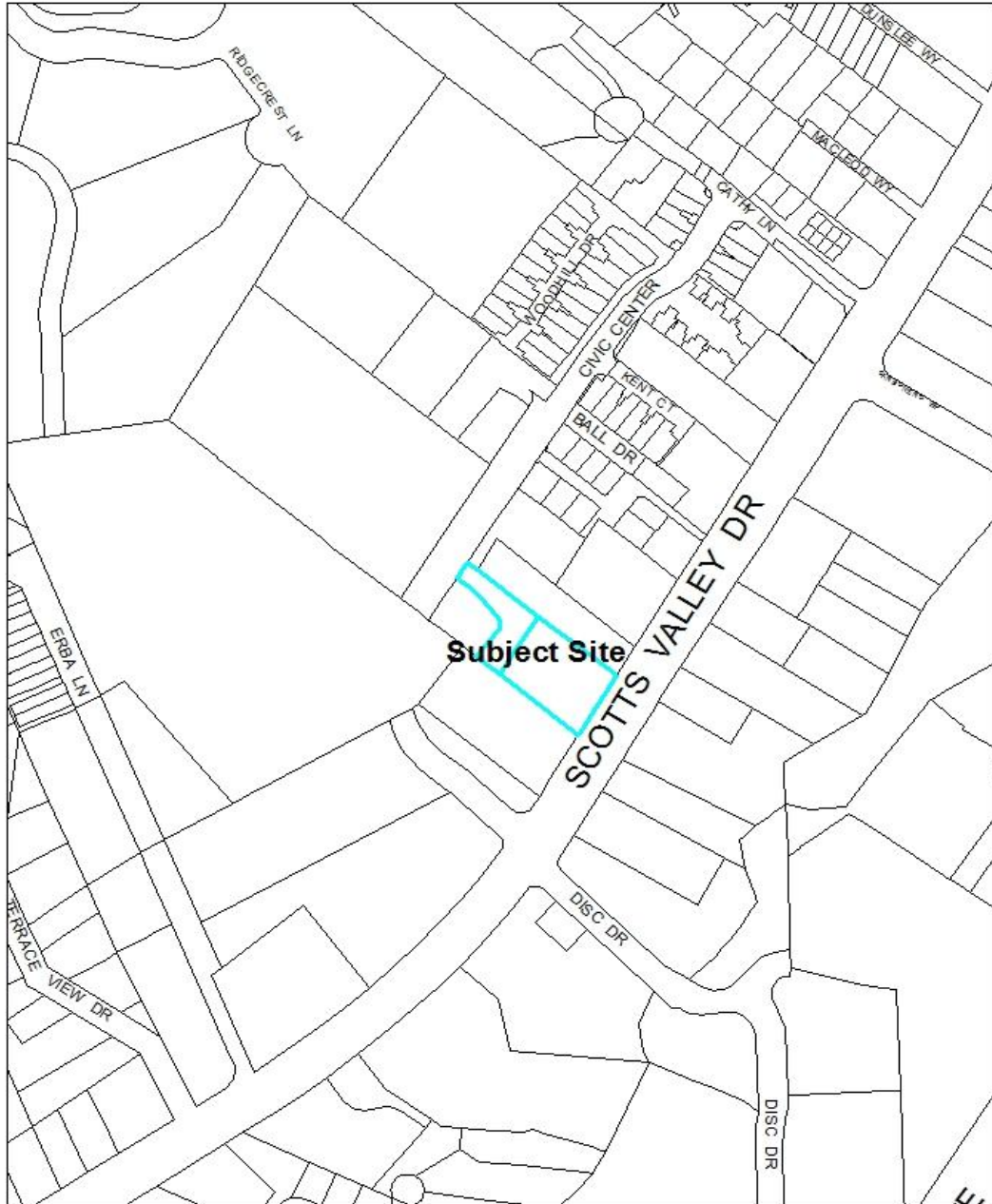
- H. Requested Planning Permits:** The proposed project requires Planning Commission review and recommendation to the City Council for final action on the following planning permit applications: Mitigated Negative Declaration, General Plan Amendment, Zone Change, Planned Development, and Design Review. The project is subject to the California Environmental Quality Act (CEQA) and the CEQA Guidelines, which require this environmental review. The project applications and environmental review will be presented at public hearings by the Planning Commission and City Council, subsequently, to discuss and act upon this environmental review and requested applications.

1. Negative Declaration: To identify potential environmental impacts and ways to reduce them to less than significant levels, subject to the California Environmental Quality Act (CEQA) and the CEQA Guidelines;
2. General Plan Amendment: To change the General Plan land use designation from Service-Commercial to Very High-Density Residential;
3. Zone Change: To change the C-S zone to R-VH/PD;

4. Planned Development: To create specific development standards to meet the needs of the project and to allow exceptions to the Scotts Valley Municipal Code.
  5. Design Review: To evaluate the design of the residential buildings, site and landscaping.
- I. Public Hearings at City Hall:** A public hearing notice for Planning Commission will be sent at a date to be determined. After the Planning Commission public hearing, a separate public hearing notice will be sent for City Council review.
- J. Other Public Agencies whose Approval is Required:** In addition to City review and approval of construction plans, both the Scotts Valley Fire Protection District and Scotts Valley Water District must also review and approve plans regarding fire protection and water service requirements.

**K. Location Map**

Location Map



## II. ENVIRONMENTAL CHECKLIST

### Environmental Factors Potentially Affected

This section discusses environmental topics of the proposed project. Based on the project and impact analysis contained in this report, there are no potential impacts that require mitigation, either by there being no impact or that the project's design reduces any potential impact to less than significant levels.

<input type="checkbox"/> Aesthetics	<input type="checkbox"/> Agriculture and Forestry Resources	<input type="checkbox"/> Air Quality
<input type="checkbox"/> Biological Resources	<input type="checkbox"/> Cultural Resources	<input type="checkbox"/> Geology and Soils
<input type="checkbox"/> Greenhouse Gas Emissions	<input type="checkbox"/> Hazards and Hazardous Materials	<input type="checkbox"/> Hydrology and Water Quality
<input type="checkbox"/> Land Use & Planning	<input type="checkbox"/> Mineral Resources	<input type="checkbox"/> Noise
<input type="checkbox"/> Population and Housing	<input type="checkbox"/> Public Services	<input type="checkbox"/> Recreation
<input type="checkbox"/> Transportation/Traffic	<input type="checkbox"/> Utilities and Service Systems	<input type="checkbox"/> Mandatory Findings of Significance

<b>A. AESTHETICS</b>				
<b>Will the proposed project result in the following environmental effects?</b>	<b>Potentially Significant Impact</b>	<b>Less Than Significant with Mitigation</b>	<b>Less Than Significant Impact</b>	<b>No Impact</b>
<b>1. Have a substantial adverse effect on a scenic vista?</b>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<b>2. Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?</b>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<b>3. Substantially degrade the existing visual character or quality of the site and its surroundings?</b>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

A. AESTHETICS				
Will the proposed project result in the following environmental effects?	Potentially Significant Impact	Less Than Significant with Mitigation	Less Than Significant Impact	No Impact
4. Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?	☐	☐	☐	■

Data Sources: 1, 2, 4, 5

### Discussion

**Scenic Vista.** The site is currently developed as a paved parking lot. The project is situated between existing commercial and office buildings and would not block any scenic vista nor substantially change an important view from a scenic vantage point.

