AGENDA

Special Meeting of the
Scotts Valley City Council
In-Person and Remote Access
Date: November 29, 2023
Time: 6:00 PM

CONTACT INFORMATION	MEETING LOCATION	POSTING
City of Scotts Valley 1 Civic Center Drive Scotts Valley, CA 95066 (831) 440-5600	City Council Chambers 1 Civic Center Drive Scotts Valley, CA 95066 OR Zoom Video Conference https://us02web.zoom.us/j/83295730901	Agenda posted on 11-21-2023 at City Hall, SV Senior Center, SV Public Works Building, and on the Internet at: www.scottsvalley.gov

ELECTED OFFICIALS	CITY STAFF MEMBERS
Jack Dilles, Mayor Randy Johnson, Vice Mayor Donna Lind, Council Member Derek Timm, Council Member Allan Timms, Council Member	Mali LaGoe, City Manager Kirsten Powell, City Attorney Taylor Bateman, Community Development Director Cathie Simonovich, City Clerk

MEETING NOTICE AND AGENDA PACKET MATERIALS

Notice regarding City Council Meetings:
The City Council meets regularly on the 1st and 3rd Wednesday of each month at 6:00 PM in the City Hall Council Chambers located at 1 Civic Center Drive, Scotts Valley, CA 95066, and via Zoom Webinar remote access.

Agenda and Agenda Packet Materials:
The City Council agenda and the complete agenda packet are available for review by 5:00 PM the Friday before the Wednesday meeting on the Internet at the City's website: www.scottsvalley.gov and in the lobby of City Hall at 1 Civic Center Drive, Scotts Valley, CA. Pursuant to Government Code §54957.5, materials related to an agenda item, submitted after distribution of the agenda packet, are available for public inspection in the lobby of City Hall during normal business hours, Monday-Friday, 8am-12 pm and 1-5 pm. In accordance with AB 1344, such documents will be posted on the City's website at www.scottsvalley.gov.

Public Attendance:
The meeting will be available on Zoom and livestreamed to the City of Scotts Valley's YouTube channel: https://www.youtube.com/channel/UCLNTBScelB4wTfidYHrocWA
For those wishing to watch via Zoom you can join the following ways:

Zoom Webinar meeting link: https://us02web.zoom.us/j/83295730901
Or dial one of these numbers: (669) 900-9128 or (669) 444-9171
Webinar ID: 832 9573 0901

Public Comment
Public comment may be provided in-person only at the appropriate times throughout the meeting. The time limit is up to 3 minutes for an individual, or 5 minutes for someone who is representing a group of three or more, at the discretion of the Mayor. Please note that this is not a question-and-answer time, but simply a time to provide comments to the Council. At the appropriate times during the meeting for public comment, on items not on the agenda, and on specific agenda items, the Mayor will announce that public comment will be accepted. In-person attendees may proceed to the public comment podium when the Mayor opens the item for public comment. Alternatively, written public comment may be emailed to the City Clerk (csimonovich@scottsvalley.gov) by 5:00 PM on the day of the meeting.

CALL TO ORDER 6:00 PM

PLEDGE OF ALLEGIANCE and MOMENT OF SILENCE

ROLL CALL

PUBLIC COMMENT TIME

This is the opportunity for individuals to make and/or submit written or oral comments to the Council on any items within the purview of the Council, which are NOT part of the Agenda. No action on the item may be taken, but the Council may request the matter be placed on a future agenda.

PUBLIC HEARINGS

1. Consideration of a Planning Commission recommendation that the City Council adopt the Scotts Valley General Plan update to replace the existing adopted General Plan, adopt a statement of overriding considerations for significant and unavoidable impacts, and certify the General Plan Final Environmental Impact Report (FEIR).

2. Consideration of a Planning Commission recommendation that the City Council establish a Vehicle Miles Traveled (VMT) Policy inclusive of establishing VMT as the appropriate metric for evaluating transportation related impacts under CEQA, establishing VMT thresholds of significance, establishing screening criteria, and Transportation Demand Management (TDM) strategies.

ADJOURNMENT

ADA NOTICE

The City of Scotts Valley does not discriminate against persons with disabilities. The City Council Chambers is an accessible facility. If you wish to attend a City Council meeting and require assistance such as sign language, a translator, or other special assistance or devices in order to attend and participate at the meeting, please call the City Clerk's office at (831) 440-5600 five to seven days in advance of the meeting to make arrangements for assistance. If you require the agenda of a City Council meeting be available in an alternative format consistent with a specific disability, please call the City Clerk's Office. The California State Relay Service (TTY/VCO/HCO to Voice: English 1-800-735-2929, Spanish 1-800-855-3000; or, Voice to TTY/VCO/HCO: English 1-800-735-2922, Spanish 1-800-855-3000), provides Telecommunications Devices for the Deaf and Disabled and will provide a link between the TDD caller and users of telephone equipment.

PROCEDURAL INFORMATION FOR THE PUBLIC

THE FOLLOWING IS THE PROCEDURE COUNCIL SHOULD TAKE IN APPROVAL OF A RESOLUTION:

1. Move the Resolution number for approval.
2. Second the motion.
3. Vote by body, a roll call vote is not required.

THE FOLLOWING IS THE PROCEDURE COUNCIL SHOULD TAKE IN INTRODUCTION/ADOPTION OF AN ORDINANCE:

1. Move the Ordinance number for introduction (or adoption).
2. Move the Ordinance be introduced by title only and waive the reading of the text.
3. Read the Ordinance title.
4. Second the motion.
5. Vote by body, a roll call vote is not required.

THE FOLLOWING IS THE PROCEDURE COUNCIL SHOULD TAKE IN PUBLIC COMMENT/PUBLIC HEARINGS:

Unless otherwise determined by the presiding officer of the meeting:

1. Three minutes allowed per individual to speak.
2. Five minutes allowed per individual representing a group of three or more.

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City of Scotts Valley
CITY COUNCIL STAFF REPORT

DATE: 11/29/2023

TO: Honorable Mayor and City Council

FROM: Taylor Bateman, Community Development Director

APPROVED: Mali LaGoe, City Manager

SUBJECT: **Consideration of a Planning Commission recommendation that the City Council adopt the Scotts Valley General Plan update to replace the existing adopted General Plan, adopt a statement of overriding considerations for significant and unavoidable impacts, and certify the General Plan Final Environmental Impact Report (FEIR).**

SUMMARY OF ISSUE

Background:

The Scotts Valley General Plan is the City's fundamental governance document that guides decision making, actions, programs, and crafting of more specific policies. It embodies community values and sets general direction for achieving broader visions identified in this document. The topics it addresses are wide-ranging, influencing many aspects of Scotts Valley. It establishes goals, policies, and actions that will guide future land use and environmental protection decisions in Scotts Valley over the next 20+ years.

The General Plan is used by the City Council, Planning Commission, and City staff on a regular basis to make decisions with direct and indirect land use implications. It also provides a framework for inter-jurisdictional coordination of planning efforts among officials and staff of the City and other government agencies such as the County of Santa Cruz and State and Federal agencies.

Scotts Valley's current General Plan was last comprehensively updated in 1994. In 2014, the City embarked on a multi-year pros to comprehensively update its General Plan. In coordination with the City's consultant (Kimley Horn & Associates), staff has prepared the proposed update to the City's General Plan and Environmental Impact Report (EIR) for City Council review and approval.

Organization and Contents:

The General Plan is organized into four main categories. These categories and their respective General Plan element(s) are shown below:

	General Plan Category	General Plan Element(s)
	Built Environment	Land Use Economic Development Housing
	Mobility	Mobility
	Natural Environment	Open Space & Conservation Environmental Review
	Community	Community Services & Facilities Public Safety & Noise

Each element, within the four categories, contains a brief background section, followed by a set of goals, policies, and actions.

The General Plan Update Process – Community Engagement:
Preparation of the General Plan update was led by the Scotts Valley General Plan Advisory Committee (GPAC). The GPAC held 14 meetings over the course of three years. Their volunteer time was instrumental in the process and very much appreciated. All GPAC meetings were open to the public, who were afforded an opportunity to provide comments at each meeting. A full list of GPAC members can be found in the Planning Commission Staff Report (Attachment 4).

Additional Community Outreach included:

- A community workshop was held June 3, 2017 at the Scotts Valley Community Center. The event was facilitated by the GPAC, with support from City staff and consultants. Over 100 participants recorded 250+ comments that were organized into five broad topics (Built Environment, Natural Environment, Mobility, Community, and Looking to the Future)
- A web-based community survey was also conducted. Questions addressed a range of topics including land use and future development, aesthetics and urban design, mobility, parks and recreation, public services, and quality of life. 813 people responded to the survey.

Complete documentation of the workshop and survey can be found in the Envision Scotts Valley – Community Outreach Report (September 2017). The Community Outreach Report, and additional documents and reports related to the General Plan update process can be found on the General Plan update website (http://www.scottsvalleygeneralplan.com/)

Community Values:
Based on the workshop and survey, the following is a summary of the community's values. These values help shape the General Plan's vision statement, goals, policies, and actions that are found in each of the updated General Plan elements.

- The community places a high value on the small-town character of Scotts Valley and want to retain this quality of life into the future.
- Maintaining the valley's natural resources and visual character is a high priority for the community.
- Development of the Town Center into a mixed-use, pedestrian-friendly project is a high priority.
- The pace of future development should be done carefully, with a focus on more high-quality restaurants and retail options.
- More housing choices (types), that are also affordable, is a very important issue to the community.
- The expansion of pedestrian sidewalks and bike paths, as well as trails through open space, is a high priority.
- Residents frequently use the City's parks and other public facilities and are generally very pleased with the facilities and programs.
- Aesthetic improvements through landscaping and building design guidelines were recommended along the Mt. Hermon Road and Scotts Valley Drive corridors.

Vision Statement:
Surrounded by hillsides and forests, Scotts Valley is an energetic City that values a mix of natural and built environments. The residents and business owners will always benefit from a balanced mix of housing, employment, and commercial and services, and foster community interaction, which is the foundation of a family-oriented way of life.

CALIFORNIA ENVIRONMENTAL QUALITY ACT REVIEW (CEQA)
Chapter 8 Environmental Review, in combination with other elements of the General Plan document, serves as the Draft EIR (DEIR) for the project and provides the environmental information and analysis and primary California Environmental Quality Act (CEQA) documentation necessary to adequately consider the effects of the updated General Plan.

The update did not incorporate major changes in land use (i.e., General Plan Land Use designations) and brought the City's General Plan in compliance with current State Law. It also incorporated policies designed to minimize environmental impacts (i.e., "self-mitigating).

Draft and Final EIR:
The DEIR (Attachment 4) was circulated to the State Clearinghouse, all relevant agencies, and interested parties for a 45-day public comment period, beginning on August 7, 2023 and ending on September 21, 2023. The City received two written comments on the DEIR, which are included in the Final EIR (FEIR), along with written response from the City. A FEIR was prepared and attached for consideration (Attachment 4).

Significant and Unavoidable Impacts:
Due to a cumulatively considerable net increase of criteria pollutants for which the project

region is non-attainment under an applicable federal or state ambient air quality standard, the Final EIR concluded there would be a significant and unavoidable air quality impact.

Similarly, while the update includes new policies and programs designed to reduce vehicle miles traveled (VMT) to a reasonable extent, new roadways and increased use of the City's and regional transportation system would result in a significant and unavoidable transportation impact.

To certify the FEIR, the City Council of the City of Scotts Valley, as the CEQA lead agency, complete and adopt the following:

- Make written findings when approving a project for which an EIR was certified; and
- Identify overriding considerations for significant and unavoidable impacts identified in the EIR.

Pursuant to Public Resources Code (PRC) Section 21081(b) and the California Environmental Quality Act (CEQA) Guidelines Section 15093, the City has balanced the benefits of the Project against these unavoidable adverse impacts as described in Exhibit A: Scott Valley General Plan Statement of Overriding Considerations.

PLANNING COMMISSION REVIEW

On November 16, 2023, the Planning Commission reviewed the General Plan update, DEIR, and FEIR and recommended the City Council adopt the General Plan update and associated FEIR.

PUBLIC NOTICE & COMMENT

On November 17, 2023, public hearing notices were posted at City Hall, the Scotts Valley Branch Library, and the Scotts Valley Senior Center, consistent with State law. Staff also sent electronic (e-mail) public hearing notice to all individuals who have requested to receive notice of action taken by the City relative to the General Plan update (Public Hearing Subscribers and General Plan interest List). The public hearing notice was also uploaded to the City's website. In addition, the meeting agenda was posted at various designated posting locations in the City.

FISCAL IMPACT

There is no fiscal impact associated with the recommended action.

STAFF RECOMMENDATION

The Planning Commission recommends that the City Council:

1. Adopt Resolution No. 1119.33 to adopt a Statement of Overriding Considerations for the significant and unavoidable impacts of the Project and certify the General Plan Final EIR; and
2. Adopt Resolution No. 1119.34 approving the updated General Plan to replace the existing adopted 1994 General Plan.

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2. Exhibit A: Statement of Overriding Considerations
3. Resolution No. 1119.34 - Adopting Scotts Valley General Plan
4. Planning Commission Staff Report (11/16/2023) - includes Scotts Valley General Plan Public Review Draft, Draft EIR, and Final EIR

RESOLUTION NO. 1119.33

RESOLUTION OF THE CITY OF SCOTTS VALLEY CITY COUNCIL CERTIFYING A FINAL ENVIROMENTAL IMPACT REPORT, AND ADOPTING A STATEMENT OF OVERRIDING CONSIDERATIONS FOR SIGNIFICANT AND UNAVOIDABLE IMPACTS FOR THE SCOTTS VALLEY GENERAL PLAN UPDATE

WHEREAS, Government Code section 65300 requires the City of Scotts Valley ("City") to adopt and maintain a General Plan that contains certain elements, describes the City's long-term goals for growth and development, and identifies policies and programs to achieve those goals;

WHEREAS, in 2012, the City began the process of comprehensively updating the City's General Plan, and since this time City officials, employees, and community members have been actively involved in the preparation of the updated Scotts Valley General Plan;

WHEREAS, the updated Scotts Valley General Plan applies to all lands within the City limits and also certain lands outside the City limits, which comprise the City's Planning Area;

WHEREAS, the City is the lead agency for the General Plan update ("Project") pursuant to the California Environmental Quality Act ("CEQA");

WHEREAS, the City has completed the General Plan update and analyzed potential environmental impacts in compliance with CEQA. The General Plan update and corresponding environmental review documents are now before the City's decision-making bodies for consideration, certification, and adoption;

WHEREAS, on (July 16, 2020), the City filed a Notice of Preparation ("NOP") with the State Office of Planning and Research (OPR") to determine the scope of environmental review for the General Plan update. The NOP was circulated to the relevant state and local public agencies, as well as to interested organizations and members of the public between July 17, 2020 to August 17, 2020;

WHEREAS, the City prepared a Draft Environmental Impact Report ("Draft EIR") (SCH No.2020070330) for the General Plan update;

WHEREAS, on August 7, 2023, the City filed the Notice of Completion ("NOC") informing OPR that the City had completed the Draft EIR. and recommending distribution of the Draft EIR to certain state agencies for review;

WHEREAS, prior to circulating the Draft EIR for public review, the City distributed and published the Notice of Availability ("NOA") on August 7, 2023 for the Draft EIR to all interested groups, organizations, and individuals;

WHEREAS, the Draft EIR was available for public review and comment for forty- five (45) days, between August 7, 2023 and September 21, 2023;

WHEREAS, the City received a total of three (3) comments, comment letters, and emails relating to the General Plan update during the public review period;

WHEREAS, the City has evaluated and responded to the comments received on the Draft EIR;

WHEREAS, the City has prepared the Final Environmental Impact Report ("Final EIR") for the General Plan update, which incorporates the Draft EIR, contains the City's responses to written comments received on the Draft EIR, and identifies revisions to the Draft EIR;

WHEREAS, pursuant to California Code of Regulations, title 14 ("CEQA Guidelines"), section 15090, the lead agency's decision-making bodies shall review the Final EIR and certify that the Final EIR was prepared in compliance with CEQA;

WHEREAS, pursuant to CEQA Guidelines section 15091, the City has prepared findings regarding the significant adverse environmental impacts that may result from approval and implementation of the General Plan update ("CEQA Findings");

WHEREAS, pursuant to CEQA Guidelines sections 15091 and 15093, the City has prepared a Statement of Overriding Considerations for environmental impacts that are expected to remain significant and unavoidable;

WHEREAS, following notice duly provided as required by law, the Planning Commission held a public hearing on November 16, 2023 at which all interested parties were given an opportunity to comment on the Final EIR, CEQA Findings, and Statement of Overriding Considerations, prior to the Planning Commission's recommendation to the City Council ("City Council");

WHEREAS, the City Council reviewed the Final EIR, the CEQA Findings and the Statement of Overriding Considerations (attached hereto as Exhibit A);

WHEREAS, the Planning Commission, based on its independent review and judgement, unanimously voted to adopt Resolution No. 1788 recommending that the City Council: (1) Certify the Final EIR, and (2) Adopt CEQA Findings and a Statement of Overriding Considerations;

WHEREAS, following notice duly provided as required by law, the City Council held a public hearing on November 29, 2023 at which all interested parties were given an opportunity to comment on the Final EIR, CEQA Findings, and Statement of Overriding Considerations, prior to the City Council's action on these documents

NOW, THEREFORE, BE IT RESOLVED by the City Council as follows:

> SECTION 1: The Final EIR has been completed in compliance with the requirements of CEQA and the City Council has reviewed and considered the information within the Final EIR.

SECTION 2: That the Final EIR represents the independent judgement and analysis of the City.

SECTION 3: The City Council certifies the Final EIR attached hereto and incorporated herein by this reference based on the following findings pursuant to CEQA and the CEQA Guidelines Section 15091, Findings:

1. ***Changes or alterations have been required in, or incorporated into, the project which avoid or substantially lessen the significant environmental effect as identified in the Final EIR.***

   The Scotts Valley General Plan has been prepared to be a self-mitigating document. The policies and actions provided in the General Plan minimize the potentially significant and significant environmental impacts, to the extent feasible. However, two significant and unavoidable regionally based impacts were identified related to air quality and transportation and a Statement of Overriding Considerations has been prepared, as described in the Findings of Fact.

2. ***The City has prepared a program to report on and monitor changes made to the project in order to mitigate or avoid significant effects on the environment.***

   The annual report on General Plan status required pursuant to the Government Code will serve as the monitoring and reporting program for the project. Given this, the Planning Commission and City Council will not need to adopt a Mitigation Monitoring and Reporting Program in accordance with Public Resources Code Section 21081.6(a) and CEQA Guidelines Section 15097 for mitigation measures that have been incorporated into or imposed upon the project to reduce or avoid significant effects on the environment.

3. ***The documents and other materials constituting the record of the proceedings upon which the City's decision and its findings are based will be located at the Planning Department of the City of Scotts Valley in the custody of the Community Development Director.***

   The Final EIR meets the requirements of this finding in that the documents and other material constituting the record of the proceedings upon which the City's decision and findings are located at the Planning Department of the City of Scotts Valley, One Civic Center Drive, Scotts Valley, CA 95066 in the custody of the Community Development Director as part of the public record.

SECTION 4: The City Council approves a Statement of Overriding Considerations for the Final EIR and project based on the following discussion and finding:

4. ***To the extent that adverse or potentially adverse impacts set forth above have not been mitigated to a level of insignificance, that specific***

economic, social, legal, environmental, technological, or other benefits of the project outweigh the significant effects on the environment.

After balancing the specific economic, legal, social, technological, and other benefits of the proposed project, the Council finds that the unavoidable adverse environmental impacts identified may be considered "acceptable" due to the specific considerations listed above which outweigh the unavoidable, adverse environmental impacts of the Project. See Scotts Valley General Plan Statement of Overriding Considerations in Exhibit B.

BE IT FURTHER RESOLVED that the City Council (1) certifies the Final EIR, and (2) adopts a Statement of Overriding Considerations for the Scotts Valley General Plan update.

The above and foregoing resolution was duly and regularly adopted and passed by the City Council of the City of Scotts Valley at a special meeting held on the 29th day of November 2023, by the following vote:

AYES:
NOES:
ABSENT:
ABSTAIN:

Approved: _____
Jack Dilles, Mayor

Attest: _____
Cathie Simonovich, City Clerk

EXHIBIT A
SCOTTS VALLEY GENERAL PLAN

STATEMENT OF OVERRIDING CONSIDERATIONS

The California Environmental Quality Act (CEQA) requires that in the event an agency chooses to approve a project that includes significant and unavoidable impacts which cannot be reduced to acceptable levels, the agency must adopt a written Statement of Overriding Considerations which identifies why the local agency is willing to accept the significant unavoidable effect(s). Pursuant to Public Resources Code Section 21081 and Section 15093 of the CEQA Guidelines, the Planning Commission recommends that the City Council adopt and make the following Statement of Overriding Considerations regarding the remaining significant unavoidable impacts of the Scotts Valley General Plan (Project), and the anticipated economic, social and other benefits of the Project.

The purpose of the statement of overriding considerations is defined in CEQA Guidelines Section 15093 (a and b):

a) CEQA requires the decision-maker to balance, as applicable, the economic, legal, social, technological, or other benefits of a project against its unavoidable environmental risks when determining whether to approve the project. If the specific economic, legal, social, technological, or other benefits of a project outweigh the unavoidable adverse environmental effects, the adverse environmental effects may be considered "acceptable."
b) When the lead agency approves a project which will result in the occurrence of significant effects which are identified in the final EIR but are not avoided or substantially lessened, the agency shall state in writing the specific reasons to support its action based on the final EIR and/or other information in the record. The statement of overriding considerations shall be supported by substantial evidence in the record.

The Statement of Overriding Considerations should be read in conjunction with the findings under Section 15091 and should be used in decision making to balance the benefits of the project against the unavoidable environmental risks. CEQA also requires that the Statement of Overriding Considerations be included in the record of project approval and mentioned in the Notice of Determination.

With the exception of the Significant Unavoidable Impacts described below, all potentially significant and cumulative impacts identified in the Final EIR were determined to be less than significant due to the respective policies and action items described in the General Plan.

Significant and Unavoidable Effects

Project Overview

The Project is an update to the City's existing 1994 General Plan which will guide the City's development and conservation over the next 20 + years. The General Plan addresses the current needs and preferences of the community. It identifies and prioritizes opportunities to preserve the character of the community, conserve natural resources, and direct land use policies that enable sustainable growth in and around Scotts Valley.

The General Plan is the long-range plan or roadmap for the City as a whole. Updates to the General Plan include changes to various policies, addressing land use compatibility and development intensities, establishing impact thresholds for future development projects, and implementing various actions that would help meet its goals.

Significant Unavoidable Impacts

A significant and unavoidable impact was identified for Impact AQ-3 regarding a cumulatively considerable net increase in criteria pollutants. The most recent AMBAG 2018 Population, Housing Unit, and Employment Forecasts project population growth in five-year increments to the year 2040. The 2040 population forecast for the City of Scotts Valley by AMBAG is 12,418 persons. Since the General Plan assumes a population buildout of 15,400 (see Table LU-1: General Plan Buildout Summary), the General Plan would be inconsistent with the AQMP. This inconsistency in population forecasts is considered to result in a cumulatively considerable significant air quality impact. Due to the projected population growth, regional emissions would remain significant, and the General Plan would likely remain inconsistent with the AQMP. No further mitigation is feasible to reduce this impact. Therefore, this impact would remain significant and unavoidable.

A significant and unavoidable impact was identified for Impact T-1 regarding the exceedance of VMT thresholds. While Impact T-1 identifies goals and policies in the Mobility Element, and the City's VMT Implementation Guidelines identifies strategies to reduce VMT, impacts associated with implementation of the General Plan would not be reduced to less than significant due to the increased development, new roadways, and increased use of the City's and regional transportation system. While project-level impact mitigation shall be analyzed to reduce the significance of VMT-related impacts and the City VMT Implementation Guidelines will be continually improved and innovated to require VMT reduction to the extent feasible, this impact would be significant and unavoidable.

No other significant impacts were identified in the Final EIR. This is due to the fact that the General Plan is a programmatic policy document and does not propose specific development projects. Furthermore, where potential significant impacts were initially identified, additional policies were added to the General Plan to "pre-mitigate" such impacts. Lastly, the City of Scotts Valley is a compact urban community that is surrounded by natural barriers to outward expansion. As described in the Land Use Element, developable areas within the City limits are

largely built out. As an established community, new development accommodated by the General Plan would be considered infill development, both on limited remaining vacant lands or intensification and/or redevelopment on underutilized parcels.

Statement of Overriding Considerations

These significant adverse unavoidable impacts have been identified and evaluated in the Final Environmental Impact Report (EIR). Even though these adverse impacts are not reduced to a level considered less than significant, the City finds, after balancing these impacts with the benefits of the Project, that those impacts are outweighed by the benefits of the Project. Further, the alternatives which were identified in the Final EIR to the same extent as the Project would not meet either in part or in whole the Project objectives.

Pursuant to Public Resources Code (PRC) Section 21081(b) and the California Environmental Quality Act (CEQA) Guidelines Section 15093, the City has balanced the benefits of the Project against these unavoidable adverse impacts associated with air quality, and transportation.

The City also has examined alternatives to the Project, none of which both meet the project objectives and is environmentally preferable to the Project. The City, after balancing the specific economic, legal, social, technological, and other benefits of the Project, has determined that the unavoidable adverse environmental impacts identified above may be considered "acceptable" due to the following specific considerations which outweigh the unavoidable, adverse environmental impacts of the Project. Each of the separate benefits of the Project, as stated herein, is determined to be, unto itself and independent of the other project benefits, a basis for overriding all unavoidable adverse environmental impacts identified in these Findings. The City Council and City Planning Commission have independently verified the existence of all facts stated below to justify the Statement of Overriding Considerations.