**Scenic Resources and Visual Character.** The subject property is located along Scotts Valley Drive, a commercial corridor and is not within a scenic corridor. The project would replace an existing parking lot situated between and adjacent to three existing commercial uses. The project is subject to design review, which will insure that the proposed development would not adversely impact the visual character of the area.

**Light and Glare.** Project plans provide details for outdoor lighting for the proposed apartment buildings that include: five (5) 12.5-foot tall and three (3) 14.5-foot tall free-standing light poles, 15 3.5-foot tall bollard light poles along pedestrian paths to front doors and the central outdoor area, seven (7) wall-mounted lights affixed to the buildings at eight (8) to 10-feet in height, and three (3) soffit lights under the front patio cover at Building A.

Site and architectural lighting is subject to the City design review process which will insure that levels of luminance do not adversely affect the surrounding commercial properties or those traveling on Scotts Valley Drive. To ensure lighting harmony with the surrounding area, project-specific conditions will require the developer to use shields on the light poles, reduce the pole height to 12 feet, and utilize down-directed fixtures on building exteriors with concealed light sources, consistent with City policies and design guidelines for lighting to be at the lowest level and carefully controlled for security, aesthetics, safety and identification without interfering with nearby land uses. Implementing these standard conditions of project approval will reduce potential off-site light intrusion to less than significant levels.

**Finding:** For the “Aesthetics” category discussed above, the project will not generate any significant visual impacts or impacts to aesthetic resources. Therefore, no mitigation is required.



<b>B. AGRICULTURAL RESOURCES</b>				
1. Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
2. Conflict with existing zoning for agricultural use, or a Williamson Act contract?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
2. Conflict with existing zoning for agricultural use, or a Williamson Act contract?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
3. Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code Section 12220(g)), timberland (as defined by Public Resources Code Section 4526), or timberland zoned Timberland Production (as defined by Government Code Section 51105(g))?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
4. Result in the loss of forest land or conversion of forest land to non-forest use?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
5. Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Data Sources: 1, 2

### Discussion

The property is not located on land that is classified as Prime Farmland, Unique Farmland, or Farmland of Statewide Importance by the Farmland Mapping and Monitoring Program of the California Resource Agency. The site is zoned for commercial and residential uses. Therefore, no agricultural impacts would occur as a result of the project.

Finding: For the “Agricultural” category discussed above, the thresholds of significance have not been exceeded. There would be no impact on agricultural resources. Therefore, no mitigation is required.

<b>C. AIR QUALITY</b>				
Will the proposed project result in the following environmental effects?	Potentially Significant Impact	Less Than Significant with Mitigation	Less Than Significant Impact	No Impact
1. Conflict with or obstruct implementation of the applicable air quality plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

<b>C. AIR QUALITY</b>				
<b>Will the proposed project result in the following environmental effects?</b>	<b>Potentially Significant Impact</b>	<b>Less Than Significant with Mitigation</b>	<b>Less Than Significant Impact</b>	<b>No Impact</b>
<b>2. Violate any air quality standard or contribute substantially to an existing or projected air quality violation?</b>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<b>3. Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard (including releasing emissions which exceed quantitative thresholds for ozone precursors)?</b>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<b>4. Expose sensitive receptors to substantial pollutant concentrations?</b>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<b>5. Create objectionable odors affecting a substantial number of people?</b>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Data Sources: 1, 3, 4, 10

## Discussion

**Air Quality Plan and Air Quality Standards.** The Monterey Bay Unified Air Pollution Control District (MBUAPCD) is responsible for limiting the amount of emissions that can be generated through the basin by various stationary sources. Specific rules and regulations have been adopted in the Air Quality Management Plan of 2000, which limit the emissions that can be generated by various uses and/or activities, and identify specific pollution reduction measures which must be implemented in association with various uses and activities. Emission sources subject to these rules are regulated through the MBUAPCD's permitting process. Any emissions sources that would be generated as part of the proposed project would be subject to the MBUAPCD rules and regulations. The proposed development (the point source) does not include any processes or activities that would emit air pollutants. Therefore, the proposed use does not have the potential for significant impacts that would conflict with the Air Quality Management Plan. For non-point source pollutants such as traffic, which is regulated by the State Air Resources Board (ARB), the project will generate emissions from automobiles associated with regular vehicular travel.

The MBUAPCD categorizes potential impacts as either "construction-related impacts" or "operational impacts". The category of construction impacts is discussed below. The preceding paragraph includes a discussion of traffic-generated operational impacts. However, there are other sources of operational impacts beyond those generated by traffic. To address all potential operational impacts, the MBUAPCD's CEQA guidelines uses a screening table to determine if various land use projects' operational emissions

from all sources are significant. According to the MBUAPCD staff, Table 5-4 in their Guidelines specify threshold levels to determine when a land use project may generate a significant level of long-term operational emissions that degrade air quality. Table 5-4 lists the threshold for multi-family projects as containing 1,195 units or more. The proposed 19-unit project is well below this threshold level and therefore will not generate a significant level of operational emissions.

Grading activities during construction could cause dust accumulation in this area. This impact can be mitigated by implementing standard conditions of approval that require the applicant and construction contractor to implement best management practices (BMPs) during grading to minimize dust generation from vehicular equipment and wind. There is nothing unusual about the construction grading for this project that would necessitate any further construction practices.