- Implementation of the updated General Plan will comply with State requirements and, more importantly, will provide the City, its residents, landowners and businesses, staff and policy makers and all stakeholders with a comprehensive, long-range policy guideline for future development.
- Implementation of the updated General Plan will serve as a foundation in making land use decisions based on goals and policies related to land use, transportation routes, population growth and distribution, development, open space, resource preservation and utilization, air and water quality, noise impacts, safety issues and other related physical, social, and economic development factors.
- Implementation of the updated General Plan will address the continuing change, growth, and development of the City over the next two decades and will provide a public policy framework for the future of the city.
- Implementation of the updated General Plan will comply with the State of California requirement that all counties and cities "adopt a comprehensive, long-term general plan for the physical development of the county or city, and of any land outside its

boundaries which in the planning agency's judgment bears relation to its planning" (Government Code Section 65300).

- Implementation of the updated General Plan will create a safe, efficient and balanced transportation network, improve environmental quality, encourage healthier lifestyles, and support economic development. The updated General Plan will develop a safe, efficient, convenient, and attractive transportation system throughout the community, providing links within the City and with neighboring regions, and accommodating automobile, truck, pedestrian, recreational, and public transit needs which will meet current and future development requirements within the planning area.
- Implementation of the updated General Plan will preserve the character of existing single-family residential neighborhoods and continue to improve higher density neighborhoods. Diversity in the types of housing in the City is necessary to accommodate a population with varying socioeconomic needs.
- Implementation of the updated General Plan will identify resources that should be preserved and set the foundation for preservation of these resources by utilizing a variety of tools that will promote the sustainability and environmental integrity of the City. The updated General Plan will establish the City's priorities as they relate to natural, historical and paleontological resources and outline the means for their preservation.
- Implementation of the updated General Plan will preserve existing open space and other undeveloped natural resources and to identify specific criteria in the future selection of open space and recreational facilities. The updated General Plan will help maintain a balance between development and the preservation and use of natural resources as the city continues to grow.
- Implementation of the updated General Plan will promote and support economic development to provide jobs in concert with future population growth.
- Implementation of the updated General Plan will regulate development so that the density of residential development and the intensity of non-residential development are appropriate to the property and to surrounding properties and neighborhood.

Conclusion

After balancing the specific economic, legal, social, technological, and other benefits of the proposed project, the Council finds that the unavoidable adverse environmental impacts identified may be considered "acceptable" due to the specific considerations listed above which outweigh the unavoidable, adverse environmental impacts of the Project.

The Scotts Valley City Council has considered information contained in the EIR prepared for the proposed General Plan as well as the public testimony and record of proceedings in which the Project was considered. Recognizing that significant unavoidable air quality and transportation impacts may result from implementation of the proposed General Plan, the Council finds that the benefits of the General Plan and overriding considerations outweigh the adverse effects of

the project. Having included all feasible mitigation measures as policies and actions in the General Plan, and recognized all unavoidable significant impacts, the Council hereby finds that each of the separate benefits of the proposed General Plan, as stated herein, is determined to be unto itself an overriding consideration, independent of other benefits, that warrants adoption of the proposed General Plan and outweighs and overrides its unavoidable significant effects, and thereby justifies the adoption of the proposed General Plan.

Based on the foregoing findings and the information contained in the record, the Council hereby determines that:

1. All significant effects on the environment due to implementation of the updated Scotts Valley General Plan have been eliminated or substantially lessened where feasible;
2. There are no feasible alternatives to the proposed updated Scotts Valley General Plan which would mitigate or substantially lessen the impacts; and
3. Any remaining significant effects on the environment found to be unavoidable are acceptable due to the factors described in the Statement of Overriding Considerations above.

RESOLUTION NO. 1139.34

RESOLUTION OF THE CITY OF SCOTTS VALLEY CITY COUNCIL ADOPTING THE UPDATED SCOTTS VALLEY GENERAL PLAN

WHEREAS, Government Code section 65300 requires the City of Scotts Valley ("City") to adopt and maintain a General Plan that contains certain elements, describes the City's long-term goals for growth and development, and identifies policies and programs to achieve those goals;

WHEREAS, the last comprehensive update to the City's General Plan was in 1994;

WHEREAS, in 2012, the City began the process of comprehensively updating the City's General Plan, and since this time City officials, employees, and community members have been actively involved in the preparation of the updated Scotts Valley General Plan;

WHEREAS, the updated Scotts Valley General Plan applies to all lands within the City limits and also certain lands outside the City limits, which comprise the City's Planning Area;

WHEREAS, in September 2012 the City selected RBF Consulting, and then due to a change in staffing, in October 2014, the City selected Kimley Horn and Associates to assist with the preparation and drafting of the updated Scotts Valley General Plan and the corresponding Environmental Impact Report;

WHEREAS, the City engaged the community to help formulate the updated Scotts Valley General Plan. Throughout the process, the City Council and Planning Commission held multiple hearings, a community workshop was held at the Scotts Valley Community Center, and a community survey was circulated to households within the City;

WHEREAS, the City formed a General Plan Advisory Committee ("GPAC") made up of fourteen (14) members from the community to provide input and review the policy directions contained in the updated Scotts Valley General Plan. The GPAC met fourteen (14) times throughout the General Plan update process;

WHEREAS, in accordance with Government Code sections 65351 through 65352.5, the City has provided opportunities for public input and involvement on the Scotts Valley General Plan update process, and provided opportunities for consultation to affected public agencies;

WHEREAS, in conformance with Government Code section 65302 describing the mandatory elements of a general plan, the updated Scotts Valley General Plan contains the following chapters, which address the mandatory elements: Land Use, Economic Development, Mobility, Open Space and Conservation, Safety and Noise, and Community Services and Facilities;

WHEREAS, the Housing Element is not included in the updated Scotts Valley General Plan, but the Housing Element is valid through 2023 and remains in full force and effect.

The City last updated the Housing Element in 2015, as certified by the California Department of Housing and Community Development;

WHEREAS, no changes to the City's Sphere of Influence or applications to the Santa Cruz County Local Agency Formation Commission accompanied the updated Scotts Valley General Plan;

WHEREAS, the updated Scotts Valley General Plan will supersede the 1994 General Plan text and maps and all subsequent amendments thereto;

WHEREAS, pursuant to the California Environmental Quality Act ("CEQA"), the City prepared a Draft Environmental Impact Report ("Draft EIR") (SCH No. 2020070330) for the Scotts Valley General Plan update. The Draft EIR was circulated for public review from August 7, 2023 to September 21, 2023. The City has considered and evaluated the comments received on the Draft EIR during the period of public review;

WHEREAS, the City has prepared the Final Environmental Impact Report ("Final EIR") for the Scotts Valley General Plan update, which incorporates the Draft EIR, contains the City's responses to written comments received on the Draft EIR, and identifies revisions to the Draft EIR;

WHEREAS, prior to recommending adoption of the updated Scotts Valley General Plan, the Planning Commission reviewed and considered the analysis contained in the Final EIR. The Planning Commission recommends that the City Council (1) certify the Final EIR, (2) adopt CEQA Findings for Significant Environmental Impacts and a Statement of Overriding Considerations, for the Scotts Valley General Plan update; and (3) adopt the updated Scotts Valley General Plan;

WHEREAS, on November 16, 2023, the Planning Commission held a duly noticed public hearing on the updated Scotts Valley General Plan, considered all written and oral reports of City staff, provided opportunities for the public to speak, and considered all comments on the matter as reflected in the record;

WHEREAS, in conjunction with its review of the Scotts Valley General Plan, the Planning Commission adopted Resolution No. 1788, recommending that the City Council (1) Certify the Final EIR, (2) adopt CEQA Findings for Significant Environmental Impacts and a Statement of Overriding Considerations, and (3) adopt the updated Scotts Valley General Plan;

WHEREAS, on November 29, 2023, the City Council held a duly noticed public hearing on the hearing on the updated Scotts Valley General Plan, considered all written and oral reports of City staff, provided opportunities for the public to speak, and considered all comments on the matter as reflected in the record;

WHEREAS, by separate Resolution in conjunction with its review of the Scotts Valley General Plan, the City Council: (1) Certified the Final EIR, and (2) Adopted CEQA Findings for Significant Environmental Impacts and a Statement of Overriding Considerations;

NOW, THEREFORE, BE IT RESOLVED by the City Council as follows:

1. The City Council hereby finds that the updated Scotts Valley General Plan and all its elements comprise a comprehensive, long-range, internally consistent statement of the City's goals, policies, and actions related to Land Use, Economic Development, Mobility, Open Space and Conservation, Safety and Noise, and Community Services and Facilities. The Planning Commission further finds that the (6) chapters of the updated Scotts Valley General Plan include the elements required by Government Code section 65302.

2. The Planning Commission hereby finds the updated Scotts Valley General Plan will promote the public health, safety, and welfare of the City's residents by establishing goals, policies, and actions to guide the City's future growth and development within the City's Planning Area.

3. The City Council hereby finds that the Scotts Valley General Plan will supersede the current 1994 General Plan in its entirety, with the exception of the Housing Element (2015). The 2015 Housing Element is hereby incorporated into the Scotts Valley General Plan by reference.

4. In accordance with the California Environmental Quality Act, by separate Resolution, the City Council certified the Final EIR (SCH No. 2020070330) and adopted CEQA Findings and a Statement of Overriding Considerations.

BE IT FURTHER RESOLVED that the City Council hereby adopts the updated Scotts Valley General Plan.

The above and foregoing resolution was duly and regularly adopted and passed by the City Council of the City of Scotts Valley at a special meeting held on the 29th day of November 2023, by the following vote:

AYES:
NOES:
ABSENT:
ABSTAIN:

Approved: _____
Jack Dilles, Mayor

Attest: _____
Cathie Simonovich, City Clerk

DATE:	November 16, 2023
TO:	Scotts Valley Planning Commission
FROM:	Bill Wiseman, Planning Consultant
APPROVED:	Taylor Bateman, Community Development Director
RE:	**Scotts Valley General Plan Update**
RECOMMENDATION:	Consider adoption of a Resolution recommending the City Council adopt the General Plan Update to replace the existing adopted General Plan, adopt a Statement of Overriding Considerations for significant and unavoidable impacts, and certify the General Plan Final Environmental Impact Report (FEIR).

INTRODUCTION

The Scotts Valley General Plan is the City's fundamental governance document that guides decision making, actions, programs, and crafting of more specific policies. It embodies community values and sets general direction for achieving broader visions identified in this document. The topics it addresses are wide-ranging, influencing many aspects of Scotts Valley.

It establishes goals, policies, and actions that will guide future land use and environmental protection decisions in Scotts Valley over the next 20 + years.

The General Plan is used by the City Council, Planning Commission, and City staff on a regular basis to make decisions with direct and indirect land use implications. It also provides a framework for inter-jurisdictional coordination of planning efforts among officials and staff of the City and other government agencies such as the County of Santa Cruz and State and Federal agencies

Scotts Valley's current General Plan was last comprehensively updated in 1994. In 2014, the City embarked on a multi-year process to comprehensively update its General Plan. In coordination with the City's consultant (Kimley-Horn & Associates), staff has prepared the proposed update to the City's General Plan and Environmental Impact Report (EIR) for Planning Commission's review and recommendation to the City Council.

PURPOSE AND LEGAL BASIS

In California, general plans serve as the "Constitution" for all future development in cities. The General Plan provides the fundamental basis for the City's land use and development policy,

and represents the basic community values, ideals, and aspirations to govern a shared environment over the life of the General Plan. The General Plan addresses all aspects of development including land use, environmental management and sustainability, traffic and circulation, housing, parks and recreation, and other topics. The General Plan's policies are implemented through the Municipal Code and other City regulations.

California Government Code Section 65300 requires that the General Plan be comprehensive, internally consistent, and long-term. Although it is required to address the issues specified by State law, the General Plan is ultimately organized in a way that best suits Scotts Valley. The General Plan should be clearly written, available to all those concerned with the community's development, and easy to administer. This document supersedes the previous General Plan, which was adopted in 1994.

The overall role of the General Plan is to:

- Define a realistic vision of what the City desires to be in 20 years.
- Express policy direction in regard to the physical, social, economic, cultural, and environmental character of the city.
- Serve as a comprehensive guide for making decisions about land use, mobility, protection of environmental resources, housing, safety, and noise.
- Provide the legal foundation for zoning, subdivision, and public facilities ordinances; other adopted citywide plans; and compliance with the California Environmental Quality Act (CEQA).
- Present a clear and easy to understand format that encourages public participation and understanding.

ORGANIZATION AND CONTENTS

The updated Scotts Valley General Plan is organized according to four main categories. These categories and their respective General Plan element(s) are shown below.

	General Plan Category	General Plan Element(s)
	Built Environment	Land Use Economic Development Housing
	Mobility	Mobility
	Natural Environment	Open Space & Conservation Environmental Review
	Community	Community Services & Facilities Public Safety & Noise

Each element, within the four categories, contains a brief background section, following by a set of goals, policies and actions.

The following provides a description of goals, policies and actions and explains the relationship between them:

- A **goal** is a description of the general desired result that the City seeks to create through the implementation of its General Plan. They are general statements of aspiration or intent to achieve an endpoint and may be attainable.
- A **policy** is a specific statement that regulates activities in the City, guides decision-making, and directs on-going efforts as the City works to achieve a goal. A policy is on-going and requires no further implementation. The General Plan's policies set out the standards that will be used by City staff, the Planning Commission, and City Council in their review of land development projects and in decision-making about City actions.
- An **action** is a measure, procedure, or technique intended to help reach a specified goal or policy. The City must take additional steps to implement each action in the General Plan. An action is not on-going, but rather something that can and will be completed. Taken together, the actions in this General Plan constitute a "to-do list" for the City of Scotts Valley.

Organization of Policies

The updated Scotts Valley General Plan provides guidance for four levels of geography, from the region to the individual project level. It also looks outward to Santa Cruz County, Northern California, and beyond to stay abreast of larger current events affecting Scotts Valley and to provide leadership in regional matters. It also looks inward at the City of Scotts Valley, its neighborhoods, and individual projects as three sub-areas where implementation of the updated Scotts Valley General Plan occurs.

Thus, policies are organized into those four geographic levels. The City plays different roles in these different geographic levels, as follows:

Region/Sub-region– For matters affecting Scotts Valley that extend beyond its borders, the City communicates and coordinates with neighboring cities or other authorities operating within Santa Cruz County, the Monterey Bay Region or Northern California.

City-wide– Within Scotts Valley's borders, the City makes decisions within its jurisdiction about activities that affect the public interest, partners with other public agencies and private sector entities, and develops plans, programs and policies that will be carried out citywide.

Neighborhood/District–Neighborhoods or districts are areas with their own distinct identities within the context of the larger community. They lend themselves to the formation of community-based groups that seek to improve or maintain these areas. The City can enhance districts within Scotts Valley by working with these groups, guiding development, directly making physical improvements and carrying out programs. At the neighborhood level, the City plays a similar role with an emphasis on maintaining and enhancing neighborhood character. While districts and neighborhoods have their own identities, the individual districts and neighborhoods are interconnected physically, economically and socially. The City initiates and supports efforts in these areas within the context of the community.

Project– A project is an undertaking that changes the built environment. Often it is an individual proposal for development that the City reviews for compliance with policies and regulations. As part of this review, the City considers the project's possible environmental impacts, and impacts on public infrastructure such as streets and parks. The City also carries out projects of its own, such as construction of public facilities—sometimes in partnership with a private entity or another public agency such as a school district.

General Plan and Zoning Consistency

State planning and zoning law also establishes that zoning ordinances are required to be consistent with the general plan and any applicable specific plans, area plans, master plans, and other related planning documents. When amendments to the general plan are made, corresponding changes in the zoning ordinance may be required within a reasonable time to

ensure consistency between the revised land use designations in the general plan (if any) and the permitted uses or development standards of the zoning ordinance (Gov. Code Section 65860, subd. [c]).

THE GENERAL PLAN UPDATE PROCESS

General Plan Advisory Committee

Preparation of the general plan update was led by the Scotts Valley General Plan Advisory Committee (GPAC). The GPAC held fourteen meetings over the course of three years. Their volunteer time was instrumental in the process and very much appreciated. All GPAC meetings were open to the public who were afforded an opportunity to provide comments at each meeting.

GPAC Members:

Derek Timm, Scotts Valley City Council
Lori Gentile, Scotts Valley Planning Commission
Cathie Simonovich, Scotts Valley Parks & Recreation Commission
Russ Patterson, Chair, Scotts Valley Fire Protection District Board of Directors
Michael Shulman, President, Scotts Valley Unified School District Board of Directors
John Yost, President, Scotts Valley Chamber of Commerce Board of Directors
Chris Perri, Vice President, Scotts Valley Water District Board of Directors
Steven Clark, At-Large Member, Appointed by the Scotts Valley City Council
Angela Franklin, At-Large Member, Appointed by the Scotts Valley City Council
Jeff Hill, At-Large Member, Appointed by the Scotts Valley City Council

Past Members:
Jim Reed, Scotts Valley City Council
Randy Johnson, Scotts Valley City Council
Eric Seib, Chair, Scotts Valley Parks & Recreation Commission
Ed Harmon, At-Large Member, Appointed by the Scotts Valley City Council

Community Outreach

Open House

To solicit community input, a community workshop was held June 3, 2017, at the Scotts Valley Community Center. It was facilitated by members of the GPAC, with support from City staff and consultants. Utilizing an open-house format, more than 100 participants recorded some 250 + comments organized according to five broad topics, namely; 1) Built Environment, 2) Natural Environment, 3) Mobility, 4) Community, and 5) Looking to the Future.

Online Survey

A web-based community survey was also conducted to receive input from the broader community. The survey was comprised of 50 questions addressing a range of topics including land use and future development, aesthetics and urban design, mobility, parks and recreation, public services and community of life. Fifteen questions included an opportunity for narrative comments. 813 people responded to the survey.

Community Values

Based on the workshop and the survey, the following is a summary of the community's values:

- The community places a high value on the small-town character of Scotts Valley and want to retain this quality of life into the future.
- Maintaining the valley's natural resources and visual character is a high priority for the community.
- Development of the Town Center into a mixed-use, pedestrian-friendly project is a high priority.
- The pace of future development should be done carefully, with a focus on more high-quality restaurants and retail options.
- More housing choices (types), that are also affordable, is a very important issue to the community.
- The expansion of pedestrian sidewalks and bike paths, as well as trails through open space, is a high priority.
- Residents frequently use the City's parks and other public facilities and are generally very pleased with the facilities and programs.
- Aesthetic improvements through landscaping and building design guidelines were recommended along the Mt. Hermon Road and Scotts Valley Drive corridors.

Complete documentation of the workshop and survey can be found in Envision Scotts Valley – Community Outreach Report (September 2017), available on the General Plan update website described below.

General Plan update Website

A General Plan update website (http://www.scottsvalleygeneralplan.com) was maintained throughout the update process. This website provides links to all documents, reports, and presentations. It also included an email signup function. This General Plan Interest List contains approximately 100 email addresses and has been used to notify subscribers of all meetings as well as the release of the Public Review Draft General Plan and EIR.

VISION STATEMENT AND GUIDING PRINCIPLES

Vision Statement

Surrounded by hillsides and forests, Scotts Valley is an energetic City that values a mix of natural and built environments. The residents and business owners will always benefit from a balanced mix of housing, employment, and commercial and services, and foster community interaction that is the foundation of a family-oriented way of life.

Guiding Principles

Community Identity & Connections

CIC-1 Preserve and enhance Scotts Valley's safe, small-town character and natural wooded setting in balance with these other guiding principles.

CIC-2 Use high-quality design features and amenities through appropriate architecture, landscape, and streetscape designs that enhance the visual appearance of new development in public spaces, including parks and roadways.

CIC-3 Encourage year-round community events and activities that facilitate interaction with neighbors and the broader community.

CIC-4 Ensure that all neighborhoods enjoy access to community services and amenities.

CIC-5 Promote Scotts Valley as a welcoming community that supports diverse backgrounds and ideas.

Natural Resources

NR-1 Protect and enhance natural and scenic resources – including creeks and hillsides which enhance the city's character.

NR-2 Act as environmental stewards in the sustainable management of our natural resources and open space.

NR-3 Seek opportunities to advance the use of renewable resources and minimize impacts to air quality, noise, and greenhouse gas emissions.

Neighborhoods & Housing

NH-1 Maintain and enhance the existing character of our residential neighborhoods.

NH-2 Support neighborhood improvements that foster identity and build stability, inclusiveness, and interaction.

NH-3 Maintain safe residential neighborhoods that minimize noise, provide adequate parking and discourage crosscut traffic.

NH-4 Encourage a diverse housing stock that accommodates a wide range of demographic and economic needs.

Mobility

M-1 Provide a balanced transportation system that accommodates the need of automobiles, transit, pedestrians, and bicycles.

M-2 Pursue opportunities for pedestrian and bicycle networks that connect neighborhoods to schools and commercial uses throughout the City.

M-3 Promote transportation options that are safe and convenient for all residents, including youth, seniors, and persons with disabilities.

Growth and Economic Development

GED-1 Pursue a balanced approach to future development that supports housing, employment, and commercial needs and services in balance with these other guiding principles.

GED-2 Target future growth within existing commercial corridors of Scotts Valley Drive and Mount Hermon Road so as to not adversely impact residential neighborhoods.

GED-3 Foster a diverse local economy that supports local businesses, employs local residents, and maintains the fiscal health of the City to provide public services and facilities.

GED-4 Support the development of the town center.

GED-5 Foster a healthy business community that provides a diverse mix of the goods and services.

ENVIRONMENTAL REVIEW

Chapter 8 Environmental Review, in combination with other elements of the General Plan document, serves as the Draft EIR for the project and provides the environmental information and analysis and primary California Environmental Quality Act (CEQA) documentation necessary to adequately consider the effects of the updated General Plan.

The update did not incorporate major changes in land use (i.e., General Plan Land Use designations) and brought the City's General Plan in compliance with current State Law. It also incorporated policies designed to minimize environmental impacts (i.e., "self-mitigating).

However, due to a cumulatively considerable net increase of criteria pollutants for which the project region is non-attainment under an applicable federal or state ambient air quality standard, the Final EIR concluded there would be a significant and unavoidable air quality impact.

Similarly, while the update includes new policies and programs designed to reduce vehicle miles traveled (VMT) to a reasonable extent, new roadways and increased use of the City's and regional transportation system would result in a significant and unavoidable transportation impact.

Pursuant to Public Resources Code (PRC) Section 21081(b) and the California Environmental Quality Act (CEQA) Guidelines Section 15093, the City has balanced the benefits of the Project against these unavoidable adverse impacts as described in Exhibit B: Scott Valley General Plan Statement of Overriding Considerations.

Notice of Preparation

A Notice of Preparation (NOP) of an EIR for the update to the Scotts Valley General Plan (the project) was submitted to the State Clearinghouse, state responsible and trustee agencies, other public agencies, and interested parties on July 16, 2020 (State Clearinghouse # 2020070330).

Due to social distancing requirements as mandated at the time by the County of Santa Cruz and the State of California, a scoping meeting was not held. However, those persons who wanted additional information about the project and scope of the Draft EIR were encouraged to contact the City of Scotts Valley. The 30-day NOP comment period closed on August 17, 2020.

Three letters were received from: 1) CA Department of Fish & Wildlife, 2) Caltrans, and 3) the Native American Heritage Commission. Comments raised were addressed in the Draft EIR.

Notice of Availability

A Notice of Availability (NOA) of the Draft EIR was circulated to the State Clearinghouse, all relevant agencies, and interested parties for a 45-day public comment period, beginning on August 7, 2023, and ending on September 21, 2023.

Final EIR

The City received two written comments on the Draft EIR, which are included in the Final EIR , along with written responses from the City. No new significant environmental impacts or issues, beyond those already covered in the Draft EIR were raised during the comment period. Responses to comments received during the comment period do not involve any new significant impacts or add "significant new information" that would require recirculation of the Draft EIR pursuant to CEQA Guidelines Section 15088.5.

CEQA Guidelines Section 15088.5 states that: New information added to an EIR is not "significant" unless the EIR is changed in a way that deprives the public of a meaningful opportunity to comment upon a substantial adverse environmental effect of the project or a

feasible way to mitigate or avoid such an effect (including a feasible project alternative) that the project's proponents have declined to implement.

The Final EIR has been prepared in accordance with CEQA, California Resources Code Section 21000 et seq.; the Guidelines for the California Environmental Quality Act (California Code of Regulations, Title 14, Chapter 3).

The Scotts Valley City Council will review and consider the Final EIR. If the City finds that the Final EIR is "adequate and complete," the City Council may certify the Final EIR in accordance with CEQA. The rule of adequacy generally holds that a Final EIR can be certified if:

- The EIR shows a good faith effort at full disclosure of environmental information; and
- The EIR provides sufficient analysis to allow decisions to be made regarding the proposed project in contemplation of environmental considerations.

Upon review, consideration, and certification of the Final EIR, the City Council (with favorable recommendation from the Planning Commission) may take action to approve, revise, or reject the project. A decision to approve the Scotts Valley General Plan, for which the Final EIR identifies significant environmental effects, must be accompanied by written findings in accordance with State CEQA Guidelines Sections 15091 and 15093.

Mitigation Monitoring and Reporting Program

The Scotts Valley General Plan has been prepared to be a self-mitigating document. The policies and actions provided in the General Plan minimize the potentially significant and significant environmental impacts, to the extent feasible. No additional mitigation is available, as described in the Findings of Fact. The annual report on General Plan status required pursuant to the Government Code will serve as the monitoring and reporting program for the project. Given this, the Planning Commission and City Council will not need to adopt a Mitigation Monitoring and Reporting Program in accordance with Public Resources Code Section 21081.6(a) and CEQA Guidelines Section 15097 for mitigation measures that have been incorporated into or imposed upon the project to reduce or avoid significant effects on the environment.

Findings of Fact and Statement of Overriding Considerations

The California Environmental Quality Act (CEQA) requires the City Council of Scotts Valley, as the CEQA lead agency, to complete and adopt the following:

- Make written findings when approving a project for which an EIR was certified; and
- Identify overriding considerations for significant and unavoidable impacts identified in the EIR.

The findings explain how the City, as the lead agency, approached the significant and potentially significant impacts identified in the environmental impact report prepared for the Scotts Valley General Plan (the Project). The City has prepared Findings of Fact and a Statement of Overriding Considerations in conformance with CEQA Guidelines Section 15309 (Exhibit B).