Standard Conditions of Approval require that development projects reduce dust generation from project grading and construction to minimal levels, the project proponent shall require the grading contractor to implement best management practices (BMPs) for dust control, including watering down exposed earth surfaces each non-rainfall day at intervals that attenuate dust problems. Any dirt tracked on to Scotts Valley Drive shall be removed daily in a manner that does not create substantial airborne dust. The following BMPs shall be included in the construction contract for the project and be implemented during site grading:

- a. Excavation of the site shall be done in phases by grading only those areas where immediate activity will take place, leaving the remaining areas in their original condition with ground cover;
- b. A water truck, using recycled water, shall be available on a repeated basis each day throughout the grading phase of the project to spray exposed earth surfaces;
- c. In addition to regular water spraying, a biodegradable chemical palliative shall be sprayed on any graded areas that will remain exposed without additional grading for three or more days in succession;
- d. The site entrance shall be base rocked to avoid or minimize tracking mud on Scotts Valley Drive by construction vehicles;
- e. The segment of Scotts Valley Drive along the project frontage shall be mechanically swept at the end of each work day when any dirt or mud has been tracked on the street;
- f. No grading activities shall occur during days of high wind velocity;
- g. Finished graded areas that are designated as open space and landscape areas of project, shall be covered with an accepted erosion control substance such as straw mulch or hydro mulch with a tackifier; and
- h. Construction staff shall monitor daily all areas that have received a chemical palliative spray or application of mulch to determine if these areas remain in a dust-free condition and take corrective action as needed to maintain a dust-free environment.

**Odor.** As a multi-family residential apartment, the proposed project does not have the potential to create objectionable odors.

**Finding:** A significant air quality impact is defined as any violation of an ambient air quality standard, any substantial contribution to an existing or projected air quality violation, or any exposure of sensitive receptors to substantial pollutant concentrations. For this "Air Quality" category discussed above, the thresholds of significance will be exceeded by the substantial generation of dust during the construction phase of the project. This is a potentially significant construction impact. This impact can be mitigated through standard conditions of approval for construction projects by requiring best management dust control practices during construction of the project. Standard conditions of project approval will reduce the impact to less than significant levels.

<b>D. BIOLOGICAL RESOURCES</b>				
<b>Will the proposed project result in the following environmental effects?</b>	<b>Potentially Significant Impact</b>	<b>Less Than Significant with Mitigation</b>	<b>Less Than Significant Impact</b>	<b>No Impact</b>
1. Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local regional plans, policies, or regulations, or by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
2. Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations of by the California Department of Fish and Wildlife or the U.S. Fish and Wildlife service?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
3. Have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to marsh, vernal pool, coastal lagoon, etc.) Through direct removal, filling, hydrological interruption or other means?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
4. Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
5. Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

<b>D. BIOLOGICAL RESOURCES</b>				
<b>Will the proposed project result in the following environmental effects?</b>	<b>Potentially Significant Impact</b>	<b>Less Than Significant with Mitigation</b>	<b>Less Than Significant Impact</b>	<b>No Impact</b>
<b>6. Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?</b>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Data Sources: 1, 2, 4, 5, 6

Discussion

The project site is been developed and used as a surface parking lot for at least the past 20 years. The site is shown on the General Plan Open Space and Conservation, Plant and Wildlife Habitats Map, Figure OS-3, as not containing any significant plant or wildlife habitat. The majority of the 29 protected trees associated with the proposed development are located predominantly along the site’s front and side property boundaries and include Coast live oak (*Quercus agrifolia*), coast redwood (*Sequoia sempervirens*), Monterey cypress (*Hesperocyparis macrocarpa*), eastern redbud (*Cercis canadensis*), and a strawberry tree (*Arbutus undedo*).

Section 17.44.080 of the Scotts Valley Municipal Code (Tree Preservation Ordinance) regulates the removal of various mature trees, including coast live trees with trunk diameters of 8 inches or greater. While the primary purpose of the Ordinance is to preserve trees of a certain size, Subsection 17.44.080(E)(4) of the Ordinance allows removal of Protected Trees with approval of project entitlements.

Kurt Fouts, Consulting Arborist, has prepared an Arborist Report for the project site and proposed development, dated December 2016 and revised on August 31, 2017. The report inventoried 29 trees that meet the definition of “City Protected Trees” due to their trunk size. The applicant is requesting the removal of 23 trees; seven (7) due to poor health/condition, and 16 due to anticipated construction impacts. Appendix A of the tree study shows the Tree Protection Zone and the critical root zone of the protected trees to remain. In addition to identifying tree loss, the report refers to the project landscape plans, which shows the placement of approximately 40 replacement palm trees, which are subject to review and approval as part of the project review, and provides measures to protect trees to remain during construction.

Standard conditions of project approval require the developer to implement all measures contained within the arborist report for the protection of existing trees to remain, including but not limited to the required procedures and sequence, required tree replacement, tree preservation and protection, and appraised value of preserved trees in the report.

Finding: For the "Biological Resources" category discussed above, implementation standard conditions of project approval will ensure tree impacts can be reduced to less than significant levels.

<b>E. CULTURAL RESOURCES</b>				
<b>Will the proposed project result in the following environmental effects?</b>	<b>Potentially Significant Impact</b>	<b>Less Than Significant with Mitigation</b>	<b>Less Than Significant Impact</b>	<b>No Impact</b>
1. Cause a substantial adverse change in the significance of a historical resource as defined in §15064.5?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
2. Cause a substantial adverse change in the significance of an archaeological resource pursuant to §15064.5?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
3. Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
4. Disturb any human remains, including those interred outside of formal cemeteries?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Data Sources: 1, 2, 4, 14

### Discussion

The site does not contain any historical resources, however the Scotts Valley General Plan, Archaeological Sensitivity Zones Map, Figure OS-2, depicts the site as being within a HMS Zone, High and Moderate Sensitivity Zones. Over the years several cultural resource evaluations have been prepared for adjacent properties with the recommendation that earth moving activities monitored by a qualified archaeologist.

Standard conditions of approval for development require that the applicant and construction contractor ensure that any cultural resource, including archaeological, paleontological, or human remains are not destroyed if accidentally discovered during project grading or other subsurface work.

As part of the standard conditions of approval, the developer shall submit a copy of a contract with a qualified/registered archaeologist to conduct monitoring of all earth disturbing activities for review and approval by the Community Development Director, before grading permit issuance. The developer shall include this requirement in the contract for all contractors involved with grading and subsurface work. The qualified/registered archaeologist shall monitor all earthwork activity as described below.

- a. An archaeologist shall monitor the grading or excavation of soils at the development site in order to determine if important cultural remains are present. Such monitoring shall begin before and occur during subsurface earth moving activities;

- b. The duration and period of archaeological monitoring of project development activities shall be at the discretion of the professional archaeologist. At a minimum, however, any activity that initially displaces or removes original soil from its present context shall be monitored by an archaeologist on a continuous basis;
- c. Monitoring activities such as replacing soils in trenches, redistributing displaced soil elsewhere on the development site, or removing stockpiled excavated soil may not require monitoring;
- d. Monitoring may include the periodic sampling and screening of soils in order to better determine if cultural remains are present; and,
- e. If any cultural resources are discovered, the project contractor shall immediately stop all earth disturbing work within a 150 foot radius of the discovery to allow for inspection, evaluation, and potential recovery of resources by the supervising project archaeologist, before resuming any earth-disturbing construction activities. The developer shall also contact the Planning Department and Building Official as soon as work has been stopped. It may be necessary to resume grading or excavation activities under the direction of the supervising archaeologist in order to locate or expose cultural remains.

Standard conditions of approval require that the applicant and construction contractor ensure that paleontological resources are not destroyed during project grading, the project proponent will include the following measures:

- a. Provide the project paleontologist with a copy of the final grading plans for review prior to any project grading;
- b. Provide for daily monitoring during grading activities by the project paleontologist to determine if paleontological resources are encountered in excavated areas;
- c. Allow for the recovery of any discovered paleontological resources according to a recovery plan/methods specified by the project paleontologist, including the donation of the recovered resources to a suitable repository (museum, school, etc.);
- d. If recovery occurs, ensure that the project paleontologist prepare a recovery report that details the type of resources recovered and the repository locations where they were taken; and,
- e. Specify in the construction contract with the project grading contractor(s), that grading personnel are to cooperate with and assist the project paleontologist during monitoring and any recovery activities, including assisting with recovery efforts if necessary.

**Human remains.** A cemetery or known burial site does not exist on the property. If human remains are unexpectedly encountered during project grading, the actions required to mitigate for impacts to cultural resources will be followed. This will effectively preserve any human remains for proper burial.

Finding: For the "Cultural Resources" category discussed above, standard conditions of approval will reduce potential impacts to these resources to less than significant levels.

<b>F. GEOLOGY AND SOILS</b>				
<b>Will the proposed project result in the following environmental effects?</b>	<b>Potentially Significant Impact</b>	<b>Less Than Significant with Mitigation</b>	<b>Less than Significant Impact</b>	<b>No Impact</b>
<b>1. Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving:</b>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<b>a. Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mine and Geology Special Publication 42.</b>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<b>b. Strong seismic ground shaking?</b>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<b>c. Seismic-related ground failure, including liquefaction?</b>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<b>d. Landslides?</b>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<b>2. Result in substantial soil erosion or the loss of topsoil?</b>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<b>3. Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse?</b>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<b>4. Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial risks to life or property?</b>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<b>5. Have soils incapable of adequately supporting the use of septic tanks or alternative waste water disposal systems where sewers are not available for the disposal of waste water?</b>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Data Sources: 1, 2, 4

## Discussion

The project proposes the construction of two buildings containing a total of 19 residential apartment units within a seismically active area, which will subject the buildings and their inhabitants to periodic seismic shaking associated with the San Andreas Fault and other active faults within the Monterey Bay area.

To reduce the effects of seismic shaking to acceptable levels, the project proponent shall have all dwellings and commercial building designed California Building Code standards for



the design level earthquake for the area. The design details shall be provided on the building plans submitted to the City for a Building Permit application for each dwelling.

**Erosion.** The site is currently developed with a surface parking lot with an existing underground drainage system in place. The project will require minor to moderate re-grading of the 0.93-acre site to accommodate the parking lot, ADA pedestrian access and new building pads. Grading will include removal of 23 trees and understory foliage within the existing parking landscape islands.

Project conditions will require a plan showing temporary (during construction) and permanent erosion control measures will need to be submitted to the Regional Water Quality Control Board (RWQCB), the agency that administers NPDES, and the City Building Department for review and approval. Winter grading shall require prior review and approval by the City.

**Sewage Disposal.** All proposed buildings would be served by the City domestic sewer system. Therefore, soil capability for on-site sewage disposal is not an issue for this project.

Finding: Standard conditions of approval address the potential impact of seismic activity and will reduce all impacts to levels of less than significant.

<b>G. GREENHOUSE GAS EMISSIONS</b>				
<b>Will the proposed project result in the following environmental effects?</b>	<b>Potentially Significant Impact</b>	<b>Less Than Significant with Mitigation</b>	<b>Less Than Significant Impact</b>	<b>No Impact</b>
<b>1. Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?</b>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<b>2. Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases?</b>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Data Sources: 3

Discussion

Significant changes to global climate have been attributed to the accumulation of greenhouse gases (GHG) in the atmosphere. The most common GHG is carbon dioxide (CO2) . The primary contributor to CO2 emissions in the state is transportation (vehicle exhaust). California’s Global Warming Solutions Act of 2006 (AB 32) and the Governor’s Executive Order S-3-05 both require reductions in GHGs. Their statutory goals are to achieve 1990 GHG emission levels by 2020 and reduce emission levels to 80% of the 1990 levels by 2050. The California Air Resources Board (CARB) is the lead agency implementing AB 32. CARB has completed a statewide inventory of GHGs, which shows transportation contributes 38% of all CO2 emissions. Industry is the second greatest

source, contributing 21%. Other contributors are electric power generation, agriculture and various commercial and residential uses.

**Generation of Greenhouse Gases.** Most individual projects do not generate sufficient GHGs to create a project-specific impact to significantly influence climate change; therefore this impact typically involves an analysis to determine if a project’s GHG emissions are cumulatively considerable (significant cumulative impact). The proposed project is for a 19-unit residential apartment use. Locally, the Monterey Bay Unified Air Pollution Control District (MBUAPCD), the County of Santa Cruz, or the City have not yet adopted a significance threshold for GHGs. MBUAPCD is currently in the process of developing threshold standards for evaluating projects under CEQA. Currently, MBUAPCD recommends using a threshold of 2,000 metric tons of CO2/year for determining if a project GHGs are cumulatively considerable. The traffic analysis concludes this project will generate 126 average daily trips for residential use. The GHGs generated from this level of traffic is below 2,000 metric tons. Energy use of the completed apartments will be less than similar units constructed in previous years because their construction is required to comply with the energy efficiency standards of the California Building Code. All these factors result in a project that will not significantly contribute to a cumulative GHG impact.

**Conflict with Plans.** AMBAG has established a GHG reduction target of 0% by 2020 (i.e. no GHG increase) and 5% reduction by 2035. The proposed project would not conflict with this target. The project would not conflict with the State’s Global Warming Solution Act or Executive Order S-3-05.

Finding: While some GHGs will be generated by the project, its contribution to GHGs will not be cumulatively considerable and there will not be any significant impacts associated with GHGs.