PUBLIC NOTICE

On November 3, 2023, public hearing notices were posted at City Hall, the Scotts Valley Parks and Recreation Department, and the Scotts Valley Senior Center, consistent with State law. Staff also sent electronic (e-mail) and mailed the public hearing notice to all individuals that have requested to receive notice of actions taken by the City relative to the General Plan Update (Public Hearing Subscribers and General Plan Interest List). The Public Hearing Notice was also uploaded on the City's website and the General Plan Update website. In addition, the meeting agenda was posted at various designated posting locations in the City.

RECOMMENDATION

Staff recommends that the Planning Commission consider all information presented at the public hearing and if determined to be appropriate, adopt a Resolution recommending the City Council adopt the updated General Plan to replace the existing adopted General Plan, adopt a statement of Overriding Considerations for the significant and unavoidable impacts of the project and certify the General Plan Final Environmental Impact Report.

Attachments

1. Exhibit A: Resolution recommending adoption of the Scotts Valley General Plan
2. Exhibit B: Scott Valley General Plan Statement of Overriding Considerations
3. Exhibit C: Scotts Valley General Plan (which includes the Draft EIR)
4. Exhibit D: Scotts Valley General Plan Final EIR

RESOLUTION NO. 1788

RESOLUTION OF THE PLANNING COMMISSION RECOMMENDING TO THE CITY COUNCIL CERTIFICATION OF A FINAL ENVIROMENTAL IMPACT REPORT, ADOPTION OF A STATEMENT OF OVERRIDING CONSIDERATIONS FOR SIGNIFICANT AND UNAVOIDABLE IMPACTS, AND ADOPTION OF THE UPDATED SCOTTS VALLEY GENERAL PLAN

WHEREAS, Government Code section 65300 requires the City of Scotts Valley ("City") to adopt and maintain a General Plan that contains certain elements, describes the City's long-term goals for growth and development, and identifies policies and programs to achieve those goals;

WHEREAS, under State law and the Municipal Code, the Planning Commission is charged with reviewing updates and amendments to the City's General Plan, and making recommendations to the City Council;

WHEREAS, the last comprehensive update to the City's General Plan was in 1994;

WHEREAS, in 2012, the City began the process of comprehensively updating the City's General Plan, and since this time City officials, employees, and community members have been actively involved in the preparation of the updated Scotts Valley General Plan;

WHEREAS, the updated Scotts Valley General Plan applies to all lands within the City limits and also certain lands outside the City limits, which comprise the City's Planning Area;

WHEREAS, in September 2012 the City selected RBF Consulting, and then due to a change in staffing, in October 2014, the City selected Kimley Horn and Associates to assist with the preparation and drafting of the updated Scotts Valley General Plan and the corresponding Environmental Impact Report;

WHEREAS, the City engaged the community to help formulate the updated Scotts Valley General Plan. Throughout the process, the City Council and Planning Commission held multiple hearings, a community workshop was held at the Scotts Valley Community Center, and a community survey was circulated to households within the City;

WHEREAS, the City formed a General Plan Advisory Committee ("GPAC") made up of fourteen (14) members from the community to provide input and review the policy directions contained in the updated Scotts Valley General Plan. The GPAC met fourteen (14) times throughout the General Plan update process;

WHEREAS, in accordance with Government Code sections 65351 through 65352.5, the City has provided opportunities for public input and involvement on the Scotts Valley General Plan update process, and provided opportunities for consultation to affected public agencies;

WHEREAS, in conformance with Government Code section 65302 describing the mandatory elements of a general plan, the updated Scotts Valley General Plan contains

the following chapters, which address the mandatory elements: Land Use, Economic Development, Mobility, Open Space and Conservation, Safety and Noise, and Community Services and Facilities;

WHEREAS, the Housing Element is not included in the updated Scotts Valley General Plan, but the Housing Element is valid through 2023 and remains in full force and effect. The City last updated the Housing Element in 2015, as certified by the California Department of Housing and Community Development;

WHEREAS, no changes to the City's Sphere of Influence or applications to the Santa Cruz County Local Agency Formation Commission accompanied the updated Scotts Valley General Plan;

WHEREAS, the updated Scotts Valley General Plan will supersede the 1994 General Plan text and maps and all subsequent amendments thereto;

WHEREAS, pursuant to the California Environmental Quality Act ("CEQA"), the City prepared a Draft Environmental Impact Report ("Draft EIR") (SCH No. 2020070330) for the Scotts Valley General Plan update. The Draft EIR was circulated for public review from August 7, 2023 to September 21, 2023. The City has considered and evaluated the comments received on the Draft EIR during the period of public review;

WHEREAS, the City has prepared the Final Environmental Impact Report ("Final EIR") for the Scotts Valley General Plan update, which incorporates the Draft EIR, contains the City's responses to written comments received on the Draft EIR, and identifies revisions to the Draft EIR;

WHEREAS, prior to recommending adoption of the updated Scotts Valley General Plan, the Planning Commission reviewed and considered the analysis contained in the Final EIR. The Planning Commission recommends that the City Council (1) certify the Final EIR, (2) adopt CEQA Findings for Significant Environmental Impacts and a Statement of Overriding Considerations, for the Scotts Valley General Plan update; and (3) adopt the updated Scotts Valley General Plan; and

WHEREAS, on November 16, 2023, the Planning Commission held a duly noticed public hearing on the updated Scotts Valley General Plan, considered all written and oral reports of City staff, provided opportunities for the public to speak, and considered all comments on the matter as reflected in the record.

NOW, THEREFORE, BE IT RESOLVED by the Planning Commission as follows:

SECTION 1: The Final EIR has been completed in compliance with the requirements of CEQA and the Planning Commission has reviewed and considered the information within the Final EIR.

SECTION 2: That the Final EIR represents the independent judgement and analysis of the City.

SECTION 3: The Planning Commission recommends that the City Council certify the Final EIR attached hereto and incorporated herein by this reference based on the following findings pursuant to CEQA and the CEQA Guidelines Section 15091, Findings:

1. ***Changes or alterations have been required in, or incorporated into, the project which avoid or substantially lessen the significant environmental effect as identified in the Final EIR.***

   The Scotts Valley General Plan has been prepared to be a self-mitigating document. The policies and actions provided in the General Plan minimize the potentially significant and significant environmental impacts, to the extent feasible. However, two significant and unavoidable regionally based impacts were identified related to air quality and transportation and a Statement of Overriding Considerations has been prepared, as described in the Findings of Fact.

2. ***The City has prepared a program to report on and monitor changes made to the project in order to mitigate or avoid significant effects on the environment.***

   The annual report on General Plan status required pursuant to the Government Code will serve as the monitoring and reporting program for the project. Given this, the Planning Commission and City Council will not need to adopt a Mitigation Monitoring and Reporting Program in accordance with Public Resources Code Section 21081.6(a) and CEQA Guidelines Section 15097 for mitigation measures that have been incorporated into or imposed upon the project to reduce or avoid significant effects on the environment.

3. ***The documents and other materials constituting the record of the proceedings upon which the City's decision and its findings are based will be located at the Planning Department of the City of Scotts Valley in the custody of the Community Development Director.***

   The Final EIR meets the requirements of this finding in that the documents and other material constituting the record of the proceedings upon which the City's decision and findings are located at the Planning Department of the City of Scotts Valley, One Civic Center Drive, Scotts Valley, CA 95066 in the custody of the Community Development Director as part of the public record.

SECTION 4: The Planning Commission recommends that the City Council approve a Statement of Overriding Considerations for the Final EIR and project based on the following discussion and finding:

4. ***To the extent that adverse or potentially adverse impacts set forth above have not been mitigated to a level of insignificance, that specific***

economic, social, legal, environmental, technological, or other benefits of the project outweigh the significant effects on the environment.

After balancing the specific economic, legal, social, technological, and other benefits of the proposed project, the Council finds that the unavoidable adverse environmental impacts identified may be considered "acceptable" due to the specific considerations listed above which outweigh the unavoidable, adverse environmental impacts of the Project. See Scotts Valley General Plan Statement of Overriding Considerations.

SECTION 5: The Planning Commission hereby finds that the updated Scotts Valley General Plan and all its elements comprise a comprehensive, long-range, internally consistent statement of the City's goals, policies, and actions related to Land Use, Economic Development, Mobility, Open Space and Conservation, Safety and Noise, and Community Services and Facilities. The Planning Commission further finds that the (6) chapters of the updated Scotts Valley General Plan include the elements required by Government Code section 65302.

SECTION 6: The Planning Commission hereby finds the updated Scotts Valley General Plan will promote the public health, safety, and welfare of the City's residents by establishing goals, policies, and actions to guide the City's future growth and development within the City's Planning Area.

BE IT FURTHER RESOLVED that the Planning Commission recommends that the City Council: (1) Certify the Final EIR, (2) Adopt a Statement of Overriding Considerations, and (3) Adopt the updated Scotts Valley General Plan.

The above and foregoing resolution was duly and regularly adopted and passed by the Planning Commission of the City of Scotts Valley at a regular meeting held on the 16th day of November 2023, by the following vote:

AYES:
NOES:
ABSENT:
ABSTAIN:

_____
Lori Gentile, Chair

_____
Taylor Bateman, Community Development Director

EXHIBIT B
SCOTTS VALLEY GENERAL PLAN

STATEMENT OF OVERRIDING CONSIDERATIONS

The California Environmental Quality Act (CEQA) requires that in the event an agency chooses to approve a project that includes significant and unavoidable impacts which cannot be reduced to acceptable levels, the agency must adopt a written Statement of Overriding Considerations which identifies why the local agency is willing to accept the significant unavoidable effect(s). Pursuant to Public Resources Code Section 21081 and Section 15093 of the CEQA Guidelines, the Planning Commission recommends that the City Council adopt and make the following Statement of Overriding Considerations regarding the remaining significant unavoidable impacts of the Scotts Valley General Plan (Project), and the anticipated economic, social and other benefits of the Project.

The purpose of the statement of overriding considerations is defined in CEQA Guidelines Section 15093 (a and b):

a) CEQA requires the decision-maker to balance, as applicable, the economic, legal, social, technological, or other benefits of a project against its unavoidable environmental risks when determining whether to approve the project. If the specific economic, legal, social, technological, or other benefits of a project outweigh the unavoidable adverse environmental effects, the adverse environmental effects may be considered "acceptable."
b) When the lead agency approves a project which will result in the occurrence of significant effects which are identified in the final EIR but are not avoided or substantially lessened, the agency shall state in writing the specific reasons to support its action based on the final EIR and/or other information in the record. The statement of overriding considerations shall be supported by substantial evidence in the record.

The Statement of Overriding Considerations should be read in conjunction with the findings under Section 15091 and should be used in decision making to balance the benefits of the project against the unavoidable environmental risks. CEQA also requires that the Statement of Overriding Considerations be included in the record of project approval and mentioned in the Notice of Determination.

With the exception of the Significant Unavoidable Impacts described below, all potentially significant and cumulative impacts identified in the Final EIR were determined to be less than significant due to the respective policies and action items described in the General Plan.

Significant and Unavoidable Effects

Project Overview

The Project is an update to the City's existing 1994 General Plan which will guide the City's development and conservation over the next 20 + years. The General Plan addresses the current needs and preferences of the community. It identifies and prioritizes opportunities to preserve the character of the community, conserve natural resources, and direct land use policies that enable sustainable growth in and around Scotts Valley.

The General Plan is the long-range plan or roadmap for the City as a whole. Updates to the General Plan include changes to various policies, addressing land use compatibility and development intensities, establishing impact thresholds for future development projects, and implementing various actions that would help meet its goals.

Significant Unavoidable Impacts

A significant and unavoidable impact was identified for Impact AQ-3 regarding a cumulatively considerable net increase in criteria pollutants. The most recent AMBAG 2018 Population, Housing Unit, and Employment Forecasts project population growth in five-year increments to the year 2040. The 2040 population forecast for the City of Scotts Valley by AMBAG is 12,418 persons. Since the General Plan assumes a population buildout of 15,400 (see Table LU-1: General Plan Buildout Summary), the General Plan would be inconsistent with the AQMP. This inconsistency in population forecasts is considered to result in a cumulatively considerable significant air quality impact. Due to the projected population growth, regional emissions would remain significant, and the General Plan would likely remain inconsistent with the AQMP. No further mitigation is feasible to reduce this impact. Therefore, this impact would remain significant and unavoidable.

A significant and unavoidable impact was identified for Impact T-1 regarding the exceedance of VMT thresholds. While Impact T-1 identifies goals and policies in the Mobility Element, and the City's VMT Implementation Guidelines identifies strategies to reduce VMT, impacts associated with implementation of the General Plan would not be reduced to less than significant due to the increased development, new roadways, and increased use of the City's and regional transportation system. While project-level impact mitigation shall be analyzed to reduce the significance of VMT-related impacts and the City VMT Implementation Guidelines will be continually improved and innovated to require VMT reduction to the extent feasible, this impact would be significant and unavoidable.

No other significant impacts were identified in the Final EIR. This is due to the fact that the General Plan is a programmatic policy document and does not propose specific development projects. Furthermore, where potential significant impacts were initially identified, additional policies were added to the General Plan to "pre-mitigate" such impacts. Lastly, the City of Scotts Valley is a compact urban community that is surrounded by natural barriers to outward expansion. As described in the Land Use Element, developable areas within the City limits are

largely built out. As an established community, new development accommodated by the General Plan would be considered infill development, both on limited remaining vacant lands or intensification and/or redevelopment on underutilized parcels.

Statement of Overriding Considerations

These significant adverse unavoidable impacts have been identified and evaluated in the Final Environmental Impact Report (EIR). Even though these adverse impacts are not reduced to a level considered less than significant, the City finds, after balancing these impacts with the benefits of the Project, that those impacts are outweighed by the benefits of the Project. Further, the alternatives which were identified in the Final EIR to the same extent as the Project would not meet either in part or in whole the Project objectives.

Pursuant to Public Resources Code (PRC) Section 21081(b) and the California Environmental Quality Act (CEQA) Guidelines Section 15093, the City has balanced the benefits of the Project against these unavoidable adverse impacts associated with air quality, and transportation.

The City also has examined alternatives to the Project, none of which both meet the project objectives and is environmentally preferable to the Project. The City, after balancing the specific economic, legal, social, technological, and other benefits of the Project, has determined that the unavoidable adverse environmental impacts identified above may be considered "acceptable" due to the following specific considerations which outweigh the unavoidable, adverse environmental impacts of the Project. Each of the separate benefits of the Project, as stated herein, is determined to be, unto itself and independent of the other project benefits, a basis for overriding all unavoidable adverse environmental impacts identified in these Findings. The City Council and City Planning Commission have independently verified the existence of all facts stated below to justify the Statement of Overriding Considerations.

- Implementation of the updated General Plan will comply with State requirements and, more importantly, will provide the City, its residents, landowners and businesses, staff and policy makers and all stakeholders with a comprehensive, long-range policy guideline for future development.
- Implementation of the updated General Plan will serve as a foundation in making land use decisions based on goals and policies related to land use, transportation routes, population growth and distribution, development, open space, resource preservation and utilization, air and water quality, noise impacts, safety issues and other related physical, social, and economic development factors.
- Implementation of the updated General Plan will address the continuing change, growth, and development of the City over the next two decades and will provide a public policy framework for the future of the city.
- Implementation of the updated General Plan will comply with the State of California requirement that all counties and cities "adopt a comprehensive, long-term general plan for the physical development of the county or city, and of any land outside its

boundaries which in the planning agency's judgment bears relation to its planning" (Government Code Section 65300).

- Implementation of the updated General Plan will create a safe, efficient and balanced transportation network, improve environmental quality, encourage healthier lifestyles, and support economic development. The updated General Plan will develop a safe, efficient, convenient, and attractive transportation system throughout the community, providing links within the City and with neighboring regions, and accommodating automobile, truck, pedestrian, recreational, and public transit needs which will meet current and future development requirements within the planning area.
- Implementation of the updated General Plan will preserve the character of existing single-family residential neighborhoods and continue to improve higher density neighborhoods. Diversity in the types of housing in the City is necessary to accommodate a population with varying socioeconomic needs.
- Implementation of the updated General Plan will identify resources that should be preserved and set the foundation for preservation of these resources by utilizing a variety of tools that will promote the sustainability and environmental integrity of the City. The updated General Plan will establish the City's priorities as they relate to natural, historical and paleontological resources and outline the means for their preservation.
- Implementation of the updated General Plan will preserve existing open space and other undeveloped natural resources and to identify specific criteria in the future selection of open space and recreational facilities. The updated General Plan will help maintain a balance between development and the preservation and use of natural resources as the city continues to grow.
- Implementation of the updated General Plan will promote and support economic development to provide jobs in concert with future population growth.
- Implementation of the updated General Plan will regulate development so that the density of residential development and the intensity of non-residential development are appropriate to the property and to surrounding properties and neighborhood.

Conclusion

After balancing the specific economic, legal, social, technological, and other benefits of the proposed project, the Council finds that the unavoidable adverse environmental impacts identified may be considered "acceptable" due to the specific considerations listed above which outweigh the unavoidable, adverse environmental impacts of the Project.

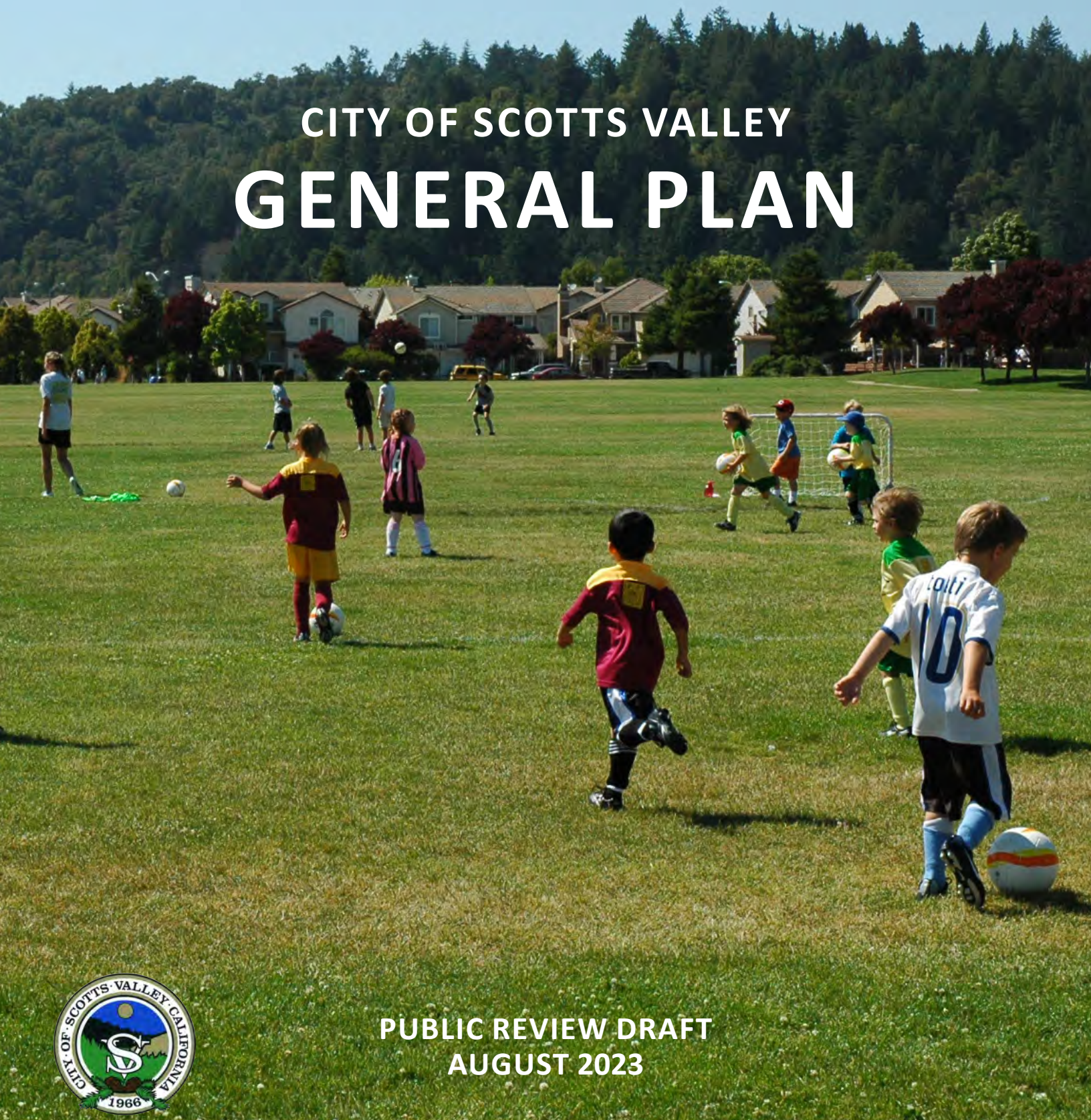
The Scotts Valley City Council has considered information contained in the EIR prepared for the proposed General Plan as well as the public testimony and record of proceedings in which the Project was considered. Recognizing that significant unavoidable air quality and transportation impacts may result from implementation of the proposed General Plan, the Council finds that the benefits of the General Plan and overriding considerations outweigh the adverse effects of

the project. Having included all feasible mitigation measures as policies and actions in the General Plan, and recognized all unavoidable significant impacts, the Council hereby finds that each of the separate benefits of the proposed General Plan, as stated herein, is determined to be unto itself an overriding consideration, independent of other benefits, that warrants adoption of the proposed General Plan and outweighs and overrides its unavoidable significant effects, and thereby justifies the adoption of the proposed General Plan.

Based on the foregoing findings and the information contained in the record, the Council hereby determines that:

1. All significant effects on the environment due to implementation of the updated Scotts Valley General Plan have been eliminated or substantially lessened where feasible;
2. There are no feasible alternatives to the proposed updated Scotts Valley General Plan which would mitigate or substantially lessen the impacts; and
3. Any remaining significant effects on the environment found to be unavoidable are acceptable due to the factors described in the Statement of Overriding Considerations above.

Scotts Valley
General Plan



CITY OF SCOTTS VALLEY
GENERAL PLAN

PUBLIC REVIEW DRAFT
AUGUST 2023

CITY OF SCOTTS VALLEY

GENERAL PLAN

PUBLIC REVIEW DRAFT

AUGUST 2023

Kimley»Horn

Acknowledgements

Scotts Valley City Council

Jack Dilles, Mayor
Randy Johnson, Vice Mayor
Donna Lind, Council Member
Derek Timm, Council Member
Allan Timms, Council Member

General Plan Advisory Committee

Jim Reed, Scotts Valley City Council
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John Yost, President, Scotts Valley Chamber of Commerce Board of Directors
Chris Perri, Vice President, Scotts Valley Water District Board of Directors
Steven Clark, At-Large Member, Appointed by the Scotts Valley City Council
Angela Franklin, At-Large Member, Appointed by the Scotts Valley City Council
Jeff Hill, At-Large Member, Appointed by the Scotts Valley City Council

Past Members

Randy Johnson, Scotts Valley City Council
Eric Seib, Chair, Scotts Valley Parks & Recreation Commission
Ed Harmon, At-Large Member, Appointed by the Scotts Valley City Council

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INTRODUCTION

The Scotts Valley General Plan (SVGP) is the City's fundamental governance document that guides decision making, actions, programs, and crafting of more specific policies. It embodies community values and sets general direction for achieving broader visions identified in this document. The topics it addresses are wide-ranging, influencing many aspects of Scotts Valley.

It establishes goals, policies, and actions that will guide future land use and environmental protection decisions in Scotts Valley over the next 20 years. This chapter provides an overview of the purpose and contents of the SVGP, as well as a description of general plan update process.

PURPOSE AND LEGAL BASIS

In California, general plans serve as the "Constitution" for all future development in cities. The general plan provides the fundamental basis for the City's land use and development policy, and represents the basic community values, ideals, and aspirations to govern a shared environment over the life of the general plan. The general plan addresses all aspects of development including land use, environmental management and sustainability, traffic and circulation, housing, parks and recreation, and other topics. The general plan's policies are implemented through the Municipal Code, which includes the Zoning Code, Buildings and Construction Code, Subdivision Ordinance, and other City regulations.

California Government Code Section 65300 requires that the general plan be comprehensive, internally consistent, and long-term. Although it is required to address the issues specified by State law, the general plan is ultimately organized in a way that best suits Scotts Valley. The general plan should be clearly written, available to all those concerned with the community's development, and easy to administer. This document supersedes the previous general plan, which was adopted in 1994.

The overall role of the general plan is to:

- Define a realistic vision of what the City desires to be in 20 years.
- Express policy direction in regard to the physical, social, economic, cultural, and environmental character of the city.
- Serve as a comprehensive guide for making decisions about land use, mobility, protection of environmental resources, housing, safety, and noise.

- Provide the legal foundation for zoning, subdivision, and public facilities ordinances; other adopted citywide plans; and compliance with the California Environmental Quality Act (CEQA).
- Present a clear and easy to understand format that encourages public participation and understanding.

ORGANIZATION AND CONTENTS

The SVGP is organized according to four main categories. These categories and their respect general plan element(s) are shown below.

	General Plan Category	General Plan Element(s)
	Built Environment	Land Use Economic Development Housing
	Mobility	Mobility
	Natural Environment	Open Space & Conservation Environmental Review [1]
	Community	Community Services & Facilities Public Safety & Noise

Notes:

1. The environmental review chapter, in combination with several other elements of the General Plan document, serves as the Draft Environmental Impact Report (DEIR) for the project and provides the environmental information and analysis and primary CEQA documentation necessary to adequately consider the effects of the General Plan. CEQA allows the Lead Agency to integrate the EIR as a chapter of the General Plan, as described in Section 15166 of the CEQA Guidelines.

Each element, within the four categories, contains a brief background section, following by a set of goals, policies and actions. Figures referenced in the text of each element appear at the end of each element.