<b>H. HAZARDS AND HAZARDOUS MATERIALS</b>				
<b>Will the proposed project result in the following environmental effects?</b>	<b>Potentially Significant Impact</b>	<b>Less Than Significant with Mitigation</b>	<b>Less Than Significant Impact</b>	<b>No Impact</b>
<b>1.</b> Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<b>2.</b> Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<b>3.</b> Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

<b>H. HAZARDS AND HAZARDOUS MATERIALS</b>				
<b>Will the proposed project result in the following environmental effects?</b>	<b>Potentially Significant Impact</b>	<b>Less Than Significant with Mitigation</b>	<b>Less Than Significant Impact</b>	<b>No Impact</b>
<b>4.</b> Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<b>5.</b> For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard for people residing or working in the project area?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<b>6.</b> For a project within the vicinity of a private airstrip, would the project result in a safety hazard for people residing or working in the project area?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<b>7.</b> Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<b>8.</b> Expose people or structures to a significant risk of loss, injury or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Data Sources: 1, 4, 5, 8

## Discussion

**Routine Use or Transport of Hazardous Substances.** The proposed project is for a residential apartment building with the possibility for a two home live/work offices. Residential and home office uses do not involve the use or storage of hazardous/combustible materials. Therefore, the risk of accidental explosion and/or release of a hazardous substance is remote.

**Release of Hazardous Substances.** Residential and home office uses are not generators of hazardous emissions. During the construction phase of this project dust will be generated and vehicle exhaust will be emitted. Implementation of standard dust control measures during construction as discussed above will reduce the potential release of hazardous substances to a less than significant level.

It is likely that oils, lubricants and similar materials may be used to maintain and/or fuel construction vehicles and machinery during the construction phase of the project. Standard conditions of approval require the project developer to have the construction contractor

implement a best management practice/hazardous materials containment plan during the entire time construction activities are occurring. The hazardous materials containment plan shall contain the following elements:

- a. Stationary equipment such as motors, pumps, welding equipment shall be placed over drip pans or other containment apparatus;
- b. Construction materials shall not be stockpiled or stored where they could be accidentally discharged downslope or into Scotts Valley Drive; and
- c. Any petroleum, lubricants or other hazardous materials used during; and, construction shall be stored in a special storage location equipped with double containment and this location shall be shown on the erosion control plan and approved by the agencies that review this plan.

**Release of Substances Near Schools.** Releases of hazardous substances will not be problematic if standard conditions of approval are implemented. Therefore, no further mitigation on this item is required.

**Located on a Hazardous Materials Site.** The project property is not included on a list of sites where hazardous materials were previously used or stored.

**Public Airport or Private Airstrip.** There is no public airport or private airstrip in Scotts Valley or the nearby unincorporated portion of the County.

**Emergency Response Plan.** The project does not propose any changes to the Emergency Response Plan; nor will it generate significant traffic volumes to Scotts Valley Drive.

**Wildland Fires.** The site is located in the central area of the City and is not adjacent or proximate to wildlands or areas designated as a critical fire hazard area by General Plan Map S-1.

**Existing Health Hazards.** According to information provided by the developer, the State and the County, the subject property is not identified as a hazardous materials site where hazardous materials were previously used or stored.

Finding: For this "Hazards and Hazardous Substances" category discussed above, the project would not result in any potentially significant impact. Standard conditions of approval require the contractor to maintain best management practices during construction, which reduce the potential impact to air and water quality to less than significant levels.

<b>I. HYDROLOGY AND WATER QUALITY</b>				
<b>Will the proposed project result in the following environmental effects?</b>	<b>Potentially Significant Impact</b>	<b>Less Than Significant with Mitigation</b>	<b>Less Than Significant Impact</b>	<b>No Impact</b>
1. Violate any water quality standards or waste discharge requirements?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
2. Substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g., the production rate of pre-existing nearby wells would drop to a level which would not support existing land uses or planned uses for which permits have been granted)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
3. Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, in a manner which would result in substantial erosion or siltation on- or off-site?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
5. Create or contribute runoff water which would exceed the capacity of existing or planned storm water drainage systems or provide substantial additional sources of polluted runoff?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
6. Otherwise substantially degrade water quality?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
7. Place housing within a 100-year flood hazard area as mapped on a federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
8. Place within a 100-year flood hazard area structures which would impede or redirect flood flows?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
9. Expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
10. Inundation by seiche, tsunami, or mudflow?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Data Sources: 1, 4, 8, 11, 12

### Discussion

**Water Quality And Waste Discharge Standards.** Project grading and construction activities have the potential to place sediment, motor vehicle lubricants and motorized equipment fuel into site storm runoff from soil erosion and accidents. A mitigation measure addressing water quality and waste discharges is provided below.

Standard conditions of approval require the developer and construction contractor to implement best management practices to prevent sedimentation and discharge of

contaminants off-site during project construction, including hazardous materials containment plan during the entire time construction activities are occurring. The hazardous materials containment plan shall contain the following elements:

Stationary equipment such as motors, pumps, welding equipment shall be placed over drip pans or other containment apparatus;

a. Construction materials shall not be stockpiled or stored where they could be accidentally discharged downslope or into Scotts Valley Drive; and

b. Any petroleum, lubricants or other hazardous materials used during; and, construction shall be stored in a special storage location equipped with double containment and this location shall be shown on the erosion control plan and approved by the agencies that review this plan.

**Otherwise Degrade Water Quality.** This issue is discussed under “Water Quality And Waste Discharge Standards” subsection above.

**Floodplain and Housing.** The property is not located within a floodplain.

**Flow Impedance in a Floodplain.** The property is not located within a floodplain.

**Dam or Levee Failure.** There is no dam or levee in the vicinity of the site.

**Sieche, Tsunami and Mudflow Related Hazards.** There is no possibility of a sieche or tsunami occurring that could affect the project. The project is not located on or near a lake or ocean coastline.

Finding: For this "Hydrology and Water Resources" category, implementation of standard conditions of approval discussed above will reduce the impact to a level of less than significant.

<b>J. LAND USE AND PLANNING</b>				
<b>Will the proposed project result in the following environmental effects?</b>	<b>Potentially Significant Impact</b>	<b>Less Than Significant with Mitigation</b>	<b>Less Than Significant Impact</b>	<b>No Impact</b>
1. Physically divide an established community?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
2. Conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project (including, but not limited to the general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

<b>J. LAND USE AND PLANNING</b>				
<b>Will the proposed project result in the following environmental effects?</b>	<b>Potentially Significant Impact</b>	<b>Less Than Significant with Mitigation</b>	<b>Less Than Significant Impact</b>	<b>No Impact</b>
<b>3. Conflict with any applicable habitat conservation plan or natural community conservation plan?</b>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Data Sources: 1, 2, 4, 13

### Discussion

The project site is located between and adjacent to existing commercial and office uses. Other surrounding land uses in the vicinity include single and multi-family uses. No community or neighborhood will be physically divided by the project. The project is requesting a General Plan amendment to accommodate the proposed residential project on a site with a Service Commercial General Plan designation. The project is also requesting a Planned Development Zoning District with dimensional adjustments to base zoning district standards. These requested entitlements are subject to City Council approval.

**Conflict with Plans.** The General Plan Land Use Designation of the site is “Service-Commercial”. The Service-Commercial designation is intended for retail stores and shops, food and motel/hotel establishments, services such as printing shops and electrical repair shops, heating and ventilating shops. Very high density mixed use residential is permitted, providing adjacent uses are compatible and the residential use is secondary to the retail use.

The project proposes development of 19 residential apartment units as the primary use of the site utilizing just the very high residential density standard of 15.1 to 20 units per acre. The proposed 19 units on the 0.93-acre site results in a density of 20 units/acre, which is the maximum number of units allowed under the Residential Very-High (R-VH) density range.

The Service Commercial General Plan designation allows for mixed-use developments consisting of both commercial and very-high density residential uses; commercial being the primary use. The development application is requesting a General Plan amendment to allow the singular use of the site to be residential, which requires legislative action by the City Council.

The project is requesting a Planned Development, PD Rezoning, utilizing the “R-VH” density, which allows one unit for each 2,100 square feet of land area. The 0.93-acre project site would accommodate 19 units (40,511-sf / 2,100-sf per unit). A project of 19 units on a .93-acre site would be consistent with Scotts Valley Residential Very-High zoning standard.

The project requests a number of development exceptions to zoning requirements. Page 6 of the General Plan specifies that a Planned Development approval can alter zoning regulations to address site characteristics and to promote City objectives if consistent with General Plan policies, which will be discussed in upcoming staff reports to the Planning Commission and City Council.

**Finding:** The current General Plan designation of Service Commercial anticipated mixed use development of both commercial and very-high density residential land uses. The proposed residential apartment project, is consistent with the density range called for in the existing General Plan designations, however the project does not include a primary commercial use and therefore requires a General Plan amendment to allow residential to be the primary use of the site. The project requires legislative action by the City Council, which will rule on the requested zoning and General Plan revisions. However, there is no environmental impact associated with allowing only the residential land use to the density range currently specified in the General Plan. Therefore, no mitigation is required.

<b>K. MINERAL RESOURCES</b>				
<b>Will the proposed project result in the following environmental effects?</b>	<b>Potentially Significant Impact</b>	<b>Less Than Significant with Mitigation</b>	<b>Less Than Significant Impact</b>	<b>No Impact</b>
<b>1. Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?</b>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<b>2. Result in the loss of availability of a locally-important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan?</b>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Data Sources: 1, 4

Discussion

The project site is within the MRZ-1 Zone as depicted on the Scotts Valley General Plan, Mineral Resource Zones Map, Open Space and Conservation Element Figure OS-4. The MRZ-1 indicates that no significant mineral deposits are present. The site has not been used for mining in the past, and the proposed project will not involve any mining.

**Finding.** For this “Mineral Resources” category discussed above, the project would have no impact; therefore, no mitigation is required.



<b>L. NOISE</b>				
<b>Will the proposed project result in the following environmental effects?</b>	<b>Potentially Significant Impact</b>	<b>Less Than Significant with Mitigation</b>	<b>Less Than Significant Impact</b>	<b>No Impact</b>
1. Exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
2. Exposure of persons to or generation of excessive groundborne vibration or groundborne noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
3. A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
4. A substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
5. For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
6. For a project within the vicinity of a private airstrip, would the project expose people residing or working in the project area to excessive noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Data Sources: 1, 2, 4, 7

## Discussion

**Exposure to Noise Levels Exceeding Standards.** The Noise Element of the Scotts Valley General Plan utilizes the 24 hour average day-night noise level (Ldn) for defining community noise impacts. Policies NP-451 and NP-454 state the maximum standard is 60 decibels Ldn of exterior noise and 45 dBA Ldn for interior noise (dBA = A-weighted measurement of decibels).

An Acoustical Engineering Study was prepared evaluating ambient and traffic noise for this project site on September 22, 2017 by Alan Goldwater, Acoustical Engineer, Santa Cruz. The exterior noise levels at the project site were measured over a 24-hour period on September 11-12, 2017. Measurements were made at a height of 10 feet above grade at two locations, approximately 32-feet back from the Scotts Valley Drive traffic lane. The 24-hour measurements showed a composite Ldn measurement of 61.6 dBA taken near the future location of the apartment building closest to Scotts Valley Drive.

Future condition of noise exposure were estimated based on an annual increase of Average Daily Trips (ADT) of one percent, from the current ADT level of 17,201 vehicles (717 average vehicles per hour) to 18,921 vehicles (788 vehicles per hours) in 2027. The estimated ADT increase results in a potential 1 dBA noise increase to 63 dBA by 2027.

The building code requires that interior noise level for residential uses to be 45 dBA or lower. Based on the projected exterior noise level of 63 dBA, the building design must attenuate this sound by a least 18 dBA. The applicant proposes the use of 0.3-inch Hardi-panel or equal over ½-inch exterior shear plywood on 2 x 6 studs at 16-inches on center, with R-19 insulation with 5/8-inch interior gypsum wall board. The acoustical report states that the Outdoor-Indoor Transmission Class (OITC) rating for this exterior wall assembly to reduce noise level by approximately 36 dB (decibels), and below the 18 dBA building code requirement. The report evaluated the project's proposed use of "Milgard Quiet Line" windows and sliding doors. The report states that the acoustic performance of these products to equal or exceed 30 dB for each style, and exceeding the building code requirement of OITC=18 dB.

The front-facing patios/balconies for Building A exceed the desired exterior residential noise standard of 60 dBA, and would be considered unacceptable to meet the useable open space requirement. However, common open space is provided behind Building A, which exceeds the minimum standard of 200-square feet per unit if approved as part of the project review. Standard conditions of approval require compliance with all noise standards.

The report concludes that the proposed building design will meet the requirement of 45 dBA maximum interior Ldn until at least 2027. Standard conditions of project approval require compliance with building codes and interior/exterior noise level standards. No further mitigation is required.

**Exposure to Groundborne Vibrations and Noise.** Future project residents may experience occasional groundborne vibrations from nearby traffic on Scotts Valley Drive when large trucks use the roadway. But this vibration is not expected to be frequent nor at high levels. This impact is less than significant.

**Generate a Permanent Increase in Ambient Noise.** Residential development is not considered a significant noise generator.

**Generate a Temporary Increase in Ambient Noise.** The grading and construction activities to build project improvements and dwellings will include large vehicles, heavy machinery and power tools; all of which will generate substantial noise that will travel beyond the boundaries of the property. This is a temporary impact that will be limited to the construction phase of the project. Immediately adjacent properties are commercial land uses and not sensitive receptors during standard construction hours of Monday-Saturday, 8am-5pm.