The following provides a description of goals, policies, and actions and explains the relationship between them:

- A **goal** is a description of the general desired result that the City seeks to create through the implementation of its General Plan. They are general statements of aspiration or intent to achieve an endpoint and may be attainable.
- A **policy** is a specific statement that regulates activities in the City, guides decision-making, and directs on-going efforts as the City works to achieve a goal. A policy is on-going and requires no further implementation. The General Plan's policies set out the standards that will be used by City staff, the Planning Commission, and City Council in their review of land development projects and in decision-making about City actions.
- An **action** is a measure, procedure, or technique intended to help reach a specified goal or policy. The City must take additional steps to implement each action in the General Plan. An action is not on-going, but rather something that can and will be completed. Taken together, the actions in this General Plan constitute a "to-do list" for the City of Scotts Valley.

Taken together as a comprehensive decision-making framework, the policies of the SVGP provide both a "yard-stick" by which actions are taken and measured and a governance tool to ensure accountability of those taking the actions back to SVGP and its overall vision.

Further, State law requires a general plan to be internally consistent, meaning no one policy can conflict with another. This approach is also inherently sustainable as policies at least have to be neutral to one another, if not supportive, across the elements.

In practice, this means that as a commission, committee, or the Scotts Valley City Council is reviewing a request, the decision-making body identifies the nature of the item, for example the consideration of a new project. The decision-making body then identifies all policies applicable to the consideration of a project, verifies that the project is consistent with the relevant policies and is at least neutral to – or not in conflict with – the rest. The decision-making body then uses this finding of general plan consistency as a basis for their action.

Organization of Policies

The SVGP provides guidance for four levels of geography, from the region to the individual project level. It also looks outward to Santa Cruz County, Northern California, and beyond to stay abreast of larger currents affecting Scotts Valley and to provide leadership in regional matters. It also looks inward at the City of Scotts Valley, its districts and neighborhoods, and individual projects as three sub-areas where implementation of SVGP occurs.

Thus, policies are organized into four geographic levels. The City plays different roles in these different geographic levels, as follows:

Region/Sub-region– For matters affecting Scotts Valley that extend beyond its borders, the City communicates and coordinates with neighboring cities or other jurisdictions operating within Santa Cruz County, the Monterey Bay Region or Northern California.

City-wide– Within Scotts Valley's borders, the City makes decisions within its jurisdiction about activities that affect the public interest, partners with other public agencies and private sector entities, and develops plans, programs and policies that will be carried out citywide.

Neighborhood/District–Neighborhoods or districts are areas with their own distinct identities within the context of the larger community. They lend themselves to the formation of community-based groups that seek to improve or maintain these areas. The City can enhance districts within Scotts Valley by working with these groups, guiding development, directly making physical improvements and carrying out programs. At the neighborhood level, the City plays a similar role with an emphasis on maintaining and enhancing neighborhood character. While districts and neighborhoods have their own identities, the individual districts and neighborhoods are interconnected physically, economically and socially. The City initiates and supports efforts in these areas within the context of the community.

Project– A project is an undertaking that changes the built environment. Often it is an individual proposal for development that the City reviews for compliance with policies and regulations. As part of this review, the City considers the project's possible environmental impacts, and impacts on public infrastructure such as streets and parks. The City also carries out projects of its own, such as construction of public facilities—sometimes in partnership with a private entity or another public agency such as a school district.

Note that not all policy levels necessarily apply to every goal.

ENVIRONMENTAL REVIEW

The California Environmental Quality Act (CEQA) requires all local and State governmental agencies to consider the environmental consequences of projects over which they have discretionary authority. The State CEQA Statutes, Section 21065, define a project as "an activity which may cause either a direct physical change in the environment, or a reasonably foreseeable indirect physical change in the environment."

Chapter 8 Environmental Review, in combination with other elements of the General Plan document, serves as the Draft Environmental Impact Report (DEIR) for the project and provides

the environmental information and analysis and primary CEQA documentation necessary to adequately consider the effects of the General Plan.

To minimize the need to re-analyze future development projects related to SVGP, CEQA encourages using a general plan EIR to address subsequent discretionary projects, such as adopting zoning ordinances and specific plans and approving capital improvement or development projects that are consistent with the general plan. This streamlined approach to environmental review is commonly called “tiering” (CEQA Guidelines §15152). By using a tiered approach, the environmental review for a subsequent project can be limited to those project-specific significant effects that either were not examined or not examined fully in SVGP Program EIR. Later activities that have been described adequately under the SVGP Program EIR will not require additional environmental documents.

When necessary, new environmental documents, such as a subsequent or supplemental EIR or a negative declaration, will focus on the project-specific impacts of later activities, filling in the information and analysis missing from the SVGP Program EIR. Similarly, CEQA offers the ability for projects that are consistent with the development density established by general plan policies for which an EIR was certified to evaluate only project-specific significant effects particular to the project or its site (CEQA Guidelines §15183).

ABOUT SCOTTS VALLEY

Scotts Valley is located in north Santa Cruz County and is bisected by Highway 17. The City is located just a short distance from the Monterey Bay, nestled in the redwoods on the upland slope of the Santa Cruz Mountains. It is approximately six miles north of Santa Cruz, 30 miles southwest of San Jose and 68 miles south of San Francisco (see Figure I-1: Regional Location).

Scotts Valley was incorporated in 1966. The first Land Use Plan was adopted in 1968 and the first Scotts Valley General Plan was adopted in 1972. It has been updated three times subsequently in 1978, 1986, and 1994. The Housing Element, which is typically adopted under a separate process according to State requirements, has been adopted several times, which is required on an eight-year cycle.

The City and Its Planning Area

The goals, policies, and action of this SVGP apply to a greater geographical area than the City. As required by state law, a city's general plan must address areas outside its city limits that bear some relationship to its planning. To satisfy this law, a boundary line was established which encompasses all land within the City and unincorporated lands that may be affected by City Planning decisions. This area hereafter referred to as the "Planning Area" encompasses approximately 8.3 square miles, compared to the 4.6 square miles contained within the City limits.

To define unincorporated lands which may be annexed to the City, the Santa Cruz County Local Agency Formation Commission (LAFCO) commissioned a Sphere of Influence Study for the City. The "sphere of influence" is a plan for the probable ultimate physical boundary and service area of a jurisdiction or agency. The Scotts Valley Sphere of Influence Study was adopted on October 16, 1985. This update of the SVGP does not propose any change to the current City limits.

The Scotts Valley Water District (SVWD) is a separate local agency and is not formally part of the City of Scotts Valley. The SVWD was originally formed in 1961 under the County Water District Act. In 1962, SVWD acquired and consolidated several small mutual water supply systems. The SVWD is located six miles north of the City of Santa Cruz, along State Highway 17 and covers approximately six square miles, including most of the City of Scotts Valley and a portion of the unincorporated area north of the City.

Figure I-2: Planning Area illustrates the various boundaries described above.

The History of Scotts Valley [1]

Scotts Valley, located in the foothills of the Santa Cruz Mountains, has an important and historically significant past. Archaeologists have recently discovered artifacts in the valley used between eight and twelve thousand years ago by Paleo Indians. These early residents lived on the shores of an ancient Pleistocene lake, which covered an area near the site of the Scotts Valley Civic Center complex.

Recorded history reveals that during Spanish Mexican days the valley was known as the Rancho San Agustin. The 4,436-acre tract was granted to Jose Antonio Bolcoff, a Russian-born sailor who became a Mexican citizen and married into the prominent Castro family of Santa Cruz. In 1836 he was living on the San Agustin with his wife, Candida, their children and Candida's sisters, Jacinta and Maria de los Angeles Castro.

After Bolcoff was appointed administrator of the Missions Santa Cruz, he abandoned his rancho. In 1841 Governor Juan B. Alvarado granted the Rancho San Agustin to Bolcoff's American brother-in-law, Joseph Ladd Majors. Majors, a Tennessee trapper, was one of Isaac Graham's Rifleros Americanos who had aided Governor Alvarado and General Castro in their 1836 revolution. In 1838 he was living on the Rancho Zayante (Felton), where he and Job Dye were partners in a distillery. In 1839 Joseph was united in marriage to Maria de los Angeles Castro.

[1] Pokriots, Marion Dale (1988). "A Glimpse at Scotts Valley's History". Scotts Valley Historical Society.

Soon after acquiring the San Agustin, Majors built a gristmill that ground wheat for residents of the Santa Clara Valley and for the establishment of Thomas O. Larkin in Monterey. His adobe on the rancho was used more than once as a fortress for American and British residents when local Mexican authorities threatened to rid the Santa Cruz region of its mounting "foreign" population.

From the 1840s, money-making activity in Scotts Valley centered on several industries: lumber, grain, the milling of grain, and most importantly the tanning of hides and working of leather. By 1843 Paul Sweet, a Rhode Island sailor, was operating California's first commercial tannery on Major's rancho in an area between Lockewood Lane and Lockhart Gulch. The prevalence of tanbark oaks in the Santa Cruz Mountains played an important part in the emergence of the tanning industry in Santa Cruz County.

The American occupation of Alta California brought changes to Scotts Valley. Majors was chosen alcalde (mayor) of Santa Cruz and was later elected county treasurer. By 1850 he was ready to sell his large valley holdings. Hiram Scott, a young Maine seaman turned gold miner, wished to purchase the ranch. Scott started making payments on the San Agustin in 1852 and soon sent for his relatives in Maine. During the 1850s the valley was inhabited solely by the Scotts and the region become known as Scotts Valley.

Hiram Scott built the Greek revival style Scott House in 1853. Situated behind City Hall, it is a Santa Cruz County Historical Trust Landmark, and is on the National Register of Historic Places. The house originally stood on Scotts Valley Drive, near where a Bank of America branch is now located.

Scott House circa 1853

In those years, horses and cattle roamed the countryside. Arable land was sown to grain, which was hauled to Santa Cruz by ox teams and then shipped to San Francisco by schooner. Grizzly bears and deer populated the valley, and the quail were abundant.

It wasn't long before Hiram and his family started to sell off portions of the rancho. Many of these buyers were British immigrants. Northumberland-born Joseph Errington had operated a dairy near Granite Creek Road, later known as the Live Oak Dairy. Errington's sister and her husband John Dagleas operated another dairy on the west side of Carbonera Creek, which was eventually purchased by the Thomsons, who were also from England. Samuel Lockhart, a Manchester man, who was active in lumbering in the early history of San Francisco, purchased extensive holdings in Glen Canyon. George Chappell, an English sailor who had been exiled to Mexico with Graham in 1840, owned four hundred acres between what is now the Mount Hermon overpass and Rancho Carbonera.

Others from the United States and European countries also came to the valley. Samuel Dickens, a North Carolina lumberman, bought acreage along both sides of Mount Hermon Road. Dickens' eleven hundred acres were later sold to David Morrill Locke, a New Hampshire Forty-niner who had made his fortune selling water to San Franciscans during the gold rush and through various business enterprises in Knight's Ferry. Locke's Springvale Dairy was considered a tourist attraction and was the largest dairy operation in the valley. Locke donated two acres

of his land to the Scotts Valley school district at Scotts Valley Drive and Bean Creek Road. The school became the center for both educational and social activities in the community.

Stagecoaches ran twice daily through Scotts Valley, where drivers stopped to change horses at the Scott house and later at the Hendricks' ranch (near the intersection of Whispering Pines Drive and Mount Hermon Road). A toll gate crossed Glenwood Drive near Canham Road. Glenwood Drive was the only "way to San Jose" without riding to Soquel in the early days.

The rancho remained predominately a farming and dairy region until the 1930s. Butter, milk, cheese, apples, grapes and poultry were the main products sold by local residents.

During the Great Depression, the land was put to more diversified uses. The J. Jackson Graham family sold the peat on their property along Mount Hermon Road to gardenia growers. The Young family moved their Santa Cruz mushroom business to the Lockewood Lane area. Eberhardt, Rose and Houghton planted tracts of blueberries between Whispering Pines Drive and Lockewood Lane and Marion Hollins built her polo stables at the north end of town abutting Carbonera Creek.

The climate and beauty of the area attracted tourists and industries associated with tourism soon developed. A camp was established by the Evers family, which boasted a store, a gas pump, two cabins and spaces for tents. The Swedish Evangelical Missionary Association built a conference center in beautiful Lockhart Gulch. Agnes Archibald developed a mini-zoo and resort on Scotts Valley Drive called Beverly Gardens, which attracted people from the Bay Area and Los Angeles. Movie companies found the valley a delightful place for location sites. The old and established Summer Home Farm resort on Bean Creek was purchased by the Salvation Army and renamed Camp Redwood Glen. Eventually, the Tree Circus, Sorensen's Wax Museum and Santa's Village attracted vacationers on their way to local beaches and parks.

Shortly after the freeway was opened in the mid-1950's, Scotts Valley went into the doldrums. Businesses along Scotts Valley Drive (the old Los Gatos Highway) folded. When a group of investors pushed for a large cemetery just off the freeway and the City of Santa Cruz moved forward with plans to annex Scotts Valley, the community became alarmed.

Residents soon began discussing "home rule" and incorporation. Papers for incorporation were drawn up in 1963, and a measure to incorporate was passed in 1964. However, it wasn't until August 2, 1966, that Scotts Valley officially became a city. Mayor Bill Graham presided over the first city council and Friend Stone served as the valley's first City Administrator.

The area was the site of Santa's Village, a Christmas-themed amusement park which opened on May 30, 1957, on a 25-acre site which was formerly Lawridge Farm, part of the former Rancho San Augustin. The park was sold in 1966 but continued to be operated under lease by the Santa's Village Corporation. When that corporation went bankrupt in 1977 the owner considered launching a Knott's Berry Farm type of complex complete with hotel, shopping

center, and amusement park rides, but was denied a permit by the City of Scotts Valley, and the park closed for good in 1979.

Santa's Village (date unknown)

THE GENERAL PLAN UPDATE PROCESS

Preparation of this general plan update was led by the Scotts Valley General Plan Advisory Committee (GPAC). The GPAC held fourteen meetings over the course of three years. All meetings were open to the public.

To solicit community input, a community workshop was held June 3, 2017, at the Scotts Valley Community Center. It was facilitated by members of the GPAC, with support from City staff and consultants. Utilizing an open-house format, more than 100 participants recorded some 250 + comments organized according to five broad topics, namely; 1) Built Environment, 2) Natural Environment, 3) Mobility, 4) Community, and 5) Looking to the Future.

A web-based community survey was also conducted to receive input from the broader community. The survey was comprised of 50 questions addressing a range of topics including land use and future development, aesthetics and urban design, mobility, parks and recreation, public services and community of life. Fifteen questions included an opportunity for narrative comments. 813 people responded to the survey. Between the workshop and the survey, the following is a summary of the community's values:

- The community places a high value on the small-town character of Scotts Valley and want to retain this quality of life into the future.
- Maintaining the valley's natural resources and visual character is a high priority for the community.
- Development of the Town Center into a mixed-use, pedestrian-friendly project is a high priority.
- The pace of future development should be done carefully, with a focus on more high-quality restaurants and retail options.
- More housing choices (types), that are also affordable, is a very important issue to the community.
- The expansion of pedestrian sidewalks and bike paths, as well as trails through open space, is a high priority.
- Residents frequently use the City's parks and other public facilities and are generally very pleased with the facilities and programs.
- Aesthetic improvements through landscaping and building design guidelines were recommended along the Mt. Hermon Road and Scotts Valley Drive corridors.

Complete documentation of the workshop and survey can be found in Envision Scotts Valley – Community Outreach Report (September 2017).

VISION STATEMENT AND GUIDING PRINCIPLES

Vision Statement

Surrounded by hillsides and forests, Scotts Valley is an energetic City that values a mix of natural and built environments. The residents and business owners will always benefit from a balanced mix of housing, employment, and commercial and services, and foster community interaction that is the foundation of a family-oriented way of life.

Guiding Principles

Community Identity & Connections

CIC-1 Preserve and enhance Scotts Valley's safe, small-town character and natural wooded setting in balance with these other guiding principles.

CIC-2 Use high-quality design features and amenities through appropriate architecture, landscape, and streetscape designs that enhance the visual appearance of new development in public spaces, including parks and roadways.

CIC-3 Encourage year-round community events and activities that facilitate interaction with neighbors and the broader community.

CIC-4 Ensure that all neighborhoods enjoy access to community services and amenities.

CIC-5 Promote Scotts Valley as a welcoming community that supports diverse backgrounds and ideas.

Natural Resources

NR-1 Protect and enhance natural and scenic resources – including creeks and hillsides which enhance the city's character.

NR-2 Act as environmental stewards in the sustainable management of our natural resources and open space.

NR-3 Seek opportunities to advance the use of renewable resources and minimize impacts to air quality, noise, and greenhouse gas emissions.

Neighborhoods & Housing

NH-1 Maintain and enhance the existing character of our residential neighborhoods.

NH-2 Support neighborhood improvements that foster identity and build stability, inclusiveness, and interaction.

NH-3 Maintain safe residential neighborhoods that minimize noise, provide adequate parking and discourage crosscut traffic.

NH-4 Encourage a diverse housing stock that accommodates a wide range of demographic and economic needs.

Mobility

M-1 Provide a balanced transportation system that accommodates the need of automobiles, transit, pedestrians, and bicycles.

M-2 Pursue opportunities for pedestrian and bicycle networks that connect neighborhoods to schools and commercial uses throughout the City.

M-3 Promote transportation options that are safe and convenient for all residents, including youth, seniors, and persons with disabilities.

Growth and Economic Development

GED-1 Pursue a balanced approach to future development that supports housing, employment, and commercial needs and services in balance with these other guiding principles.

GED-2 Target future growth within existing commercial corridors of Scotts Valley Drive and Mount Hermon Road so as to not adversely impact residential neighborhoods.

GED-3 Foster a diverse local economy that supports local businesses, employs local residents, and maintains the fiscal health of the City to provide public services and facilities.

GED-4 Support the development of the town center.

GED-5 Foster a healthy business community that provides a diverse mix of the goods and services.

N

Figure I-1: Regional Location

Disclaimer: This Map was developed for the Genereal Plan. The City is neither liable nor responsible for the use of this map beyond its indended purposes.

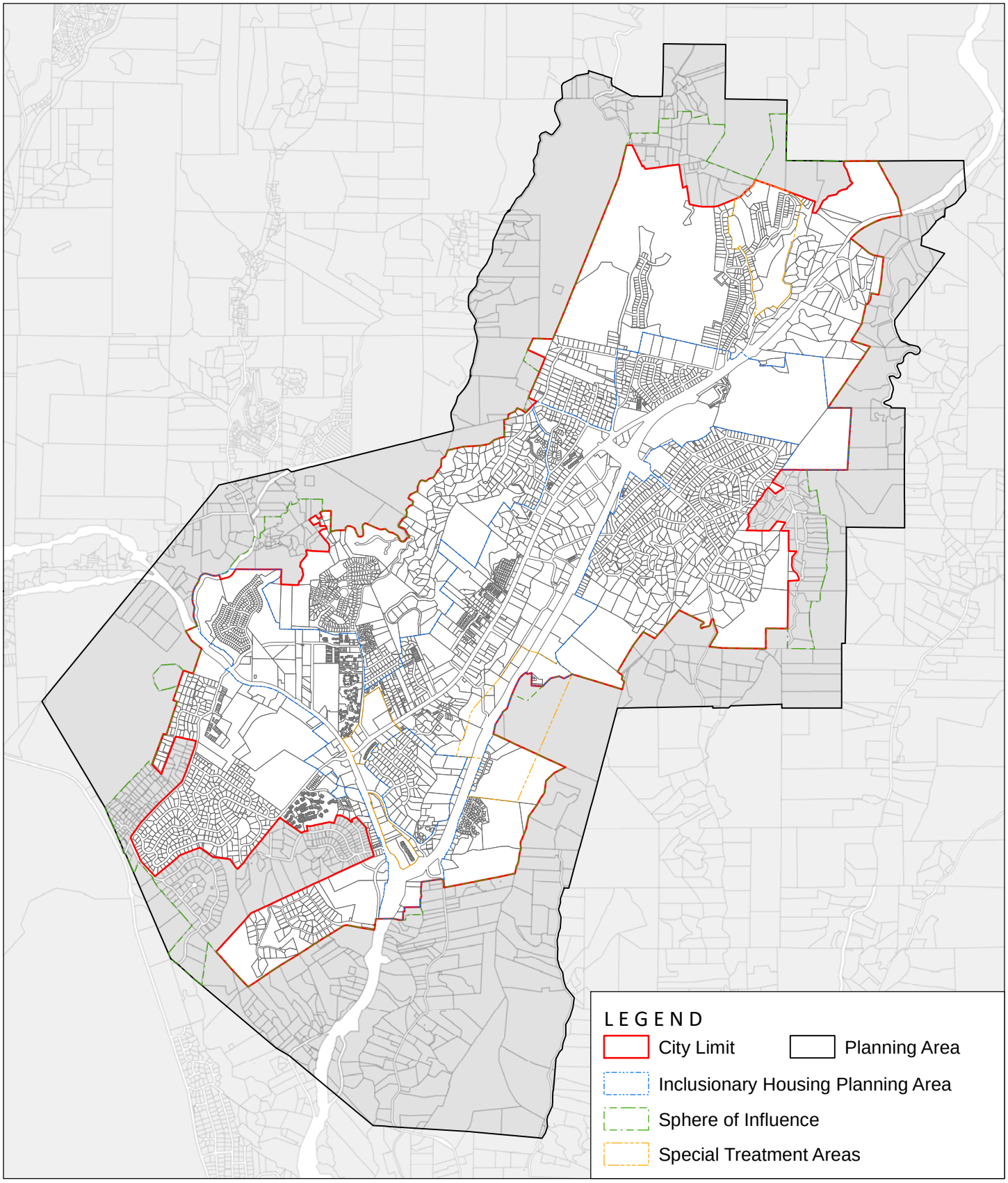

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Figure I-2: Planning Area

SCOTTS VALLEY GENERAL PLAN

Disclaimer: This Map was developed for the Genereal Plan. The City is neither liable nor responsible for the use of this map beyond its indended purposes.

Inclusionary Housing Planning Area
Sphere of Influence

LAND USE

The Scotts Valley **Land Use Element** addresses the physical features of the city's residential neighborhoods and commercial districts, including the mix and density of land uses, mobility connections and public infrastructure. It describes a pattern of development in Scotts Valley consistent with the General Plan vision statement and guiding principles.

LAND USE ELEMENT

Introduction

The Land Use Element contains goals, policies and a land use map indicating the planned location, amount and intensity of residential, commercial, industrial, public and open space lands. The land use policies need to be considered together with the land use map to assess the City's intentions for future development and conservation within the community. The land use map implements the goals and policies contained throughout the Scotts Valley General Plan.

The Land Use Element is intended to protect the hillside forests which provide the essential character of the valley, develop the urban core near major transportation corridors, and foster a healthy business community which can provide many of the goods and services for the City and ensure a broadly-based housing supply.

Current Status

Recommended by Planning Commission to City Council – DATE

Accepted by City Council at Public Hearing – DATE

Background and Context

Existing Conditions

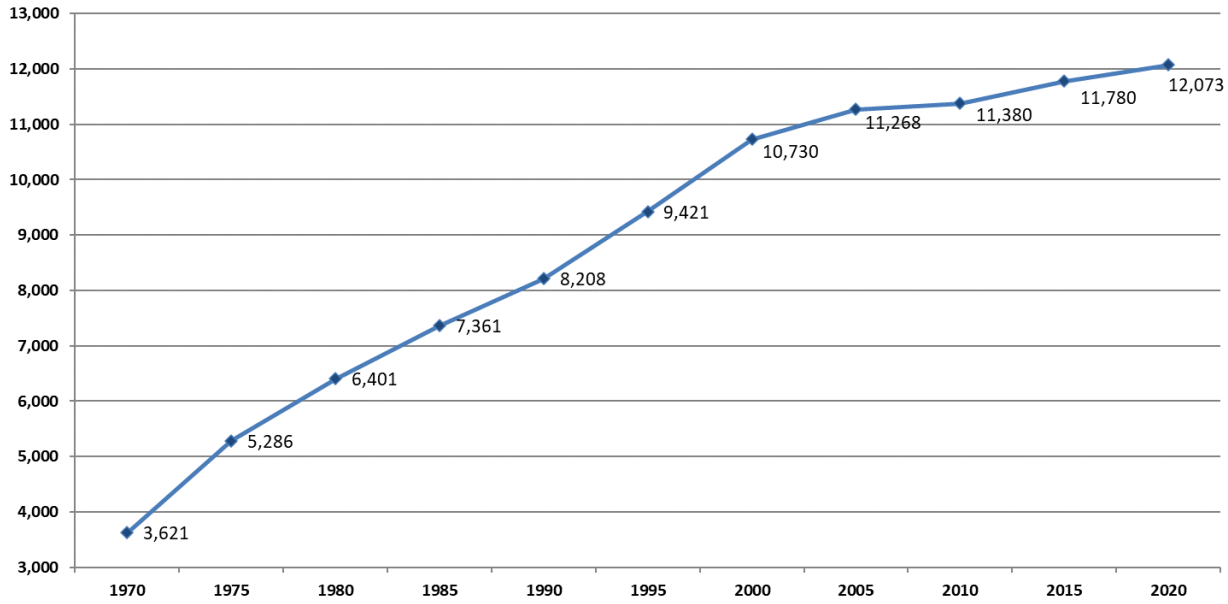
Since incorporation in 1966, the City of Scotts Valley has evolved as a balanced community with family-oriented residential neighborhoods, innovative light-industrial and manufacturing businesses, and strong retail/services corridors along Mount Hermon Road and Scotts Valley Drive. The City's topography reinforces the notion of a community in a valley, surrounded by forested hills and scenic landscapes.

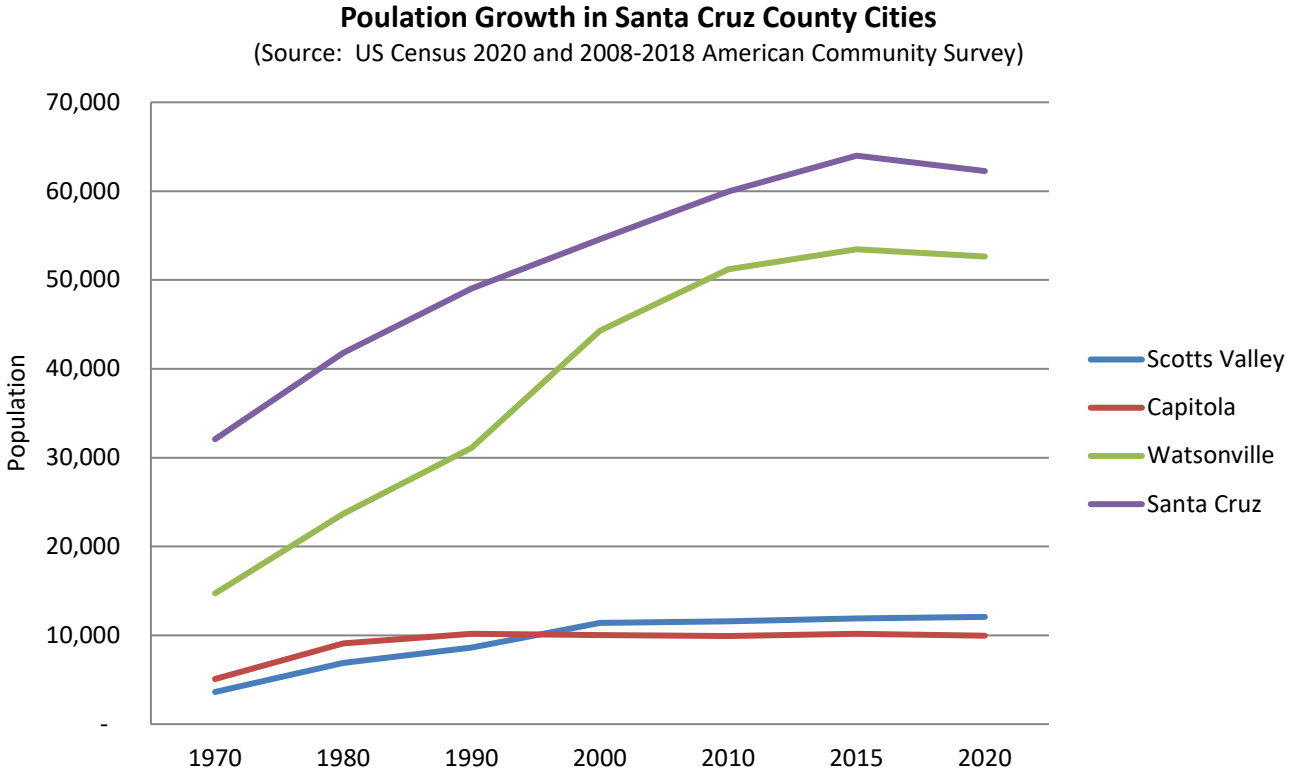
The following summarizes the existing conditions and future growth projections and plans for various land uses within the planning area.

Population

As of 2020, there were an estimated 12,073 people who call Scotts Valley home. Since 1970 (four years after incorporation; population 3,621), the population has increased by 8,271 persons, or nearly 70 percent. Between 1970 and 2000, Scotts Valley experienced the highest annual growth rate (7.10 %) of any city in Santa Cruz County. However, given the limited amount of vacant land available for new development and other factors, growth since 2000 has slowed considerably. Overall, Scotts Valley growth is relatively modest when compared to the cities of Watsonville and Santa Cruz which together have increased their population by nearly 70,000 over the same time period.

Scotts Valley Historic Population
(Source: U.S. Census Bureau, 2020 Census and 2008-2018 American Community Survey)



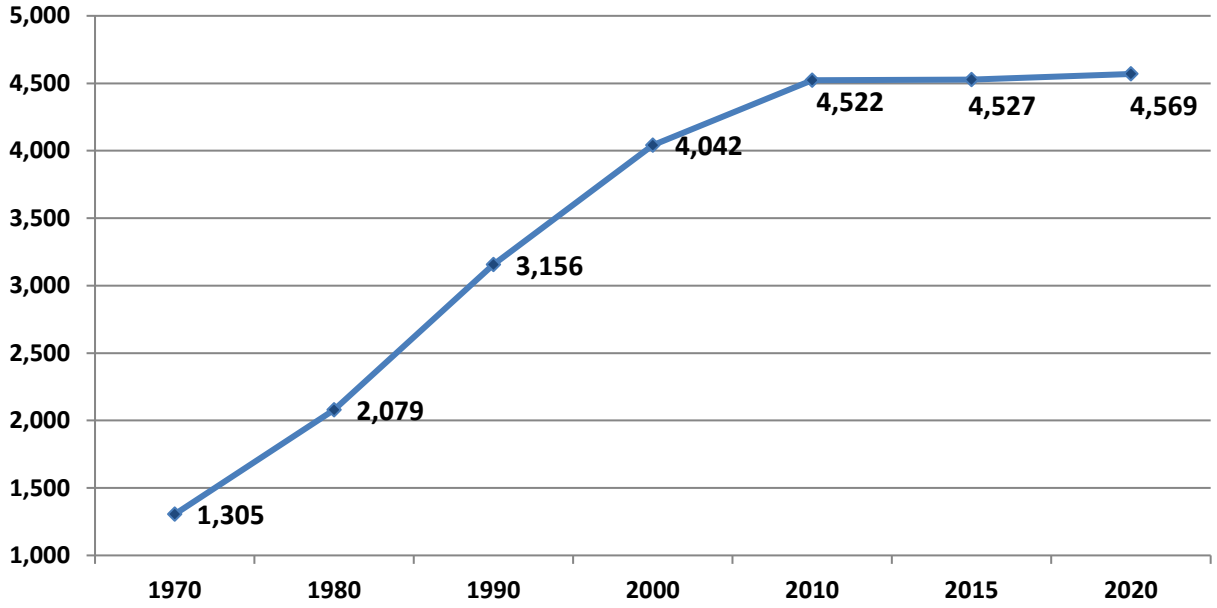


Housing

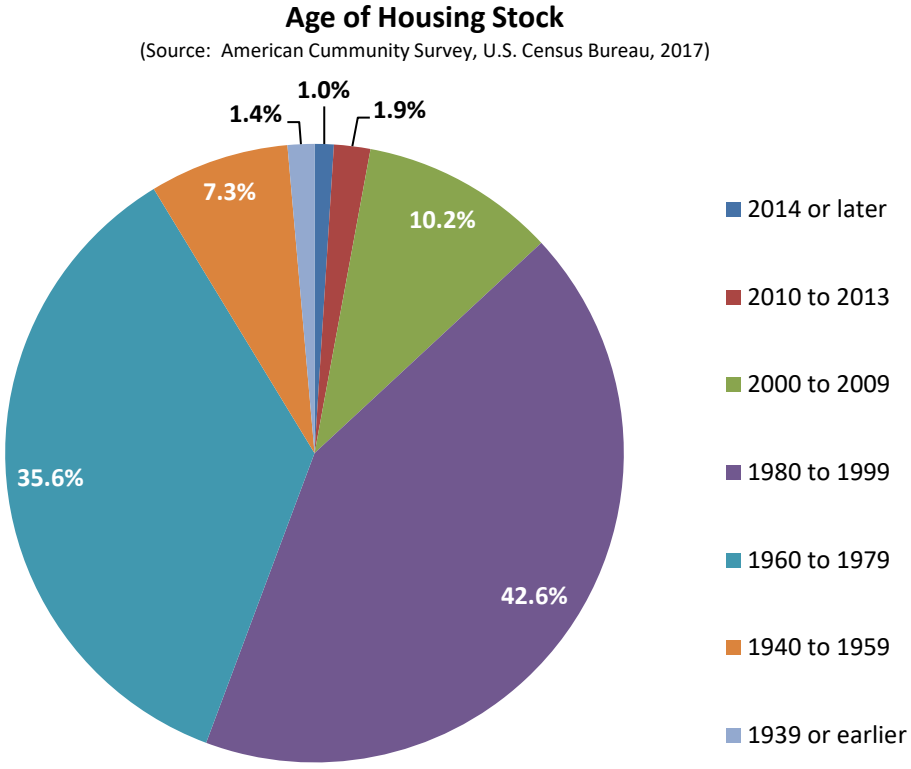
Since incorporation in 1966, the City has had a considerable increase in population, creating a significant demand for housing. Between 1970 and 2020, the City added 3,248 housing units, however, since 2010, the number of housing units has leveled off and fewer units per year have been constructed as compared to previous growth rates. The average number of persons per household (2017 – 2021) was 2.51.

Residential uses include both single and multiple-family residences, apartments and condominiums and mobile home parks. Residential development has been guided by the topography, geology, vegetative cover, access to transportation and service facilities. Larger lots with low densities have been developed in the hillsides with single family detached homes in the Whispering Pines, Granite Creek and Hacienda/Cadillac neighborhoods. Higher densities are located on the valley floor close to local shopping, public services and transportation facilities such as the neighborhoods on Blake Lane, Jolley Way, Trammel Way, and along Bean Creek Road. Mobile home parks within the City include Montevalle, Spring Lakes, Vista Del Lago, and Mountain Brook. Montevalle, Spring Lakes and Mountain Brook are deed-restricted adult communities.

Scotts Valley Total Housing Units
(Source: U.S. Census Bureau, 2020 Census and 2008-2018 American Community Survey)



As shown below, 88% of the existing housing stock was constructed between 1960 and 2000. Most of these homes (56%) are detached, single family houses. The other 44% of the housing stock is made up of apartments and condominiums, attached houses, and mobile homes.



In 1991, the city adopted a “Planned Development zone district which allows projects to be individually designed to meet the needs of the property zoned "PD". This flexibility allows a project to be constructed at the maximum allowable density while considering the topography, vegetation, and other constraints to development.

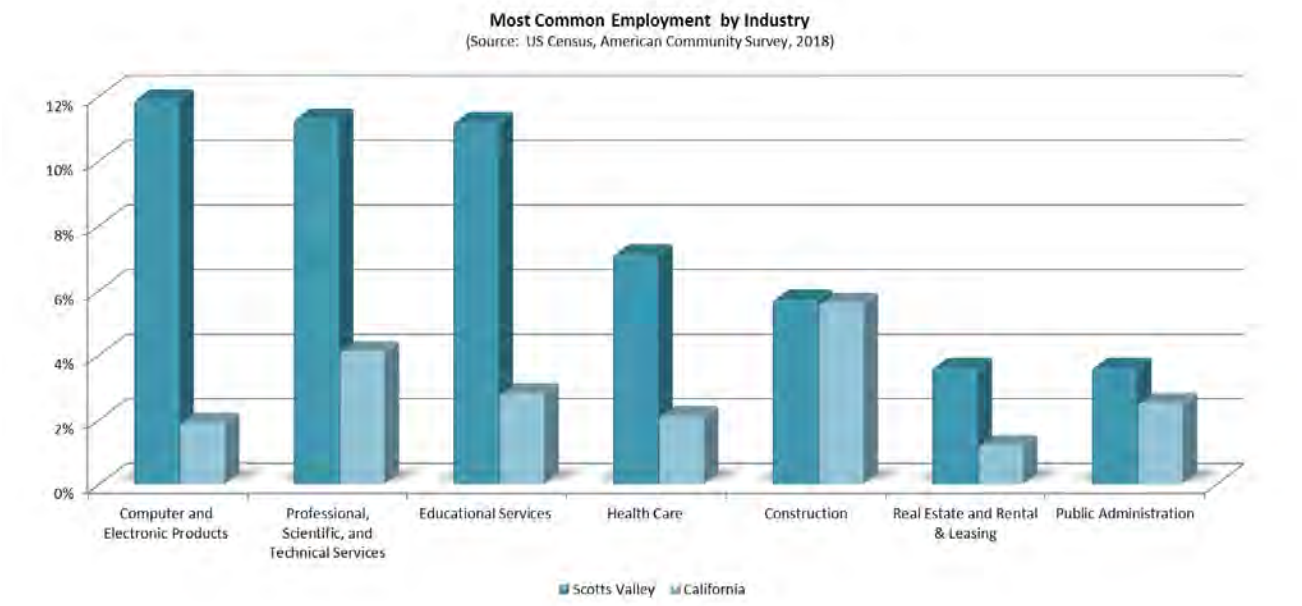
The street network plays an important role in the development of the residential neighborhoods. In the hillside neighborhoods, streets are typically narrow to preserve the existing topography and vegetation. These narrow streets, however, prevent residents from using the street for guest parking since emergency vehicles must be able to pass at all times. The absence of streets and adequate access can also prevent neighborhoods from accessing shopping and service areas or other residential areas without traveling with the congestion of the work force. For example, the neighborhoods west of Scotts Valley Drive have only one access through the city (Scotts Valley Drive). Because there are no local streets solely for residential traffic, many of the residences are located on narrow, dead-end streets off Scotts Valley Drive.

Consequently, there is no defined neighborhood west of Scotts Valley Drive. The lack of access also limits development east of Highway 17 along Green Hills Road. Currently, the only access

to Scotts Valley or Highway 17 is at the intersection of Glen Canyon Road and Mount Hermon Road.

Employment

Scotts Valley has over 700 employers who provide more than 5,000 jobs within the city limits. As of 2020, the unemployment rate was 4.3%, less than that of Santa Cruz County (6.1%). As shown in the chart below, the most common employment industries are computer and electronic products, professional scientific and technical, educational services, and healthcare; all of which rank far higher than the average rate of employment as compared to the State of California.



Employment related land uses include retail services, office, and light industrial uses. Major retail/services centers include Kings Village Shopping Center, Scotts Village, Scotts Valley Square and Graham Plaza. Community commercial shopping centers are located along Mount Hermon Road. Scotts Valley Junction is located at the northern end of Scotts Valley Drive.

Retail, professional services and offices are also located along Scotts Valley Drive. These tend to be locally owned businesses and include restaurants, banks, insurance, real estate, and specialty services.

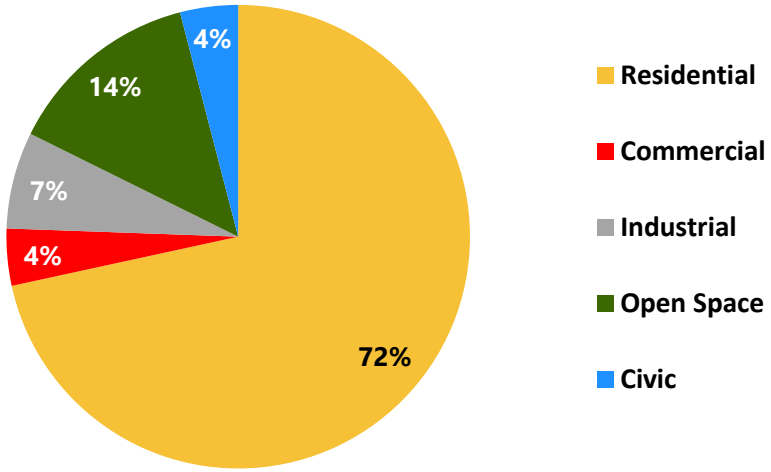
Light industrial areas include the Aviza Technology site north of Mount Hermon Road (now vacant), the Enterprise Technology Center east of highway 17 and north of Granite Creek Road, and a variety of businesses between Scotts Valley Drive and Highway 17 along Disc Drive / El Pueblo Road /Janis Way. The primary uses are computer technology, manufacturing, and bulk retail services.

Land Use

The City of Scotts Valley is comprised of approximately 4.6 square miles. Land uses in the City includes residential, commercial, industrial, open space, and civic (government) uses. A large majority (72%) of Scotts Valley is designated residential, which includes both single and multiple-family residences, apartments and condominiums and mobile home parks.

1994 General Plan Planning Area Land Use Designations (Acres)

(Source: City of Scotts Valley GIS, 2014)



Development Capacity

State law requires that a General Plan include "an estimate of the total amount of development that may be built in an area under a certain set of assumptions, including applicable land use laws and policies (e.g., zoning), environmental constraints, etc."

Development capacity refers to the maximum amount of development that can be accommodated if all land uses shown on the General Plan Map were built. This capacity is commonly expressed in terms of population, housing units, and employment.

Understanding Density and Intensity

Residential "Density"

The term "density" in a land use context is a measure of the desired population or residential development capacity of the land. Residential density is described in terms of dwelling units per gross acre (du/ac). Gross residential acreage is defined as the area developed to residential use, exclusive of local serving streets, alleys or arterials. A dwelling unit is a building, or a portion of a building, used for human habitation and may vary considerably in size from small apartments

to large single-family homes. For example, the density of a residential development of 200 dwelling units occupying 50 gross acres of land is 4.0 du/ac.

Non-Residential "Intensity"

The term "intensity" refers to the degree of non-residential development based on building characteristics such as height, bulk, floor area ratio, and percentage of lot coverage. The City of Scotts Valley uses "building coverage" which is defined in the City's Municipal Code as "the horizontal area measured within the outside of the exterior walls of the ground floor of all main and accessory buildings on a lot. The coverage of a structure, or portion thereof, not provided with surrounding exterior walls shall be the area under the horizontal projection of the roof or floor above."

1994 General Plan

The 1994 General Plan was prepared during a period of rapid and sustained growth that was assumed to continue to the horizon year of 2015. Between 1960 and 1990, the annualized growth rate for Scotts Valley averaged 3.11%, which is a very high rate of growth. Employment growth was more rapid, growing at an annualized rate of 7.7% between 1982 and 1990.

If all the residential land shown on the existing 1994 General Plan Land Use Map were built out, Scotts Valley would contain approximately 6,500 housing units, supporting a population of about 16,000. If all the industrial, commercial, office, and other employment generating land were built out, Scotts Valley would contain approximately 6.2 million square feet of building floor area, or enough to support about 12,000 jobs.

General Plan Update Development Capacity

To determine the development capacity for this updated General Plan, the first step was to identify parcels that are currently entitled but not yet developed, vacant, or underdeveloped. Entitled development are projects that have been approved for development and are either under construction or pending. As such, their development capacity (i.e., the number of residential units or the amount of commercial square footage) is known. For vacant and underdeveloped parcels, an average density per their land use designation was multiplied by the parcel size.

Additionally, the City has received a number of project applications that are requesting a General Plan Amendment. Such amendments are discretionary and require the approval by the City Council. To be conservative, the development capacity analysis assumed that all projects requesting a general plan amendment would be developed.

As shown in Table LU-1: General Plan Buildout Summary, the General Plan Update assumes a more moderate growth rate that is less than the previous (1994) General Plan, and more consistent with actual growth trends over the past 20 + years, as well as population, housing

and employment projections as identified by the Association of Monterey Bay Area Governments (AMBAG).

Table LU-1: General Plan Buildout Summary

	Households	Population [1]	Employment
Comparison to 1994 General Plan			
Previous General Plan (1994)	6,500	16,000	12,000
Current General Plan (2021)	6,000	15,400 [1]	8,400 [2]
Difference	**(500)**	**100**	**(3,600)**
Development Capacity			
Existing (2020) [2]	4,750	12,145	7,612
General Plan Buildout	6,000	15,400 [1]	8,400 [2]
Net Increase	**1,250**	**3,255**	**788**

Notes:

1. Per US Census, assumes 2.68 persons per household, rounded to the nearest 100.
2. Per AMBAG 2018 Regional Growth Forecast (2015-2040).

Apart from minor updates to reflect past City approvals, the land use designations in the City of Scotts Valley and the Planning Area will remain the same as designated under the 1994 General Plan (as amended). These land use designations are shown in Figure LU-1: General Plan Land Use Designations.

For the GP EIR (see Chapter 8 Environmental Review), the development capacity provides a reference point for how and where such growth will be accommodated, and how the City and other public agencies will accommodate such growth, particularly with respect to infrastructure requirements (e.g., roads, water, sewer), and public services (e.g., police, fire, and parks & recreation).

Development Considerations

Allowing all parcels to be developed to the maximum density or intensity is not the intention of this general plan. The intention is to reflect a maximum development envelope or density range under appropriate conditions, and in accordance with applicable detailed zoning regulations. There are many factors that may limit or affect a development's ability to achieve the maximum intensity on a specific parcel, resulting from the parcel's physical limitations, the City's zoning standards, and how an owner/developer chooses to address the function and design of the development. These factors may include, but are not limited to, the following:

- Parcel size and configuration
- Height limits
- Lot coverage allowed
- Requirements for setbacks, build-to standards, landscaping and open space
- Development standards and design guidelines
- Type of parking provided (e.g., surface, below-grade, or structured)
- Adjacency to sensitive land uses, such as single-family neighborhoods.

It is important to note that this development build-out analysis only represents a maximum development envelope of density based on existing and potential general plan land use designations. Development forecasts involves an analysis of other factors such as; environmental constraints, economic and market conditions, historic trends, property ownership, and community preferences.

General Plan Land Use Designations

Table LU-2: General Plan Land Use Designations describes the density, land uses and corresponding zoning for each general plan land use designation. These designations are shown in Figure LU-1: General Plan Land Use Designations.

If a project is proposed which is inconsistent with the General Plan Land Use Map, the property owner may apply for a General Plan Amendment. The City Council must be able to make a specific finding that the proposed amendment to the General Plan is in the public's interest or deny the amendment. Amendments to each required General Plan element are allowed up to four times per year.

The zoning process consists of the rezoning of lands within the incorporated City limits (or the pre-zoning of property proposed for annexation) from one zoning district to another. The rezoning of property directly implements the land use designations as shown on the Land Use Map since, by state law, the rezoning of property must be consistent with the General Plan.

Zoning applications are reviewed by various city departments for consistency with City Council and General Plan policy, as well as, to identify specific public improvements and requirements such as streets, storm and sanitary sewer and streetlights. Review by other public agencies is also incorporated in the zoning process as appropriate.

Zoning changes take two forms: 1) Conventional zoning and 2) Planned Development overlay zoning. Conventional zoning districts contained in the City's Zoning Ordinance include a range of allowed land uses, development intensities and standards within the major land use categories: residential, commercial and industrial, together with zoning districts for other land

uses such as Public/Quasi-Public and Open Space. The various ranges of allowed use and development intensity correspond generally to the respective General Plan land use designations, thereby allowing the application of a zoning district to a property which implements the land use intended by the General Plan.

Planned Development zoning reflected in a General Development Plan and adopted by the City Council provides the means to tailor zoning regulations and to apply specific standards for the development of a particular site. This process enables the City Council to consider the unique characteristics of a site and its surroundings to better implement the citywide objectives, goals and policies of the General Plan and to provide site-specific development standards. Anytime Planned Development zoning is utilized, the standards established for the zoning district which reflects the General Plan designation are tailored as part of a General Development Plan.

Tailored zoning regulations include, but are not limited to, site intensities, location, height, coverage and structure appearance.

The second phase of a Planned Development zoning process, the Planned Development permit, is a site/architectural permit that implements the approved Planned Development overlay zoning of the property.

Table LU-2: General Plan Land Use Designations

General Plan Land Use Designation	Corresponding Zoning Designation	Residential Density / Commercial Building Coverage [1]	Description	Potential Land Uses
Residential				
Mountain	R-MT-5	1 du / 5 acres	Primarily for hillside areas of the city where environmental constraints require development at lower densities.	▪ Single-family detached dwellings ▪ Secondary dwelling units ▪ Accessory structures ▪ Public parks and recreation areas ▪ Compatible public, quasi-public, and special uses
Rural	R-R-2.5	1 du / 2.5 acres	To provide areas for large-lot residential living and minor agricultural activities. To preserve, to the greatest extent feasible, the natural topography while creating a living environment which best serves the needs of its residents.	▪ Single-family detached dwellings ▪ Secondary dwelling units ▪ Accessory structures ▪ Public parks and recreation areas ▪ Compatible public, quasi-public, and special uses
Estate	R-1-40	1 du /acre	To provide areas for single-family residential development where lot sizes and densities are designed to accommodate large areas of open space for recreational activities compatible with a residential environment.	▪ Single-family detached dwellings ▪ Secondary dwelling units ▪ Accessory structures ▪ Public parks and recreation areas ▪ Compatible public, quasi-public, and special uses
Low	R-1-20	2 dus/acre	To provide areas for households that desire rural/suburban living with a range of housing options and are designed to accommodate areas of open space for recreational activities compatible with a residential environment.	▪ Single-family detached dwellings ▪ Secondary dwelling units ▪ Accessory structures ▪ Public parks and recreation areas ▪ Compatible public, quasi-public, and special uses

General Plan Land Use Designation	Corresponding Zoning Designation	Residential Density / Commercial Building Coverage [1]	Description	Potential Land Uses
Medium	R-1-10	2 - 5 dus/acre	To provide areas for households that desire suburban living with a range of housing options, and to provide opportunities for limited neighborhood support uses and amenities.	▪ Single-family detached dwellings ▪ Secondary dwelling units ▪ Accessory structures ▪ Public parks and recreation areas ▪ Compatible public, quasi-public, and special uses
Medium High	R-M-6 and R-M-8	5 - 9 dus/acre	To provide areas for households that desire suburban living with a range of housing options, and to provide opportunities for neighborhood support uses and amenities.	▪ Single-family attached and detached dwellings ▪ Townhouses and condominiums ▪ Secondary dwelling units ▪ Accessory structures ▪ Public parks and recreation areas ▪ Compatible public, quasi-public, and special uses
High	R-H	9 - 15 dus/acre	To provide areas for households that desire urban living within a compact and walkable neighborhood and provide opportunities for neighborhood support uses and amenities.	▪ Single-family attached dwellings ▪ Townhouses and condominiums ▪ Apartments ▪ Limited neighborhood-serving commercial ▪ Secondary dwelling units ▪ Accessory structures ▪ Public parks and recreation areas ▪ Compatible public, quasi-public, and special uses

General Plan Land Use Designation	Corresponding Zoning Designation	Residential Density / Commercial Building Coverage [1]	Description	Potential Land Uses
Very High	R-VH	15.1 - 20 dus/acre	To provide areas for households that desire dense urban living within a compact, walkable neighborhood that is served by transit, and to provide opportunities for neighborhood support uses and amenities.	▪ Townhouses and condominiums ▪ Apartments ▪ Neighborhood-serving commercial ▪ Secondary dwelling units ▪ Accessory structures ▪ Public parks and recreation areas ▪ Compatible public, quasi-public, and special uses
Commercial				
Professional	C-P	35%	To provide areas for administrative, business and professional offices in which merchandise is not manufactured or sold.	▪ Professional services and office ▪ Compatible public, quasi-public, and special uses
Service	C-S	45%	To provide areas for convenient retail and service establishments that serve neighborhood and local populations and are served by transit and quality bicycle and pedestrian-friendly facilities.	▪ Retail, professional services, and office ▪ Compatible public, quasi-public, and special uses ▪ Very High residential (mixed-use) is permitted providing adjacent uses are compatible and the residential use is secondary to the retail use (i.e., consists of no more than 49% of the total gross square feet of the development).