**Located near an Airport or Private Airstrip.** The property is not located near an airport or a private airstrip.

Finding: As discussed above, the proposed project would not exceed noise thresholds during the long-term. Noise generated during the construction phase is temporary and limited to Monday-Saturday daytime hours with conventional wood frame construction, which will not significantly impact neighboring commercial properties.

<b>M. POPULATION AND HOUSING</b>				
<b>Will the proposed project result in the following environmental effects?</b>	<b>Potentially Significant Impact</b>	<b>Less Than Significant with Mitigation</b>	<b>Less Than Significant Impact</b>	<b>No Impact</b>
1. Induce substantial population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
2. Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
3. Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Data Sources: 1, 4, 8, 13

Discussion

**Population Growth.** The project will provide 19 new apartment units, four units within a two-story building, and 15 units within a three-story building. The project proposes 14 two-bedroom, three three-bedroom, and two one-bedroom units with a live/work office space, which could function as an additional (2<sup>nd</sup>) bedroom. Given the proposed bedroom mix, the project could result in 41 or more persons if each bedroom and live/work office is occupied with one person. The average household size for Scotts Valley is 2.67 persons which estimates 51 persons for a project with 19 units.

A potential range of 41-51 or more persons is not a significant increase in the existing City population of approximately 12,000 persons, given the anticipated build-out population of 15,000 persons.

**Displace Existing Housing.** Currently there is no housing on the site. Therefore, the project will not displace any housing.

**Displace People.** No persons will be displaced by this project.

Finding: The amount of growth potentially generated by this project is anticipated to be approximately 41-51 or more persons. The increase is within the anticipated build out of the City at a population of 15,000 persons. There is no potential for displacing housing or people either directly or indirectly. For this "Population and Housing" category discussed above, the project will have either a less than significant impact or no impact; and, therefore, no mitigation is required.

<b>N. PUBLIC SERVICES</b>				
<b>Will the proposed project result in the following environmental effects?</b>	<b>Potentially Significant Impact</b>	<b>Less Than Significant with Mitigation</b>	<b>Less Than Significant Impact</b>	<b>No Impact</b>
Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services:				
1. Fire protection?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
2. Police protection?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
3. Schools?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
4. Parks?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
5. Other Public Facilities?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Data Sources: 1, 4, 5, 8

### Discussion

The project proposes 19 residential apartment units along a major commercial corridor in the City of Scotts Valley. Public utilities, including water, sewer, cable, phone and P.G.&E., are currently available to the site. Public services are available to site as follows.

**Fire Services.** The Scotts Valley Fire Protection District has reviewed the project and has stated this project will have an incremental (less than significant) impact to existing fire protection services.

**Police Services.** The project will add new residents to the City who will occasionally need police services; this type of additional service will not generate a demand beyond what the police department can accommodate.

**Schools.** The project will add new residents to the City, some of which may have children that will be students at schools within the Scotts Valley Unified School District. While the project has the potential to add approximately 41-52 or more people to the City's population, the additional students will not generate a significant demand on the area school system.

**Parks.** The project will add new residents to the City who will occasionally utilize City parks and recreational programs, but this additional use will not generate a demand beyond what the City Parks Department can accommodate. The project will provide private patio space for each apartment unit and a common patio area for project residents.

**Other Public Facilities.** The project does not have the potential to affect other public facilities, in excess of that previously considered by the General Plan.

Finding: For this "Public Service" category discussed above, the new project residents would generate a minor level of new public service needs.

<b>O. RECREATION</b>				
<b>Will the proposed project result in the following environmental effects?</b>	<b>Potentially Significant Impact</b>	<b>Less Than Significant with Mitigation</b>	<b>Less Than Significant Impact</b>	<b>No Impact</b>
<b>1.</b> Would the project increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<b>2.</b> Does the project include recreational facilities or require the construction or expansion of recreational facilities, which might have an adverse physical effect on the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Data Sources: 1, 2, 4, 5, 8, 9

Discussion

**Increased Use of Parks.** The City has approximately 38+ acres of developed park facilities, ranging in size from 0.5 acre to 7.5 acres. The City's Parks Master Plan (Adopted March 1996) calls for 5.0 acres of developed parks per 1,000 persons. With a population of approximately 11,680 persons, the current park system provides 4.12 acres of park land per 1,000 persons. This ratio includes the Community Center and the approved (but not built) 7.32-acre Glenwood park site. The additional population generated by this project (approximately 41-52 or more persons) will add new users to these parks and facilities, but the increased use will be minimal compared to the existing user population. This increased demand is less than significant. Standard conditions will require the developer pay an in-lieu park fee.

Finding: The project will provide private patios for each unit and a common on-site outdoor patio area for residents of the proposed development. The increase of approximately 41-52 or more residents will be less than a 0.6% increase in the City’s population, and will not be a significant increase on demand for park systems. No mitigation is required.

<b>P. TRANSPORTATION/TRAFFIC.</b>				
<b>Will the proposed project result in the following environmental effects?</b>	<b>Potentially Significant Impact</b>	<b>Less Than Significant with Mitigation</b>	<b>Less Than Significant Impact</b>	<b>No Impact</b>
<b>1.</b> Conflict with an applicable plan, ordinance or policy establishing measures of effectiveness for the performance of the circulation system, taking into account all modes of transportation including mass transit and non-motorized travel and relevant components of the circulation system, including but not limited to intersections, streets, highways and freeways, pedestrian and bicycle paths, and mass transit?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<b>2.</b> Conflict with an applicable congestion management program, including, but not limited to level of service standard and travel demand measures, or other standards established by the county congestion management agency for designated roads or highways?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<b>3.</b> Result in a change in air traffic patterns, including either an increase in traffic levels or a change in location, that results in substantial safety risks?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<b>4.</b> Substantially increase hazards due to a design feature (for example, sharp curves or dangerous intersections) or incompatible uses (for example, farm equipment)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<b>5.</b> Result in inadequate emergency access?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<b>6.</b> Conflict with adopted policies, plans, or programs regarding public transit, bicycle, or pedestrian facilities, or otherwise decrease the performance or safety of such facilities?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Data Sources: 1, 2, 4, 5, 8, 9

## Discussion

A Traffic Impact Analysis (TIA) was prepared for the project by Pinnacle Traffic Engineering, in January 2017 for a previously proposed project and updated on September 26, 2017 for the revised project that is currently proposed. TIA includes detailed evaluation of the potential project impacts at Scotts Valley Drive, Civic Center Drive and Disc Drive intersection. The TIA concluded that based on the City's "level of significance" criterion the currently proposed project would not significantly impact local traffic operations.