General Plan Land Use Designation	Corresponding Zoning Designation	Residential Density / Commercial Building Coverage [1]	Description	Potential Land Uses
Shopping Center	C-SC	35%	To provide areas for urban centers with retail and services, office, and mixed-use establishments that serve local and regional populations, and are well served by transit and quality bicycle and pedestrian-friendly facilities.	▪ Retail, service, office ▪ Public gathering places such as plazas and courtyards ▪ Compatible public, quasi-public, and special uses ▪ Very High residential (mixed-use) is permitted providing adjacent uses are compatible and the residential use is secondary to the retail use (i.e., consists of no more than 49% of the total gross square feet of the development).
Industrial				
Light Industrial	I-L	50%	To provide areas for manufacturing, product assembly, warehousing and supporting uses and amenities.	▪ Industrial or manufacturing ▪ Office, retail and service uses that provide support to employees ▪ Compatible public, quasi-public, and special uses This designation should not be located adjacent to a residential or commercial use without substantial buffers
Industrial R&D	PD	n/a	To provide areas that involve activities related to corporate or governmental innovation involved in scientific and applied research, technology, and product design and development.	▪ Compatible public, quasi-public, and special uses ▪ Applies to the Enterprise Technology Center
Heavy Industrial	n/a		To provide areas that involve intensive manufacturing, mining and quarrying of minerals that due to their intensity of use are less compatible with residential and commercial categories	▪ Mining / quarry ▪ Chemical manufacturing

General Plan Land Use Designation	Corresponding Zoning Designation	Residential Density / Commercial Building Coverage [1]	Description	Potential Land Uses
Other				
Public / Quasi-Public	P	n/a	To provide public facilities that are necessary or desired for public health, safety, and welfare and quasi-public facilities that serve the broader community.	▪ Public and private educational facilities ▪ Emergency services ▪ Health care facilities ▪ Religious facilities ▪ Governmental buildings ▪ Cultural facilities
Open Space / Conservation	OS	n/a	To provide areas for the conservation and sustainable use of the community's natural or scenic resources.	▪ Wetlands and open water ▪ Plant and wildlife habitats ▪ Timber production zones ▪ Floodplains ▪ Active and passive recreation facilities ▪ Greenways and trails ▪ Areas with permanent open space easements ▪ Buffers between developed areas ▪ Golf courses and commercial outdoor recreation facilities Farmlands and grazing areas ▪ Compatible public, quasi-public, and special uses
Special Treatment Areas	PD	n/a	To provide overlay designations for areas where planned developments or some form of special treatment is required for allow future development.	▪ Land uses are variable. See Special Treatment Areas discussion, below.

Notes:
(1) Residential – maximum dwelling units/gross acre. Commercial – maximum building coverage.
(2) n/a – Not applicable.

Specific Plans

A specific plan is a tool for the systematic implementation of the general plan. It effectively establishes a link between implementing policies of the general plan and the individual development proposals in a defined area. A specific plan may be as general as setting forth broad policy concepts, or as detailed as providing direction to every facet of development from the type, location and intensity of uses to the design and capacity of infrastructure; from the resources used to finance public improvements to the design guidelines of a subdivision. Specific Plans are authorized by California Government Code sections 65450 through 65457.

The City has three Specific Plans that are currently (2023) effective, as described below:

Town Center Specific Plan

The Town Center Specific Plan was adopted by the City Council in December 2008. A primary goal of the Town Center Specific Plan (The Plan) is to create an identifiable and inviting place with an intimate streetscape lined with storefronts and a mix of uses that promote an environment where people can live, work, and play. The Plan proposes new commercial development (retail and office), residential development, and civic uses to create a place that thrives from morning to night. At buildout, the Town Center is entitled for up to 300,000 sf. of commercial space and 254 residential units.

In some areas, a horizontal mix of uses (standalone residential and standalone commercial adjacent to each other on a given site) and in other areas a vertical mix (residential or office above retail or commercial within the same building) will be appropriate. Mixed-use development will be focused along the main street leading from Mt. Hermon Road to the town green. Medium density standalone residential will serve as a transition from commercial development to the residential along Skypark Drive and Blue Bonnet Lane.

Residential development is limited to higher densities, such as townhomes, apartments and condominiums. Although residential uses will be an important component to the success of the Plan Area, it will be a secondary use intended to support the predominantly retail and community serving focus of the area.

Gateway South Specific Plan

The Gateway South Specific Plan (2007) was prepared to guide future development in the Gateway South Special Treatment Area (described below). The Specific Plan area is located on the north and south sides of Mount Hermon Road near the intersection of Highway 17. The plan designates parcels for a variety of residential, commercial, open space, and public uses on 43 acres. Special treatment is needed to address the challenging site access and circulation issues associated with topography, a riparian corridor, and the surrounding vehicular, bicycle, and pedestrian infrastructure

Glenwood Specific Plan

The 195-acre Glenwood planning area consists of two, large, undeveloped parcels located on west and east sides of Glenwood Drive at the north end of the City of Scotts. Starting in 1991, various land plans and site boundaries were considered, including an initial proposal to construct 276 single-family homes and townhomes, an 18-hole golf course and clubhouse and a middle school.

Ultimately, due to significant environmental constraints and community opposition, the Scotts Valley Unified School District constructed a high school on 22 acres which was opened initially to freshman students in September of 1999. On the west side of Glenwood Drive, 49 single-family lot were constructed on 11 acres. Seven plus acres were dedicated to the expansion of Siltanen park and the remaining 160 acres are now preserved as permanent open space, known as the Glenwood Open Space Preserve.

Special Treatment Areas

Bethany Neighborhood Special Treatment Area

The BNSTA is approximately 80 acres with approximately 26 acres of buildable area that is primarily developed as an educational facility and associated uses. The remainder of the BNSTA is developed with single family residences. The area is located at the northern portion of the City, west of Highway 17 and is bordered on the west by Bethany Drive/Bethany Way and on the east by Scotts Valley Drive. The entire BNSTA is designated for Public/Quasi Public uses.

Buildable areas are those areas where the slopes are generally less than 10%. Development has already occurred in many of the buildable areas. The sole access to the Bethany area is via Bethany Drive. Most of the built and buildable areas of the BNSTA lie in the narrow valleys between the hills at elevations of 800 to 850 feet.

All properties in the BNSTA will be developed under the Planned Development zoning regulations to minimize traffic impacts and disruption to the surrounding residential neighborhood. The land use for these properties in the BNSTA will reflect a mix of institutional, residential, park, and open space designations similar to the existing educational campus.

However, within the BNSTA area, there are approximately 16 lots that are developed with single-family residences under separate ownership from the educational campus. These single-family residences may be modified consistent with the zoning regulations applicable to the R-1-10 zoning district in effect at the time. In the future, if these single-family residences become associated with the educational campus, any additions, modifications or redevelopment must comply with the Planned Development zoning regulations.

Gateway South Special Treatment Area

Previously identified as the Mount Hermon Road near Highway 17, the Gateway South Special Treatment Area (GSSTA) includes properties fronting Mount Hermon Road on the east between State Highway 17 and Glen Canyon Road. The Gateway Specific Plan, described above, identifies a plan for future development of the GSSTA.

Representative Land Use Designation Imagery

Following are representative photos of development in Scotts Valley that apply to the residential, commercial, industrial and public/quasi-public General Plan Land Use Designations.

General Plan Land Use Category	Corresponding Zoning Designation
Residential	
Estate	**R-1-40**
Granite Creek Estates (single-family detached)	Granite Creek Estates (single-family detached)
Low	**R-1-20**

General Plan Land Use Category	Corresponding Zoning Designation
Casa Way (single-family detached)	Casa Way (single-family detached)
Medium	**R-1-10**
The Vineyards (single-family detached)	Scotts Valley Heights (single-family detached)
Medium-High	**R-M-6 and R-M-8**
Skypark (single-family detached)	Skypark (single-family detached)

General Plan Land Use Category	Corresponding Zoning Designation
High	**R-H**
Hidden Oaks (condominiums)	The Manor (single-family detached)
Very High	**R-VH**
Town Center Collection (condominiums)	Pinnacle View (townhomes)

General Plan Land Use Category	Corresponding Zoning Designation
Commercial	
Professional	**C-P**
Bank of America	Glen Canyon Road
Service	**C-S**
Kaiser Permanente	Shell Gas Station

General Plan Land Use Category	Corresponding Zoning Designation
Shopping Center	**C-SC**
Kings Village	Kings Village
Industrial	
Light Industrial	**I-L**
Zero Motorcycles	Scarborough Lumber

General Plan Land Use Category	Corresponding Zoning Designation
Industrial R&D	**I-RD**
Enterprise Technology Center	Enterprise Technology Center
Other	
Public-Quasi Public	**P**
Scotts Valley Community Center	Scotts Valley Transit Center
Skypark	MacDorsa Park

General Plan Land Use Category	Corresponding Zoning Designation
Open Space / Conservation	**OS**

Skypark Linear Trail

Glenwood Preserve

Goals, Policies & Actions

Goal LU-1	Maintain and enhance Scott Valley's small-town valley character and community-focused quality of life.

Policies

Regional

Policy LU-1.1 **Regional Sense of Place**
Support regional efforts to create a strong sense of place and support the efficient use of land.

Policy LU-1.2 **Regional Coordination**
Support projects, programs and policies to promote compatibility and mutually beneficial built environments and land uses with adjacent jurisdictions and other agencies.

City

Policy LU-1.3 **Inclusiveness**
Provide for a mixture of land uses that cater to the needs of people of all ages, backgrounds, and abilities.

Policy LU-1.4 **Economic Viability**
Encourage land use patterns and new development that enhance Scotts Valley's long-term economic viability and promotes sustainable (green) businesses.

Policy LU-1.5 . **Public Facilities**
Maintain and enhance the City's public facilities to the highest and best use for the benefit of the entire community.

Policy LU-1.6 **Neighborhood Parks**
Maintain and improve neighborhood parks with a variety of facilities that cater to the needs and interest of city residents including youth, seniors, and persons with physical disabilities.

Policy LU-1.7 **Public Art – New Development**
Public art, consistent with the small-town valley concept or adopted design guidelines, should be incorporated into commercial and residential projects where feasible.

Policy LU-1.8 **Public Art – Review Process**
Public art shall become part of the design review guidelines and made available to developers, architects, landscape designers, city committees and commissions. All public art shall be reviewed by the Planning Commission.

Project

Policy LU-1.9 **Design Quality**
Encourage new development and redevelopment to incorporate high quality design that enhances the visual character of the community.

Policy LU-1.10 **Compatible Development**
Encourage new commercial and residential development that is compatible with neighboring land uses and development patterns, through the incorporation of design guidelines and, where appropriate, mitigation measures.

Policy LU-1.11 **Public Involvement**
Encourage project applicants to consult with neighbors early in the project application review process.

Policy LU-1.12 **Commercial Development – Landscaping**
Commercial and industrial developments shall be designed and landscaped in an attractive manner and thereafter maintained to visually integrate the development with its surrounding context.

Policy LU-1.13 **Commercial Development – Lighting**
Lighting of commercial and industrial areas shall be controlled to the extent necessary for security, safety and identification without interfering with adjoining land uses. Lighting shall be directed away from public rights-of-way and adjacent residential land uses.

Policy LU-1.14 **Public and Quasi-Public Facilities**
Designate areas for new public and quasi-public facilities and accessory facilities commensurate with the identified need.

Policy LU-1.15 **Coordination with Utility Providers**
Work with utility providers to identify future utility expansion needs. Obtain easements from property owners to extend private utilities and/or promote cooperation between utility providers and property owners for acquiring easements or rights-of-way for utility expansions.

Policy LU-1.16 **Dedication of Park Land**
Require new residential development to dedicate park land and/or to contribute park in-lieu fees to the City that enable the purchase of additional park land, or to provide recreational facilities, or to maintain existing parks consistent with the Parks Master Plan.

Actions

Action LU-1.1 **Design Guidelines**
Update the City's Residential Design Handbook, Mount Hermon Design Guidelines, and Commercial and Industrial Design Review Guidelines to reflect more contemporary architecture and urban design standards.

Goal LU-2 Maintain a well-defined valley community with boundaries defined by the planning area's natural features and environmental functions.

Policies

Regional

Policy LU-2.1 **Annexations**
When determined by the City Council to be consistent with the Vision Statement and Guiding Principles of this General Plan, consider pursuing annexations in accordance with the requirements as set forth in the City's Annexation Policy.

City

Policy LU-2.2 **Edge Boundaries**
Preserve open space and maintain development at the edge of the city limits compatible with surrounding Santa Cruz County land uses.

Policy LU-2.3 **Preservation of Open Space**
Preserve open space areas for the protection of public health and safety, provision of recreational opportunities and protection of natural resources.

Policy LU-2.4 **Preservation of Riparian Corridors**
During the development review period, require the preservation of riparian corridors consistent with state law and the policies described in the Open Space and Conservation element of this General Plan.

Neighborhood

Policy LU-2.5 **Neighborhood Characteristics**
Require new development to reinforce and be designed to support the unique natural qualities and environmental features in which it is located.

Policy LU-2.6 **Natural Features**
Protect and enhance natural features, including trees, hillsides, natural habitat, and riparian areas, which contribute to the unique identity of individual neighborhoods.

Policy LU-2.7 **Bethany Neighborhood Special Treatment Area**
All future development in the Bethany Neighborhood Special Treatment Area shall be reviewed and considered under the Planned Development zoning regulations.

Project

Policy LU-2.8 **Land Sloped Less than 25%**
Those areas of a parcel with slopes of less than 25% may be considered for construction consistent with sound development and planning principles.

Policy LU-2.9 **Land Sloped 25% to 40%**
Land sloped 25% or greater may be considered for a "density transfer" requiring the steeper slopes to be preserved with no disruption and "transferring" the units that would be allowed on the slopes of 25% or greater for construction on the more level portions of the parcel if these portions are otherwise suitable for higher densities.

Policy LU-2.10 **Land Sloped Over 40% -- Open Space Preservation**
Land over 40% slope shall be preserved as open space, with no construction of any kind, with the exception of quarry reclamation or remediation of natural slope failure. During the development of the site, the density for the 40% slopes may be transferred for construction into the areas with a slope of less than 25% if these areas are otherwise suitable for higher densities.

Policy LU-2.11 **Density Transfer Developments**
Any density transfer developments may be pursued under the Planned Development Ordinance.

Goal LU-3 Maintain a complementary balance of land uses throughout the city.

Policies

Region

Policy LU-3.1 **Jobs / Housing Incentives**
Work with representatives from regional, State, and federal agencies to include Scotts Valley incentives programs that link housing to transportation and jobs.

Policy LU-3.2 **Jobs / Housing Balance**
Work with the County and other agencies to develop strategies for improving the region's jobs/housing balance and matching employment opportunities with housing costs.

City

Policy LU-3.3 **Balanced Land Use Patterns**
Foster land use patterns that balance economic, housing, community, and environmental needs, and promote social diversity.

Policy LU-3.4 **Zoning Densities**
Zone highest densities along transportation corridors.

Policy LU-3.5 **Lot Consolidation**
In areas where the existing lot pattern or size makes development difficult, the City shall encourage lot consolidation to promote planned commercial development.

Policy LU-3.6 **Economic Viability**
Ensure that land use patterns and new development enhance Scotts Valley's long-term economic viability and promotes sustainable businesses.

Policy LU-3.7 **Job Creation and Retention**
Maintain lands currently designated for commercial and industrial land use designations that promote job creation and retention.

Policy LU-3.8 **Regional Commercial Services**
Promote availability of commercial sites to accommodate a mix of professional office, service commercial, and retail center developments consistent with the environmental, service, and economic goals of the City.

Policy LU-3.9 **Neighborhood Commercial Services**
Develop, maintain, and encourage economically viable neighborhood-serving commercial districts.

Policy LU-3.10 **Home Occupations and Telecommuting**
Encourage the development and expansion of home occupations and telecommuting.

Policy LU-3.11 **Infill Development**
Support well-designed infill development on vacant and underutilized sites that enhances Scotts Valley's quality of life.

Project

Policy LU-3.12 **Infrastructure Costs**
Require new development to pay its proportional share of the costs of expanded infrastructure needed to serve new development

Policy LU-3.13 **Mass and Scale**
Encourage that the mass, scale and height of new development is compatible with existing homes within residential neighborhoods.

Policy LU-3.14 **Multi-Family Transition**
Encourage that new multi-family housing located adjacent to single-family homes respects the size, scale, massing, and appearance of neighboring properties.

Policy LU-3.15 **Architectural Character**
Encourage that the architectural character of new development and substantial remodels complements the qualities of the neighborhood in which it is located and the overall valley character of Scotts Valley.

Actions

Action LU-3.1 Update Development Impact Fees
Review the City's impact fee requirements periodically and revise them as necessary to reflect current cost.

Goal LU-4 Encourage high-quality commercial and mixed-use development within the Mount Hermon Road and Scotts Valley Drive corridors that create an active and inviting public realm.

Policies

City

Policy LU-4.1 Commercial Development
Provide for attractive commercial development (including more intensive and higher quality ground floor retail) along commercial corridors, provided the uses are compatible with or transition easily to adjacent residential areas.

Policy LU-4.2 Public Amenities
Encourage new development to provide amenities that enhance the vitality of the corridor, such as outdoor dining and courtyards, publicly accessible or semi-public gathering places, and bicycle and pedestrian facilities.

Policy LU-4.3 Streetscape Improvements
Improve the physical appearance along arterial corridors through the installation of additional landscaping in the public right-of-way and improved bicycle and pedestrian facilities.

Policy LU-4.4 Mixed-Use on the West Side of Scotts Valley Drive
Encourage vertically and horizontally mixed-use along the west side of Scotts Valley Drive where appropriate. Incorporate site design features that are sensitive to adjacent residential uses. Seek to consolidate small lots to create a better-quality design and minimize driveways.

Neighborhood

Policy LU-4.5 **Neighborhood Impacts**
Minimize negative impacts, particularly traffic, parking, and noise, on residential neighborhoods adjacent to Mount Hermon Road and Scotts Valley Drive. Incorporate design or mitigation measures into projects to avoid or minimize neighborhood impacts.

Policy LU-4.6 **Neighborhood Connections**
Provide pedestrian and bicycle improvements along Mount Hermon Road and Scotts Valley Drive that complement and connect with adjacent residential neighborhoods.

Project

Policy LU-4.7 **Intensity**
Within the Commercial Shopping Center (C-SC), Commercial Service (C-S) and Commercial Professional (C-P) land use designation, consider additional density on sites only when the project provides substantial benefits to the community (as demonstrated through consistency with other policies in this Plan) and minimizes or mitigates adverse impacts on adjacent properties.

Policy LU-4.8 **Public Spaces and Amenities**
Encourage new development to include public spaces and amenities that create and strengthen focal points and activity along the two corridors.

Policy LU-4.9 **Residential Uses**
Where there is suitable lot size and access, encourage residential uses only when integrated with other mixed-use commercial development.

Actions

Action LU-4.1 **Discourage Strip Commercial**
Amend the Zoning Ordinance to discourage strip commercial development in favor of clustered commercial and mixed-use development along Scotts Valley Drive.

Action LU-4.2 **Streetscape Improvement Plan along Mount Hermon Road and Scotts Valley Drive**
In coordination with City departments (Planning, Public Works, Police), local agencies (Scotts Valley Fire District, Scotts Valley Water District), the Scotts Valley Chamber of Commerce, and local businesses; seek funding to prepare

a streetscape improvement plan for Mount Hermon Road and Scotts Valley Drive. Identify opportunities for: 1) Complete street improvements as described in the Mobility Element of this General Plan that improve pedestrian and bicycle safety and access, 2) Improved aesthetic character and quality through better defined landscaping and hardscape standards, and 3) Incorporation of landscaped medians and other areas that utilize recycled water and are designed to minimize maintenance costs. Convene a committee of interested parties to help in the development of the streetscape improvement plan.

Action LU-4.3 **Scotts Valley Drive Mixed-Use Activity Node**
In coordination with property owners, create a task force to explore the development of activity nodes along Scotts Valley Drive that create a pedestrian-friendly setting. Improvements could include but are not limited to; wider sidewalks, outdoor courtyards, benches, distinctive property fronting landscaping, public art, and high-quality pedestrian crosswalks landscaped medians and bulb-outs, where appropriate.

Goal LU-5 Protect the ability of industrial and research and development uses to locate and operate within the City.

City

Policy LU-5.1 **Underutilized Industrial Properties**
Encourage and support redevelopment of underutilized Light Industrial (I-L) designated properties that promote research and development and specialty manufacturing as a means to encourage a diversified and high caliber workforce.

Policy LU-5.2 **Lot Consolidation**
Support efforts to consolidate lots and thereby improve the economic viability and vehicular access to industrial designated sites.

Policy LU-5.3 **Compatibility with Surrounding Uses**
Ensure that industrial areas are compatible with and do not adversely impact surrounding land uses.

Policy LU-5.4 **Protection from Future Residential Development**
To protect the long-term viability of existing industrial uses, carefully locate adjacent residential development with adequate setbacks and buffers to minimize potential conflicts and disturbances.

Policy LU-5.5 **Landscape Buffering**
Require buffers and landscaping in industrial developments to ensure compatibility with adjacent land uses and mitigate any potential adverse impacts.

Policy LU-5.6 **Industrial Use – Lighting**
Lighting of industrial areas shall be carefully controlled to the extent necessary for security, safety and identification without interfering with adjoining land uses. Lighting shall be directed away from public rights-of-way and adjacent residential land uses.

Project

Policy LU-5.7 **Compatibility with Residential Uses**
Industrial uses shall not be located or established where they increase traffic in surrounding residential areas.

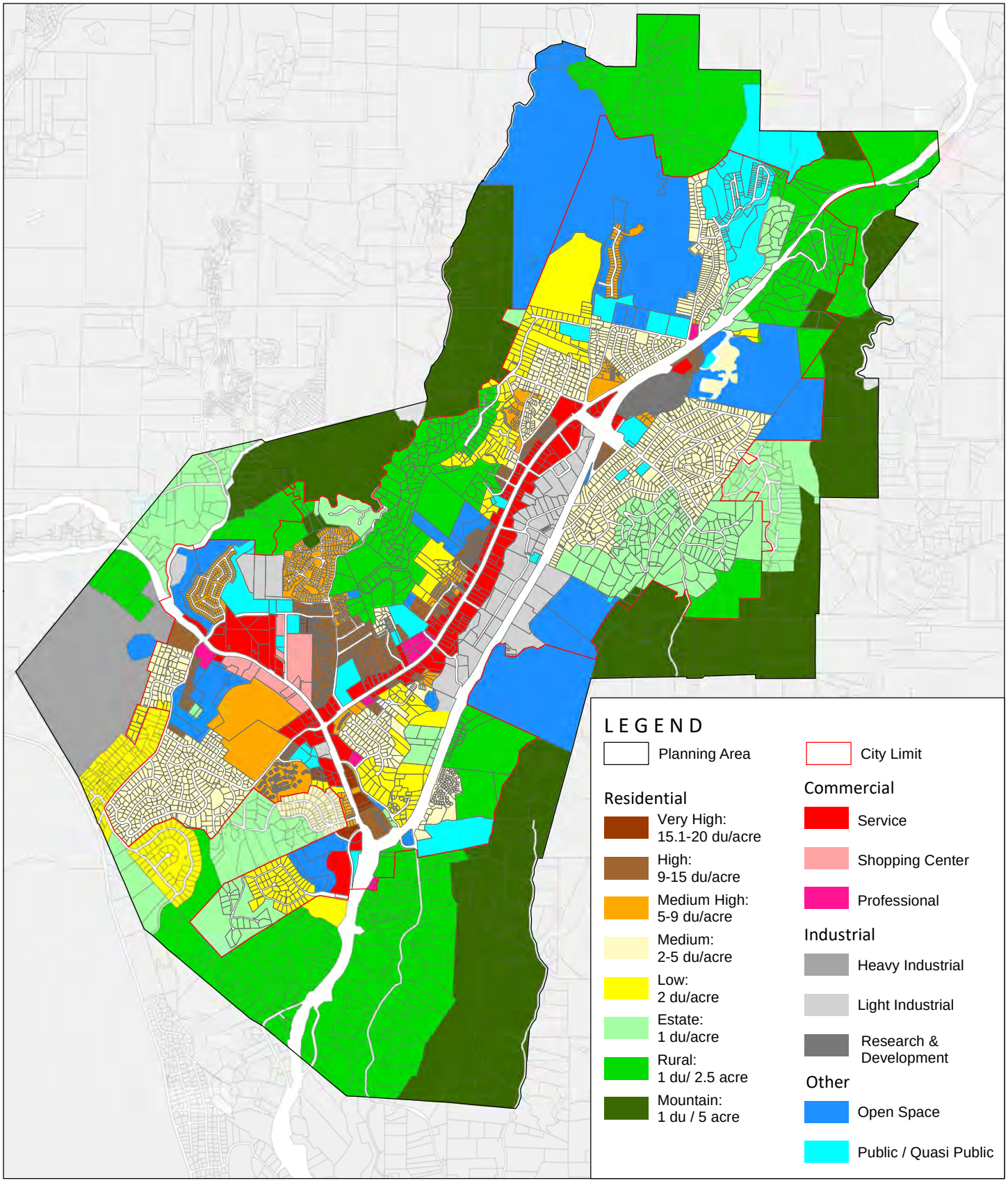


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Figure LU-1: General Plan Land Use Designation

Disclaimer: This Map was developed for the Genereal Plan. The City is neither liable nor responsible for the use of this map beyond its indended purposes.

ECONOMIC DEVELOPMENT

The Scotts Valley **Economic Development Element** addresses the economic viability of Scotts Valley through the provision of balanced employment and housing opportunities, attraction and retention of businesses, and promotion of fiscal strength and stability in the community.

ECONOMIC DEVELOPMENT ELEMENT

Introduction

Scotts Valley's local economy contributes greatly to the overall quality of life experienced by the city's residents. A healthy local economy consists of a highly trained and educated workforce, diversified businesses, accessibility to the Monterey Bay and Silicon Valley, available housing, financial assistance to businesses, and infrastructure ready to serve technologically advanced businesses. Scotts Valley's business-friendly outlook and excellent quality of life make it attractive for business location, particularly for technology and manufacturing. Using these incentives, the City can continue to attract, retain, and expand the local economy. This will, in turn, ensure Scotts Valley's fiscal and financial health, allowing for a high level of public services and programs. As such, economic development goals and policies described in this element set the tone and direction for the City's business community.

This element contains polices to maintain the economic viability of Scotts Valley through the provision of balanced employment and housing opportunities, attraction and retention of businesses, and promotion of fiscal strength and stability in the community.

Preparation of an Economic Development Element is not required under State law, but the Government Code authorizes cities and counties to adopt additional elements as deemed relevant and necessary. State General Plan Guidelines include Economic Development as a suggested topic to promote fiscal stability and economic growth. If a jurisdiction prepares an optional Economic Development Element, that element must be consistent with the other General Plan elements.

This element is most directly related to goals, policies, and implementation programs within Scotts Valley's Land Use, Circulation, and Housing elements.

Current Status

Recommended by Planning Commission to City Council – DATE

Accepted by City Council at Public Hearing – DATE

Background and Context

This Economic Development Element focuses on the provision of resources and incentives for business retention and expansion, primarily in retail, professional offices, and technology firms, and revitalization of vacant and underutilized sites with industrial and commercial uses.

Scotts Valley has limited land available for new development and strong interest in retaining Scotts Valley's small-town character. Additionally, because the city's share of local property tax revenue is among the lowest in California, balancing the City budget while maintaining the City's reputable municipal services is increasingly a challenge.

Below is a socioeconomic overview of the City of Scotts Valley. It was drawn from the *Scotts Valley Economic Development Strategy Framework* prepared by Economic & Planning Systems (EPS), dated October 16, 2017.

Employment

The dominant industry in Scotts Valley is manufacturing, which accounts for nearly 20 percent of all jobs.[1] The City's second largest sector is accommodation and food services, which makes up 11 percent of Scotts Valley jobs. Other significant employment sections in the City include the retail, health care, and professional.

Table ED-1: Total Jobs Growth (2015-2045) outlines past and projected employment growth from 2015 through 2045 for Scotts Valley and nearby jurisdictions. By 2045, the City is forecasted to experience a 14.2 percent job growth rate (approximately 1,339 new jobs).

Table ED-1: Total Jobs Growth (2015-2045)

Jurisdiction	2015	2025	2035	2045	Change 2015-2045
Scotts Valley	**9,458**	**10,185**	**10,489**	**10,797**	**14.2%**
Capitola	11,666	12,376	12,902	13,454	15.3%
Santa Cruz	40,840	44,317	46,863	49,636	21.5%
Watsonville	42,069	45,748	47,366	49,071	16.6%
Santa Cruz County	130,436	141,391	147,125	153,261	17.5%

Source: Association of Monterey Bay Area Governments, 2022 Regional Growth Forecast

As shown in Table ED-2: Employment by Sector (2010-2020), the most significant employment sectors in the City of Scotts Valley include Manufacturing (16.5%), Retail (10.4%), Professional

[1] Note that all industries comprise a diversity of occupations, often ranging from management executives to hourly support staff.

services (13.3%), and Education and health care (17.2%). These trends have been fairly consistent over the last 10 years (2010 to 2020), with a net increase of approximately 325 new jobs.

Table ED-2: Employment by Sector (2010-2020)

Industry Sector	2010		2020		Change 2010-2020
	Employees	Percent of Total	Employees	Percent of Total	
Construction	362	10.3%	205	5.3%	-5%
Manufacturing	616	17.5%	635	16.5%	-1%
Wholesale trade	61	1.7%	133	3.5%	1.7%
Retail trade	264	7.51%	401	10.4%	2.9%
Transportation and warehousing, and utilities	67	1.9%	157	4.1%	2.2%
Information	137	3.9%	199	5.2%	1.3%
Finance and insurance, real estate, and rental leasing	316	9%	265	6.9%	-2.1%
Professional, scientific, management, and administrative services	485	13.8%	509	13.3%	-0.6%
Education services, health care, and social assistance	632	18%	662	17.2%	-0.8%
Arts, entertainment, recreation, accommodation, and food services	198	5.6%	149	3.9%	-1.8%
Other services (except public administration)	119	3.4%	98	2.6%	-0.8%
Public Administration	257	7.3%	427	11.1%	3.8%
Total	**3,514**	100%	**3,840**	100%	9.3%

Source: American Community Survey, 5- Year Estimates, 2010 and 2020

As shown in Table ED-3: Unemployment Rate, the City of Scotts Valley had an unemployment rate of 4.3 percent in 2020, which is the lowest unemployment rate compared to the surrounding jurisdictions.

Table ED-3: Unemployment Rate

Jurisdiction	Unemployment Rate [1]		Percent Change
	2010	2020	
Scotts Valley	**6.9%**	**4.3%**	**-2.6%**
Capitola	8.6%	1.6%	-7%
Santa Cruz	8.3%	6.9%	-1.4%
Watsonville	11%	8%	-3%
Santa Cruz County	8.3%	6.1%	-2.2%

Notes:
1. Population 16 years +
Source: American Community Survey, Table DP03, 5-Year Estimates, 2010 and 2020

Depsite notable employment opportunities within the City, Scotts Valley is a bedroom community with roughly twice as many residents as employees. Only about 11 percent of employed Scotts Valley residents work in the City. Roughly 32 percent of the City's employed residents commute to other parts of Santa Cruz County. Notably, 34 percent of the working residents commute to Santa Clara County. About 63 percent of Scotts Valley jobs are filled by employees commuting from within Santa Cruz County, primarily from the cities of Santa Cruz and Watsonville. Just 12 percent of Scotts Valley jobs are filled by employees commuting in from Santa Clara County (see Table ED-4: Commute Patterns of Scotts Valley Residents and Employees, by City).

Table ED-4: Comute Patterns of Scotts Valley Residents and Employees, by City

Employment Destinations for Scotts Valley Residents			Commute Origins for Scotts Valley Employees		
Place	Number	Share	Place	Number	Share
Santa Cruz	690	14.2%	Santa Cruz	662	11.8%
San Jose	658	13.6%	Scotts Valley	517	9.2%
Scotts Valley	517	10.7%	Watsonville	358	6.4%
Live Oak	180	3.7%	San Jose	331	5.9%
Santa Clara	166	3.4%	Live Oak	244	4.4%
Sunnyvale	155	3.2%	Ben Lomond	157	2.8%
Mountain View	136	2.8%	Capitola	155	2.8%
Watsonville	132	2.7%	Soquel	143	2.6%
Palo Alto	124	2.6%	Pleasure Point	91	1.6%
Capitola	114	2.4%	Aptos	81	1.4%
All Other Locations	1,973	40.7%	All Other Locations	2,860	51.1%
Total	**4,845**	**100%**		**5,599**	**100%**

Source: US Census Longitudinal Employer-Household Dynamics (LEHD) OnTheMap 2014, Economic & Planning Systems, Inc., 2018.

Economic Development Issues and Opportunities

The *Scotts Valley Economic Development Strategy Framework* included a strengths, weaknesses, opportunities, and threats (SWOT) analysis based on findings from interviews with community stakeholders in Scotts Valley. As shown in Table ED-5: Economic Development SWOT Summary, the results offer a reference point for identifying economic development and planning strategies. A more comprehensive summary of stakeholder comments is provided in the *Scotts Valley Economic Development Strategy Framework*.

Table ED-5: Economic Development SWOT Summary

Strengths	Weaknesses	Opportunities	Threats
Safety	Limited Local Workforce	Town Center	Static Political Environment
Small Town Feel	Cost of Living	1440 Multiversity and Supporting / Complementary businesses	Housing Supply
Proximity to Silicon Valley and the Beach	Town Center Development Challenges	UCSC "Spin-off" Companies	Impact of Population Growth on Community Character
Schools	Minimal Capacity for Growth	Healthcare Demand	Traffic Congestion
Local Character	Limited Capacity of City Staff	Mountain Communities Tourism	
Accessible and Capable City Staff	Lack of Amenities and Nightlife	Marketing and Branding	

Source: EPS, Inc., 2017.

The *Economic Development Strategy Framework* concludes with six recommendations for future exploration:

1. Sustain existing high-quality City services and valued access to local officials and City staff.
2. Chart the course for citywide economic development through existing City Planning efforts, most significantly the General Plan Update.
3. Update the Town Center Specific Plan, now nearly 10 years old, to reflect current City goals, market realities, site-specific factors, and emerging opportunities.
4. Leverage regional economic development resources.
5. With increased fiscal stability, consider adding staff to prevent bottlenecks and execute basic economic development functions.
6. Consider marketing and branding opportunities.

Goals, Policies & Actions

Goal ED-1 Proactively manage land uses to provide and enhance economic development and job growth in Scotts Valley.

Policies

Region

Policy ED-1.1 **Regional Economic Development Coordination**
Work with regional organizations involved in land use and economic development to strengthen strategic alliances, ensure the efficient use of City resources and encourage mutually supportive efforts.

Policy ED-1.2 **Regional Housing Supply**
Work at the regional level to promote a shared responsibility for sufficient housing supply to accommodate the changing demographics and a growing population.

City

Policy ED-1.3 **Land Capacity for Employment**
Maintain land capacity for employment uses and protect and improve the quantity and quality of land designated exclusively for industrial uses.

Policy ED-1.4 **Balanced Supply of Commercial Uses**
Support land uses and development trends in the City that ensure a balanced supply of commercial, industrial, and mixed-use designations and development intensities.

Policy ED-1.5 **Economic Diversity**
Support a diverse economic base including industrial suppliers and services, commercial/retail support services, clean technologies, high technology manufacturers, business services, and other related industries.

Policy ED-1.6 **Parcel Consolidation**
Support efforts to consolidate parcels for commercial development to improve economic conditions and create conditions for higher quality development projects.

Policy ED-1.7 **Technical Assistance to Businesses**
Provide technical assistance to businesses wanting to locate or expand within Scotts Valley. Services may include site location assistance, employment linkages, marketing and public information, permit processing, financial referrals, façade improvement grants, and economic analysis.

Policy ED-1.8 **Housing Balance**
Encourage a balance between job types and housing development to reduce the negative impacts of long commutes and provide a range of employment opportunities for a diverse community of Scotts Valley residents.

Policy ED-1.9 **Taxation**
Maintain a local tax burden for business that is competitive with other jurisdictions in the region.

Actions

Action ED-1.1 **Town Center Specific Plan**
Given the dynamic changes in the retail sector, maintain and update, as necessary, the Town Center plan with an appropriate mix of land uses that are supported by a new market and financial feasibility analysis that is economically attractive to investors and developers.

Action ED-1.2 **Business Supporting Amenities**
Work with local businesses and economic development/promotion organizations to identify and cultivate business-supporting amenities such as full-service restaurants and conference and meeting room facilities.

Goal ED-2 Promote the City as a positive environment for economic development.

Policies

Region

Policy ED-2.1 **Economic Partnerships**
Actively participate in regional economic partnerships in Santa Cruz and Santa Clara Counties. Explore joint marketing efforts that would attract desirable businesses to locate in the City of Scotts Valley and the region.

City

Policy ED-2.2 **Job Creation Incentives**
Provide incentives that promote the creation of high-quality jobs across all industries.

Policy ED-2.3 **Business and Job Attraction**
Attract and retain a diverse mix of businesses and industries that can provide jobs for the residents of various skill and education levels.

Policy ED-2.4 **Marketing and Brand Identity**
Promote and market a unique brand identity for Scotts Valley, capitalizing on the City's valley setting and strong community values.

Policy ED-2.5 **Start-up and Locally Owned Businesses**
Support strategies and programs that facilitate the development of start-up companies and locally owned businesses.

Policy ED-2.6 **Economic Activity in Public Spaces**
Explore policies and programs to lease parts of public spaces (e.g., parks, community center, library) to private businesses and non-profit organizations to activate the space with programs and activities, such as small product vendors, bike rentals, exercise programs, events and festivals.

Policy ED-2.7 **Community Events**
Work in cooperation with community organizations to promote community events such as farmers market, annual festivals, music venues, library events, etc. that will draw visitors to Scotts Valley.

Policy ED-2.8 **Cultural Facilities**
Work in cooperation with community organizations to seek the establishment of a performing arts center, amphitheater, and/or other cultural facilities.

Policy ED-2.9 **Funding for Improvements**
Work in partnership with property and business owners to provide funding for physical improvements, public art installations, arts programming, and marketing.

Actions

Action ED-2.1 **Business Round Table**
Consider forming a Scotts Valley Business Round Table made up of business and property owners, business organizations (including the Scotts Valley Chamber of Commerce) and City officials where topics related to economic development can be freely expressed.

Action ED-2.2 **Business Attraction and Retention**
Meet periodically with the Scotts Valley Chamber of Commerce and other stakeholders to discuss strategies to attract and retain businesses. As part of these meetings, review:

- City regulations that may limit businesses from locating in Scotts Valley.
- City investments and improvements that may help attract desired types of businesses, such as environmentally conscious businesses.
- Ways to strengthen the City's reputation as a business-friendly environment.
- Methods to assist property owners and managers to attract desired types of tenants.
- Methods to assist property owners to consolidate lot ownership as part of redevelopment efforts.

Action ED-2.3 **Business Surveys**
In collaboration with the Scotts Valley Chamber of Commerce, conduct surveys of business owners and operators to assess their needs and issues.

Action ED-2.4 **Chamber Coordination**
Work with the Scotts Valley Chamber of Commerce in developing promotional materials which tell the story of our community's positive business environment.

Action ED-2.5 **Marketing and Branding**
Create a brand image for the City of Scotts Valley and identify means to market the City locally and regionally to promote economic development.

Goal ED-3 Encourage business expansion and retention.

Policies

City

Policy ED-3.1 **Diversified Economy**
Support a diversified economy to maintain Scotts Valley's long-term economic and fiscal health.

Policy ED-3.2 **Business Attraction**
Attract and sustain a growing concentration of companies to serve as the economic engine for Scotts Valley, particularly industries such as information and communication technologies, clean environment-related technology, niche manufacturing, health care, hospitality, and other sectors based on creativity and innovation.

Policy ED-3.3 **Business Assistance**
Provide business assistance and support to facilitate job creation, develop new businesses, spur private investment, and promote industry growth.

Policy ED-3.4 **Property Development**
Encourage business and property development that will provide jobs and generate revenue to support city services and infrastructure.

Policy ED-3.5 **Tax Revenue**
Support additional visitor accommodation uses and retail to grow transient-occupancy and sales tax revenues.

Policy ED-3.6 **Fiscal Impacts of Development**
Consider the fiscal impacts from new development on the City when reviewing major development projects. Fiscal impacts should be considered as one of many criteria when taking action on a proposed project.

Actions

Action ED-3.1 **Coordination with Real Estate Brokers**
Periodically meet and confer with commercial real estate brokers to assess market trends.

Action ED-3.2 **Strategic Engagement with Vulnerable Businesses**
Use the Scotts Valley Business Round Table and individual meetings to identify opportunities and strategies that encourage business retention.

Action ED-3.3 **Civic Wayfinding Signage**
Develop continuity in civic wayfinding signage throughout the City to better facilitate the use of public facilities and services.

Action ED-3.4 **Update City Policies and Regulations**
Periodically evaluate and update, as needed, the City's policies, regulations and ordinances to maintain Scotts Valley's competitive ability to attract and grow businesses, including small businesses and home occupations.

Goal ED-4 Foster a healthy commercial sector that provides goods and services necessary to meet the shopping needs of both the region and the local community.

Policies

City

Policy ED-4.1 **Retail Development**
Promote an appropriate level of retail development to help generate City revenue, create jobs, improve customer convenience, and enhance neighborhood livability.

Policy ED-4.2 **Regional-Serving Retail**
Maintain and adapt the retail base to changing market conditions which meet the needs of regional shoppers and residents.

Policy ED-4.3 **Entertainment Venues**
Support private efforts to achieve a broader mix of evening uses including restaurants and entertainment venues (e.g., theaters) in and around the Town Center to promote a vibrant City center that generates jobs, increases revenues, and attracts visitors to Scotts Valley.

Policy ED-4.4 **Mixed-Use Development**
Support mixed-use development with residential densities that will help support a vibrant and active commercial corridor and Town Center for Scotts Valley.

Policy ED-4.5 **Mt. Hermon Road and Scotts Valley Drive Streetscape**
Work with property owners, businesses and stakeholders to improve the streetscape on Mt. Hermon Road and Scotts Valley Drive. Improvements may include added center medians, landscaping, pedestrian amenities, improved transit stops, crosswalks, limiting ingress-egress points (where practical), and signage. (See also Goal LU-4 and related policies.)

Actions

Action ED-4.1 **Database of Local Businesses**
Maintain a database of businesses offering goods and services locally. Work with the Scotts Valley Chamber of Commerce to attract new businesses to fill leakage areas.

Goal ED-5 Assure that municipal services and public infrastructure will support and encourage a viable business climate.

Policies

City

Policy ED-5.1 **Municipal Fiscal Prudence**
Support policies and regulations that direct the City to follow prudent financial standards and to maintain strong financial reserves as inherent parts of the budget decision-making process.

Policy ED-5.2 **Strategic Infrastructure Investment**
Invest in strategic infrastructure improvements to encourage private investment, reduce new construction costs, increase business efficiency, support business retention and growth, stimulate economic activity, and employ people.

Policy ED-5.3 **Infrastructure Coordination**
Coordinate infrastructure upgrades and extensions, environmental remediation, land acquisition and/or assembly as necessary to provide for the orderly development of commercial, industrial, and mixed-use properties.

Policy ED-5.4 **Prioritize Funding Resources**
Maintain close coordination between City departments to plan and prioritize funding resources that are allocated to the City's most critical economic needs.

Policy ED-5.5 **Technology Investment**
Support investment in technology that reduces the costs of City services and result in more efficient use of City resources and revenues.

Policy ED-5.6 **Efficient and Timely Services**
Maintain City government practices attuned to business needs for clearly and timely use of incentives, regulations and development entitlement processes, and valued access to local officials and city staff.

Policy ED-5.7 **User Fees for Services**
Levy fees charged by the City to reflect actual costs for providing such services and consider offsets from other funding sources when considered strategically advantageous to the long-term economic interests of the City.

Policy ED-5.8 **Permit Process**
Maintain a clear, efficient process for processing business licenses and building permits/entitlements.

Policy ED-5.9 **Fiscal Health Monitoring**
Maintain the City's ability to provide accurate accounting records that keep the City Council, City Manager and community informed of the City's financial conditions.

Actions

Action ED-5.1 **Resource Checklist**
Support and maintain the resource checklist that can be used by new businesses to explain our processes, regulations, promotions, and City assistance.

Action ED-5.2 **City Staffing**
With increased fiscal stability, consider adding staff to prevent bottlenecks and execute economic development functions.

Action ED-5.3 **Development Activity Status**
Maintain a list and map that identifies current development projects and vacant and underutilized land in the City.

Action ED-5.4 **Periodic Update to Economic Development Data**
Periodically update economic development, as needed, to stay informed regarding economic trends and help inform strategic decisions to maintain a healthy economic balance in the City.

HOUSING ELEMENT

The Housing Element is bound as a separate document.

MOBILITY

The Scotts Valley **Mobility Element** establishes a framework for a balanced transportation system in Scotts Valley that meets the needs of residents, workers, and visitors. It aims to support a range of transportation choices, including vehicle travel, transit, bicycling, and walking. The Mobility Element envisions a transportation system that enhances resident's quality of life, supports a vibrant local economy, and promotes environmental sustainability goals.

MOBILITY ELEMENT

Introduction

State law requires that the Mobility Element include "the general location and extent of existing and proposed major thoroughfares, transportation routes, (and) terminals…, all correlated with the Land Use Element of the Plan" (Govt. Code, Sec. 65302[b]). In addition, the California Complete Streets Act (AB 1358), passed in 2008, requires all General Plan updates after January 1, 2011 to "plan for a balanced, multimodal transportation network that meets the needs of all users of streets, roads, and highways for safe and convenient travel" and defines "users of streets, roads, and highways" to include pedestrians, bicyclists, users of public transportation, motorists, children, persons with disabilities, and seniors.

The passage of SB 1000 in 2016 requires local governments to address environmental justice considerations related to circulation such as access to transportation systems, air quality related to transportation, delivery routes and transit options for nutritional food access, and promotion of physical activity.

Creating connected, accessible, and complete systems of circulation networks and ensuring access to opportunities within a community and region requires coordination between land use and circulation planning. Due in part to the connection between transportation funding and greenhouse gas reduction established in SB 375, vehicle miles traveled (VMT) is an increasingly important metric of impact in the Mobility Element.

Current Status

Recommended by Planning Commission to City Council – DATE

Accepted by City Council at Public Hearing – DATE

Correlation with the Land Use Element

Creating connected, accessible, and complete systems of circulation networks and ensuring access to opportunities within a community and region requires coordination between land use and circulation planning. Due in part to the connection between transportation funding and greenhouse gas reduction established in SB 375, vehicle miles traveled (VMT) is an important metric of impact in the circulation element. Because the circulation element is required to correlate with the land use element, it needs to account for the features such as connectivity between residential uses, services and employment centers.

The circulation element articulates equitable access for all community members. Pedestrian and bicycle routes should connect residential areas with job centers, parks, schools, and other destinations. Truck routes should be directed away from noise- and emissions-sensitive residents and designated instead to serve areas designed for commercial and industrial uses. The design speed of a roadway should equal its target speed (in other words, a street should be designed to accommodate intended auto speeds, not faster speeds).

Background and Context

Street Classifications

The roadway network in Scotts Valley consists of freeways, arterials, collectors, and local streets as classified by their function, commonly referred to as the functional roadway classification system (FCS). This traditional FCS is based on the mobility and access functions of roads for motor vehicle, transit, bicycle, and pedestrian traffic and allows the City to design and manage roads to ensure safety and ease of maneuverability.

The street classifications described in Table M-1: Roadway Classifications are illustrated in Figure M-1: Roadway Network.

Table M-1: Roadway Classifications

Street Classification	Description	Existing Average Daily Traffic Range	Examples of Scotts Valley Streets
Freeway	Serves major centers of activity with the highest traffic volumes and longest trip lengths. Integrated internally and between major rural and urban connections. Service to abutting lands is subordinate to travel service to major traffic movements.	More than 80,000	Highway 17
Arterial	Trips of moderate length at a lower level of mobility than principal arterials. Some emphasis on land access. Often carries local bus routes and provide intra-community continuity but does not typically access residential neighborhoods.	6,500 to 45,000	Mt. Hermon Road Scotts Valley Drive
Collector	Provides both land access and traffic circulation. Accesses neighborhoods and communities collecting and attributing traffic between residential neighborhoods and the arterial streets.	800 to 4,500	Glenwood Drive, Bethany Drive, Granite Creek Road, Green Hills Road, Kings Village Road, Bean Creek Road, La Madrona Drive, Lockewood Lane
Local	Primarily permits direct land access and connections to the higher order streets. Lowest level of mobility. Through traffic is deliberately discouraged.	Less than 2,000	All other streets.

Public vs. Private Roadways

As of 2023, the City of Scotts Valley is responsible for the maintenance of approximately 32 centerline miles of paved roads. This includes 4.57 miles of arterials, 12.18 miles of collectors, and 15.27 miles of local residential streets (City of Scotts Valley, 2017 Pavement Management Program Implementation). Of these roads, 60% are considered in good to very good condition, 14% in fair condition, 17.6% in poor condition, and 9.8% in very poor or failed condition.

There are a considerable number of streets that are privately owned and maintained. A figure showing these roadways is maintained by the City's Public Works Department and is incorporated herein by reference. Many of these private roads were established prior to City incorporation (1966) and some of which are owned and managed through a property owners association or similar entity; however, many are not.

Traffic Analysis Methodology

Vehicle Miles Traveled

In 2013, the State of California passed Senate Bill (SB) 743, which mandates that jurisdictions can no longer use automobile delay – commonly measured by Level of Service (LOS) – in transportation analysis under the California Environmental Quality Act (CEQA). The State has issued guidelines calling for the use of a broader measure called Vehicle Miles Traveled (VMT), which measures the total amount of driving over a given area.

The State's intent in making this switch is to promote:

- The reduction of greenhouse gas emissions.
- The development of multimodal transportation networks (i.e., networks that serve a variety of users including pedestrians, bicyclists, transit riders and drivers).
- A diversity of land uses (i.e., neighborhoods and cities with housing, jobs, shops and services near each other).

As of July 1, 2020, SB 743 requires jurisdictions to evaluate transportation impacts under CEQA to use vehicle miles traveled as an alternative metric to LOS for evaluating transportation impacts. With this change in criteria, auto delay will no longer be considered a significant impact under CEQA. Particularly within areas served by transit, this alternative criterion must "promote the reduction of greenhouse gas emissions, the development of multimodal transportation networks, and a diversity of land uses." (Public Resources Code Section 21099(b)(1).)

Consistent with SB 743, the City's *VMT Implementation Guidelines* (*VMT Guidelines*) and a *VMT Calculator* establishes baselines and VMT thresholds. For the purposes of VMT, implementation of the General Plan would have a significant transportation impact if it would result in VMT exceeding the thresholds as shown in *Exhibit 5: Scotts Valley VMT Thresholds of Significance for Land Use Projects* of the City's *VMT Guidelines*. A detailed VMT analysis is not required for land use elements of a project that meet the screening criteria, as shown in *Exhibit 4: Screening Criteria*.

VMT also allows for an analysis of a project's impact on a more regional basis rather than only in the vicinity of a proposed project, allowing for a better understanding of the full extent of a project's transportation-related impact.

VMT impacts above the adopted thresholds of significance are considered to be significant environmental impacts under CEQA. Lead agencies are required to identify feasible mitigation measures to avoid or substantially reduce those impacts. Transportation Demand Management (TDM) programs are a critical component to achieve VMT reduction targets, thus potentially aid in reducing a project's significant environmental impacts.