The site is currently occupied with a surface parking lot with 92 parking stalls, which will be removed as part of the project. The lot has been used for over 20 years under an existing entitlement by the property owner (project applicant) and the Scotts Valley Water District, whose agency currently has a deeded easement for nine stalls. Ingress and egress to site occurs through two exiting driveways, one along Scotts Valley Drive and the other onto Civic Center Drive. Both of these driveways would remain with the proposed development.

The revised project proposes the construction of two new buildings with a total of 19 residential apartments. The project would generate approximately 126 daily trips (two-way trip ends), with 10 trips during the AM peak period (2 inbound and 8 outbound) and 12 trips during the PM peak period (8 inbound and 4 outbound).

The evaluation of existing conditions indicated that average vehicle delays at the Scotts Valley Drive and Civic Center Drive /Disc Drive intersection are within acceptable levels during the PM peak house, as defined by the City of Scotts Valley (LOS C or better). The evaluation of existing plus project conditions indicate that the average delays at the Scotts Valley Drive and Civic Center Drive/Disc Drive intersection will remain within acceptable levels during the PM peak with the addition of the project traffic. Based on the City's level of significance criterion it was concluded that the project would not significantly impact local traffic operations. Standard conditions will require the developer pay development impact fees.

Finding: For this "Transportation and Traffic" category discussed above, the project would have no impacts; therefore, no mitigation is required.

<b>Q. UTILITIES AND SERVICE SYSTEMS</b>				
<b>Will the proposed project result in the following environmental effects?</b>	<b>Potentially Significant Impact</b>	<b>Less Than Significant with Mitigation</b>	<b>Less Than Significant Impact</b>	<b>No Impact</b>
1. Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

<b>Q. UTILITIES AND SERVICE SYSTEMS</b>				
<b>Will the proposed project result in the following environmental effects?</b>	<b>Potentially Significant Impact</b>	<b>Less Than Significant with Mitigation</b>	<b>Less Than Significant Impact</b>	<b>No Impact</b>
<b>2.</b> Require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<b>3.</b> Require or result in the construction of new storm water drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<b>4.</b> Have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<b>5.</b> Result in a determination by the wastewater treatment provider which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<b>6.</b> Be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<b>7.</b> Comply with federal, state, and local statutes and regulations related to solid waste?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Data Sources: 1, 4, 8

### Discussion

The proposed project does not have the potential to affect utility services, in excess of that previously considered by the General Plan. The Scotts Valley Water District has reviewed the application and has determined that existing water resources will support the proposed development. The City Wastewater Department has reviewed the proposed development and has determined that the existing wastewater treatment facilities will handle the anticipated volume of wastewater generated by the proposed development. The project will not generate solid waste in excess of that typically generated by 25 single-family homes and a 5,000 square foot commercial building.

Finding: For this "Utility and Service Systems" category discussed above, the project would have no impacts; therefore, no mitigation is required.



<b>R. MANDATORY FINDINGS OF SIGNIFICANCE</b>				
<b>Will the proposed project result in the following environmental effects?</b>	<b>Potentially Significant Impact</b>	<b>Less Than Significant with Mitigation</b>	<b>Less Than Significant Impact</b>	<b>No Impact</b>
1. Does the project have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
2. Does the project have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects)?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
3. Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

The project will not generate significant impacts and no potentially significant impacts in the areas of air quality, biological resources, cultural resources, geology and soils, hazards, hydrology and water quality, and noise. The potential to significantly degrade the quality of the environment, including effects on animals or plants; the cumulative significant impact on the overdraft of the Santa Margarita aquifer and the City's water supply and temporary construction impacts involving noise and air quality effects can all be reduced or otherwise mitigated to levels of less than significant with the mitigation measures provided in this Initial Study.

### III. DETERMINATION

On the basis of this initial evaluation:

I find that although the proposed project could have a significant effect on the environment, there WILL NOT be a significant effect in this case as:

- a. All significant effects and potentially significant effects have been mitigated, including revisions or mitigation measures that are imposed upon the proposed project; and
- b. This determination reflects the independent judgment of the City of Scotts Valley.

Scott Harriman

04/16/18

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Scott Harriman, Consulting Planner  
City of Scotts Valley, Planning Department

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Date

## IV. DATA SOURCES

1. City of Scotts Valley, General Plan 1994
  2. City of Scotts Valley, Municipal Code
  3. Monterey Bay Unified Air Pollution Control Dist., CEQA Air Quality Guidelines, 2000
  4. \*Project plans by David B. Zulim, Inc., dated revised 9/10/17
  5. Site inspections conducted by Planning Department
  6. \*Arborist Report (Preliminary Tree Inventory and Assessment) by Kurt Fouts, revised dated 8/31/17
  7. \*Acoustical Study by Alan Goldwater, Magic Sound, dated 9/22/17
  8. Comments from public agency representatives at the City's Project Review Committee meetings in 2017
  9. \*Traffic Impact Analysis (TIA) by Pinnacle Traffic Engineering, dated 1/4/17 and revised dated 9/26/17
  10. Dust Control Best Management Practices, U.S. Environmental Protection Agency
  11. Federal Emergency Management Agency (FEMA) Flood Insurance Rate Map Santa Cruz County, Panel 217 of 470, Map #06087C0217E, Map Revised 5/16/12
  12. \*Preliminary Stormwater Control Plan by Roper Engineering, dated 9/13/17
  13. U.S. Census Bureau website <https://www.census.gov/quickfacts/table/PST045215/00>
  14. Geologic Map of Santa Cruz County, compiled by Earl Brabb, dated 1989
- \* Technical reports are all available for review on the at the City of Scotts Valley Planning Department, One Civic Center Drive, Scotts Valley, CA, Monday-Thursday 8am-12noon and on the City's website at:  
[http://www.scottsvally.org/planning/current\\_projects.html](http://www.scottsvally.org/planning/current_projects.html)

## V. EXHIBITS

- A Project plans by David Zulim, Inc., dated revised 10/4/2017
- B Landscape plan by Gregory Lewis Landscape Architect, dated 9/20/17
- C Civil plan by Roper Engineering, dated 9/14/17
- D Arborist Report (Preliminary Tree Inventory & Assessment) by Kurt Fouts, Arborist Consultant. dated December 2016, revised dated 8/31/17
- E Acoustical Engineering Study, Magic Sound, Alan Goldwater, Acoustical Engineer, Dated 9/22/17
- F Preliminary Stormwater Control Plan by Roper Engineering, dated 9/13/17
- G Traffic Impact Analysis by Pinnacle Traffic Engineering, dated 1/4/17, revised dated 9/26/17