It should be noted that SB 743 allows the City of Scotts Valley to use LOS for other planning purposes outside the scope of CEQA. Adopting VMT thresholds does not preclude the City from continuing to conduct LOS analysis for project specific transportation analysis addressing delay, consistent with its General Plan policies and for the purpose of collecting traffic impact fees, consistent with the City's Municipal Code and City policy. The City's methodology for evaluating the need for traffic impacts improvements based on LOS outside of the CEQA requirements are described in the latest version of the City's *Guide for the Preparation of Traffic Impact Studies*.

Level of Service

To evaluate the performance of roadways and levels of traffic congestion, Scotts Valley uses a measurement know as level of service (LOS). LOS is a scale that measures the amount of auto traffic that a roadway or intersection can accommodate, based on such factors as maneuverability, driver dissatisfaction, and delay. Based on these measurements, it is possible to determine the impact of auto traffic at intersections throughout Scotts Valley.

LOS is typically represented by a letter scale that ranges from LOS A to LOS F. Table M-2: Signalized and Unsignalized Intersection LOS Criteria summarizes the relationship between the control delay and LOS for signalized and unsignalized intersections.

Table M-2: Signalized and Unsignalized Intersection LOS Criteria

Level of Service	Description	Average Control Delay (Seconds Per Vehicle)	
		Signalized	Unsignalized
A	Operations with very low delay occurring with favorable traffic signal progression and/or short cycle lengths.	≤ 10.0	≤ 10.0
B	Operations with low delay occurring with good progression and/or short cycle lengths.	> 10.0 to 20.0	> 10.0 to 15.0
C	Operations with average delays resulting from fair progression and/or longer cycle lengths. Individual cycle failures begin to appear.	> 20.0 to 35.0	> 15.0 to 25.0
D	Operations with longer delays due to a combination of unfavorable progression, long cycle lengths, or high volume-to-capacity (V/C) ratios. Many vehicles stop and individual cycle failures are noticeable.	> 35.0 to 55.0	> 25.0 to 35.0
E	Operations with high delay values indicating poor progression, long cycle lengths, and high V/C ratios. Individual cycle failures are frequent occurrences.	> 55.0 to 80.0	> 35.0 to 50.0
F	Operations with delays unacceptable to most drivers occurring due to over-saturation, poor progression, or very long cycle lengths.	> 80.0	> 50.0

Source: *Highway Capacity Manual*, Transportation Research Board, 2010

Traffic conditions are measured by average daily traffic (ADT), peak hour traffic volumes, level of service (LOS), average delay, and volume to capacity (V/C) ratio. Average daily traffic is the total number of cars passing over a segment of the roadway, in both directions, on an average day. Peak hour volumes are the total number of cars passing over a roadway segment during the peak hour in the morning (AM) or afternoon/evening (PM). Based on traffic counts and location, the peak hours may vary, but typically the weekday AM peak occurs between 7:00 am and 9:00 am and weekday PM peak occurs between 4:00 pm and 6:00 pm.

Complete Streets

The California Complete Streets Act (AB 1358) requires Scotts Valley to plan for multimodal transportation networks in the General Plan. Complete streets are designed and operated to enable safe access for all users, including pedestrians, bicyclists, motorists and transit riders of all ages and abilities. Complete streets make it easy to cross the street, walk to shops, and bicycle to work. A complete street may include; sidewalks, bike lanes (or wide paved shoulders) and separated bikeways, special bus lanes, comfortable and accessible public transportation stops, frequent and safe crossing opportunities, median islands, accessible pedestrian signals, curb extensions, narrower travel lanes, roundabouts, and more.

By adopting a complete streets policy, Scotts Valley can ensure that the City's rights-of-way are designed and operate to enable safe access for all users, regardless of age, ability, or mode of transportation. This means that every transportation project can help make the street network better and safer for drivers, transit users, pedestrians, and bicyclists.

More information can be found at: https://smartgrowthamerica.org/program/national-complete-streets-coalition/

Safe Routes to School

The three public schools in Scotts Valley were included in the *County of Santa Cruz/City of Scotts Valley Complete Streets to Schools Plan* (2019). The Plan includes infrastructure and program recommendations for each school, with the goal of improving safety and encouraging more walking, biking, and carpooling to school.

Safe Routes to School (SRTS) is a concept to increase the number of children who walk or bicycle to school by funding projects that remove the barriers that currently prevent them from doing so. Those barriers include lack of infrastructure, unsafe infrastructure, lack of programs that promote walking and bicycling through education/encouragement programs aimed at children, parents, and the community.

According to Caltrans, as of 1990, 60% of children living within a two-mile radius of a school walked or bicycled to school. Today, that number has dropped to less than 15%. Approximately 25% commute by school bus, and well over half are driven to or from school in vehicles. And back then, 5% of children between the ages of 6 and 11 were overweight or obese. Today, that

number has climbed to 20%. These statistics point to a rise in preventable childhood diseases, worsening air quality and congestion around schools, and missed opportunities for children to grow into self-reliant, independent adults.

Safe Routes to School programs are intended to reverse these trends by funding projects that improve safety and efforts that promote walking and bicycling within a collaborative community framework. It is through local champions working with a coalition of parents, schools, professionals in transportation, engineering, health, and law enforcement, that the most sustainable projects are expected to emerge.

There are two separate Safe Routes to School Programs administered by Caltrans: 1) The State-legislated program referred to as SR2S, and 2) The Federal program referred to as SRTS.

The City of Scotts Valley has been successful in receiving grant funds to improve access to schools. The most recent Safe Routes to School project, completed in 2014, was the installation of sidewalks along Vine Hill School Road and Tabor Drive (adjacent to Vine Hill Elementary School) and a path through the Glenwood Preserve to Glenwood Drive.

Traffic Calming Methods

Figure M-2: Traffic Calming Methods illustrates various method to help to slow down traffic and create a safer environment for non-vehicular users such as pedestrians, bicyclists, and the disabled.

Figure M-2: Traffic Calming Methods

Truck Routes

The City of Scotts Valley does not have an ordinance that establishes designated truck routes. Truck routes restrict vehicles that are within a gross vehicle weight, licensed commercially as a truck, and used for carrying goods for pickup and delivery. Such an ordinance would require trucks to only drive on truck-designated streets, except when necessary for egress and ingress by direct route to and from a restricted street for the purposes of loading or unloading.

A majority of the existing truck traffic travels along the existing arterial roads, particularly Scotts Valley Drive and Mt. Hermon Road.

Transit Service

Bus transit service and paratransit service for people with disabilities in Scotts Valley is provided by Santa Cruz Metropolitan Transit (Metro). Metro serves all of Santa Cruz County and the cities of Scotts Valley, Santa Cruz, Capitola, and Watsonville. Metro partners with the Regional Transportation Commission (SCCRTC), the Association of Monterey Bay Area Governments (AMBAG), UC Santa Cruz Transportation and Parking Services (TAPS), and the Santa Clara Valley Transportation Authority (VTA) in overall transportation improvement planning and transit services.

The Cavallaro Transit Center, located at 246 Kings Village Road is an important, regionally serving center that is a stop for Route 17 (the Amtrak Highway 17 Express to San Jose) and Routes 35 and 35A, which provide transit access to the San Lorenzo Valley and the City of Santa Cruz.

Bicycle Network

As of 2023, the City of Scotts Valley maintains 1.27 miles of Class I bike lanes and 17.44 miles of Class II bike paths. The City's Active Transportation Plan (ATP, 2020) provides recommendations for infrastructure projects and programs to enhance the bicycle and pedestrian network in Scotts Valley. These recommendations are designed to support Scotts Valley residents of all ages and abilities, including students traveling to school, employees traveling to work, and seniors walking for their daily errands. The ATP includes recommendations for infrastructure improvements, education and encouragement programs, bicycle parking, and wayfinding. The ATP also identifies funding sources and provides a system for prioritizing projects according to five broad categories; namely:

- System Continuity
- Design Construction, and Maintenance
- Commuting
- Bicycle Parking
- Funding
- Safety and Education

In addition to remaining consistent with major City planning documents, the ATP implements the goals and policies of the City's General Plan. The ATP is intended to aid City of Scotts Valley planners and engineers in prioritizing bicycle and pedestrian projects with the goal of improving safety and encouraging more active transportation trips. Therefore, the projects listed within the ATP are eligible for local and State funding.

The ATP identifies existing and proposed bikeways and is incorporated herein by reference. All new bike-related capital improvement projects are presented to the Santa Cruz County Regional Transportation Bicycle Committee prior to construction for comment and education.

Pedestrian Circulation

Pedestrian circulation is accommodated primarily through sidewalks and dedicated pathways. The City relies on the State Streets and Highways Code, which requires property owners to maintain sidewalks fronting their property. However, sidewalks are generally limited to commercial areas and most residential neighborhoods throughout Scotts Valley do not have sidewalks.

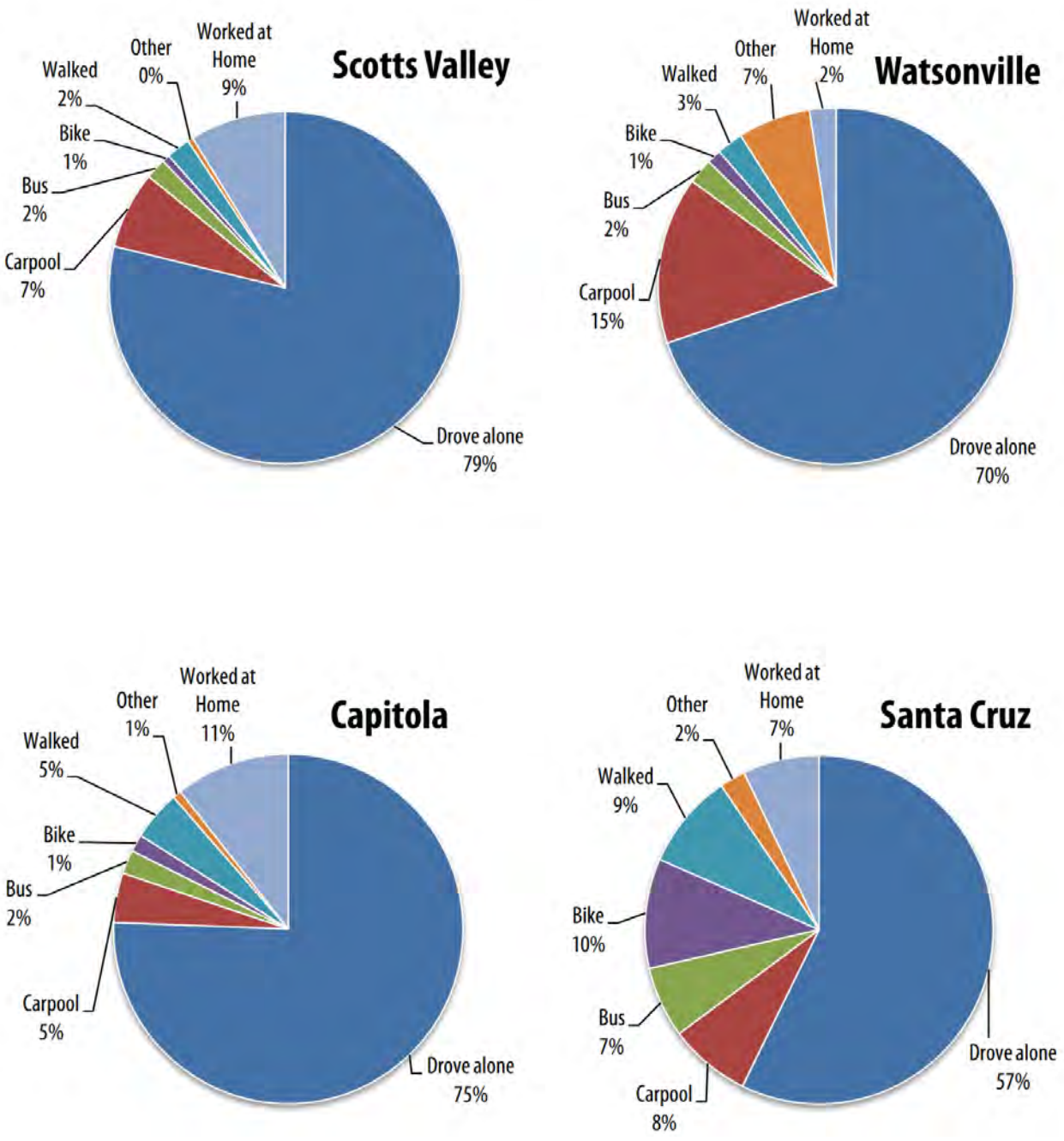
The City's *Active Transportation Plan* (2020) provides recommendations for infrastructure projects and programs to enhance the pedestrian network in Scotts Valley. These recommendations include filling key sidewalk gaps, measures to improve pedestrian safety and comfort on Mount Hermon Road and Scotts Valley Drive, and opportunities for new pedestrian pathways.

To address issues associated with accessibility, particularly for seniors and those persons with disabilities, the City created the Scotts Valley ADA Accessibility Committee in 2008. This Committee identifies opportunities to increase accessibility throughout the City and make recommendations to the City Council.

Modes of Travel

Mode share is a term used to define how individuals travel. The American Community Survey (ACS) provides a comparison of the ways Santa Cruz County residents get to work. The convenience of driving alone still attracts the majority of people and the percent of people driving by themselves to work has not changed significantly since 2000. As shown in the Figure M-3: Mode Share of Travel for Cities in Santa Cruz County, Capitola and Scotts Valley have the greatest number of residents working from home but also the greatest percentage of drive alone trips. This mode share data shows people's travel preferences are influenced by the type of land use and transportation facilities that are available in their community.

Figure M-3: Mode Share of Travel for Cities in Santa Cruz County



Source: AMBAG 2040 Regional Transportation Plan

Goals, Policies & Actions

Goal M-1	Provide a balanced, multi-modal transportation system that is well integrated, efficiently designed and supports mobility in a sustainable manner.

Policies

Region

Policy M-1.1 **Regional Infrastructure Alternatives**
Support regional efforts for alternatives to expanded infrastructure that reduce single occupant vehicle trips, conserves energy, and reduced air pollution.

Policy M-1.2 **Regional Agency Coordination**
Participate with the Santa Cruz County Regional Transportation Commission, the Association of Monterey Bay Area Governments, Santa Cruz County, and private transit operators to create and implement programs that coordinate the multi-modal transportation needs and requirements across jurisdictions, including but not limited to the Regional Transportation Plan and the Metropolitan Transportation Plan.

Policy M-1.3 **Regional Agency Funding**
Work with the Santa Cruz County Regional Transportation Commission, Santa Cruz County, Caltrans, Association of Monterey Bay Area Governments, and other relevant organizations to seek funding in support of local mobility improvement projects.

City

Policy M-1.4 **Transportation and Economic Development**
Transportation access, accommodations, and circulation should contribute to creating a supportive environment for economic development for both residents and visitors.

Policy M-1.5 **Transportation and Land Use**
Encourage higher intensity residential, commercial and mixed-use development near existing activity and transit centers and along corridors

well served by non-motorized transportation infrastructure and public transportation.

Policy M-1.6 **Capital Improvement Program**
Use the City's capital improvement program to develop and maintain an integrated transportation system that is within the City's ability to finance and operate.

Policy M-1.7 **Transportation Funding**
Pursue feasible, available, and/or practical available public and private sources of funding for transportation system development, improvement, and maintenance to minimize fiscal impacts on the City's general funds.

Policy M-1.8 **Transportation Grants**
Pursue state and federal grants by assigning a staff member the task of monitoring and applying for appropriate programs which are complementary to the City's funding needs for transportation and mobility.

Policy M-1.9 **Adjacent Land Uses**
Transportation improvements should be designed to coordinate with adjacent land uses to the extent practical and feasible.

Projects

Policy M-1.10 **Electric Vehicle Facilities**
Encourage new commercial development to provide facilities that support alternative mobility options such as electric vehicle stations, rideshare zones, bike and scooter parking, etc.

Policy M-1.11 **Residential Vehicle Charging Facilities**
Encourage new residential development to provide facilities for electric vehicle charging.

Actions

Action M-1.1 **Electric Vehicle Charging Stations**
Work with local business and employers to establish charging stations, preferably employing sustainable energy generation, for electric vehicles in public parking lots in accordance with the future growth in the number of electric vehicles.

Action M-1.2 **Trip Reduction Ordinance**
In partnership with local business organizations, actively coordinate with local businesses to encourage compliance with the City's Trip Reduction Ordinance.

Action M-1.3 **Alternative Transportation Incentives**
Implement financial and parking incentives for new development projects and for existing commercial facilities to encourage developers and business to provide alternative transportation, including bicycles, electric vehicles, transit systems and ridesharing.

Action M-1.4 **Rideshare Ordinance**
Develop a rideshare ordinance to coordinate the implementation and management of all forms of transportation rideshare programs.

Goal M-2 Provide "complete streets" that serve their expected modes of transportation, which may include vehicles, public transit, cycles, scooters, and pedestrians.

City

Policy M-2.1 **Complete Street Initiatives**
Support projects, program, policies, and regulations to maintain a balanced multi-modal transportation network that meets the needs of all local roadway users in a manner that is suitable to the scale and character of Scotts Valley.

Policy M-2.2 **Design Standards**
Follow accepted and adopted design standards when implementing improvements intended to fulfill "complete street" characteristics. Consider innovative or non-traditional design options, particularly where it can be demonstrated to improve the level of safety for users.

Policy M-2.3 **Dedications**
Require a dedication or irrevocable offer of dedication of real property for streets, alleys, and additional land as may be necessary to provide complete street facilities such as bicycle paths and local transit facilities, consistent with the provisions of the Subdivision Map Act or as otherwise allowed under State law.

Policy M-2.4 **Community Context**
Support opportunities to repurpose existing rights-of-way or create new rights-of-way to enhance connectivity for pedestrians and bicyclists.

Policy M-2.5 **Non-Motorized Connectivity**
Focus complete street improvements on primary connections from residential areas to schools, parks and recreation uses, civic uses, and community-serving commercial areas.

Policy M-2.6 **Maintenance**
Accommodate bicycling, walking, and public transit as a routine part of the City's maintenance of roadways in Scotts Valley, within the City's ability to finance.

Policy M-2.7 **Exceptions**
Balance the construction of new alternative mobility improvements with the derived benefits. Exceptions that should be considered include:

- The costs of providing such facilities are excessively disproportionate to the need or probable use; or
- The existing and planned population, employment densities, traffic volumes, or level of transit service on a particular roadway, as confirmed by the Public Works Director, is so low that future expected users of the roadway will not include those seeking mobility options (i.e., pedestrians, bicyclists, or public transit riders).

Actions

Action M-2.1 **Complete Street Standards**
Update the City's existing street standards to include minimum and preferred complete streets standards that can be referenced when retrofitting existing roadways.

Action M-2.2 **Capital Improvement Program**
Incorporate complete streets projects as part of the City's annual Capital Improvements Program update.

Action M-2.3 **Dedications Ordinance**
Prepare an ordinance or other appropriate mechanism that requires a

dedication or irrevocable offer of dedication related to the provision of complete street facilities such as bicycle paths and local transit facilities.

Action M-2.4 **Safe Routes to Schools**
Continue to pursue funding sources for the Safe Routes to School Program and work with local schools to make improvements that promote safe walking and bicycling to schools that serve Scotts Valley residents.

Goal M-3 Provide a roadway system than supports mobility and protects residential neighborhoods.

Regional

Policy M-3.1 **Reduce Vehicle Miles Traveled (VMT)**
Work in cooperation with the Santa Cruz County Regional Transportation Commission, the Association of Monterey Bay Area Governments, and Santa Cruz County to reduce VMT.

Policy M-3.2 **Coordination with Santa Cruz County**
Maintain the City street and highway system to integrate with the road system already established by Santa Cruz County. The Public Works Director shall ensure a coordinated system design.

Policy M-3.3 **Mt. Hermon Road Maintenance**
Seek funding and/or shared maintenance expense agreements with the County and Caltrans for Mt. Hermon Road corridor which serve as a primary access for the San Lorenzo Valley.

Policy M-3.4 **Caltrans Coordination**
Continue to work with Caltrans to improve the Granite Creek and Scotts Valley Drive intersection, as well as Caltrans on/off ramps located within the City limits.

Policy M-3.5 **Highway 17 Access Management Plan**
Work in cooperation with Caltrans to implement their Highway 17 Access Management Plan which establishes a framework for reducing conflicts, maintaining safety, reducing traffic congestion, and improving access for residents.

City

Policy M-3.6 **Arterial Streets**
Actively discourage diversion of traffic to local streets by maintaining adequate capacity on arterial streets and locating high traffic-generating uses on arterial streets.

Policy M-3.7 **Street Widening**
Whenever possible, implement solutions that improve the efficiency of the roadway network without adding vehicle traffic lanes.

Policy M-3.8 **Ongoing Road Closures**
Maintain closure of Sunridge Drive at Disc Drive and South Navarra Drive at Green Hills Road.

Policy M-3.9 **Level of Service Standard**
To help ensure a safe and efficient roadway network, maintain the established level of service C or better at intersections throughout Scotts Valley; except for Scotts Valley Drive at Mt. Hermon Road and Granite Creek Road at Scotts Valley Drive, which shall be required to maintain a level of service D or better. Utilize these standards as the basis for maintaining a nexus between the City's transportation impact fees and proposed development projects.

Policy M-3.10 **Lower Level of Service**
Consistent with the concept of Complete Streets and Goal 2 and its associated policies, consider accepting a lower level of service and greater congestion at major arterial intersections. Factors that should be considered include, but are not limited to; right-of-way constraints, the economic feasibility of roadway infrastructure improvements, environmental impacts, or other factors as deemed inconsistent with this General Plan, as determined by the City Council.

Policy M-3.11 . **On-Street Truck Loading**
On-Street truck loading and unloading shall be prohibited on major arterials during peak traffic flow hours and discouraged at all other times.

Policy M-3.12 **Limited Access on Arterials**
Encourage the consolidation of driveways and discourage mid-block access points and non-signalized intersections along arterials to improve circulation and safety.

Policy M-3.13 **Granite Creek Overpass Realignment**
In coordination with Caltrans, support the realignment of the Granite Creek Overpass at such point it should be rebuilt, to create safer and more efficient mobility for vehicles, pedestrian, and bicyclists.

Project

Policy M-3.14 **Traffic Impact Analysis**
Consistent with the City's traffic impact fee assessment program, require new development projects to prepare a traffic impact analysis, when necessary, per the requirements as defined in the City's Guide for the Preparation of Traffic Impacts Studies.

Policy M-3.15 **Fair Share Contribution**
Require those benefiting from transportation improvements to pay an appropriate share of the costs.

Policy M-3.16 **Traffic Impact Mitigation Fees**
Collect traffic impact mitigation fees from developers of new projects. Use these fees to construct various transportation and mobility improvements including bikeways, pedestrian pathways, and transit facilities.

Policy M-3.17 **Mitigation for Alternative Mobility Options**
Through the environmental review process, consider mitigations for traffic impacts which encourage the use of public transit and non-motorized vehicles.

Policy M-3.18 **Vehicle Miles Traveled Standards and CEQA Evaluation**
The City shall require evaluation of General Plan land use designation changes, zone changes, and discretionary development for their individual (i.e., project-specific) and cumulative transportation impacts based on Vehicle Miles Traveled (VMT) under the California Environmental Quality Act (CEQA) pursuant to the methodology and thresholds of significance criteria as set forth in the City of Scotts Valley SB 743 Implementation Guidelines.

Policy M-3.19 **Projects with Significant Vehicle Miles Travelled Impacts**
General Plan land use designation changes, zone changes, and discretionary development that would cause an individual (i.e., project-specific) or cumulative significant transportation impact based on Vehicle Miles Traveled (VMT) under the California Environmental Quality Act (CEQA) shall be prohibited unless:

1. There are no feasible mitigation measures available that would reduce the

impact to a less than significant level; and

2. The City's decision-making body, after balancing, as applicable, the economic, legal, social, technological, or other benefits, including region-wide or statewide environmental benefits, of the project against its unavoidable transportation impact and any other environmental risks, determines that the benefits of the project outweigh the unavoidable adverse environmental impacts and adopt a statement of overriding considerations pursuant to CEQA.

Policy M-3.20 **Highway 17 Access**
Where a proposed project would require direct access to/from Highway 17, confirm that it is consistent with Caltrans' Access Management Plan.

Actions

Action M-3.1 **Neighborhood Traffic**
Consider installing traffic calming measures if cut-through traffic increases due to adjacent development.

Action M-3.2 **Signal Timing**
Implement a plan to install and maintain coordinated signal timing equipment on arterial corridors, particularly on Mt. Hermon Road.

Action M-3.3 **Traffic Monitoring**
Monitor traffic as new development is proposed or when increased traffic volumes are observed to ensure that planned improvements are scheduled prior to deterioration of level of service below the desired standard.

Action M-3.4 **Transportation Impact Fee Program**
Prepare and implement a transportation impact fee program to ensure that new development pays its appropriate share of the costs, also known as "fair share contribution," for improvements needed to accommodate the development when considered in the context of a complete streets transportation system.

Action M-3.5 **Traffic Impact Studies**
Periodically update the City's Guide for the Preparation of Traffic Impact Studies to reflect current professional standards.

Action M-3.6 **Financing**
Finance circulation system improvements by using local revenues as a match to leverage federal and State funds.

Action M-3.7 **Private Roads**
Explore options to address the long-term maintenance and management of deficient private roads.

Goal M-4 Provide a roadway system that enhances community aesthetics and promotes a high quality of life.

City / Projects

Policy M-4.1 **General Design**
Ensure that new and reconfigured roadways and roadway improvements are safe, functional, and aesthetically appropriate.

Policy M-4.2 **Street Standards**
Require streets to be dedicated and improved in accordance with City street standards.

Policy M-4.3 **Consolidation of Properties on Scotts Valley Drive**
Encourage the consolidation of properties along Scotts Valley Drive to improve circulation and limit the number of driveways, mid-block access points, and non-signalized intersections.

Policy M-4.4 **Joint Driveways**
During permit processing, require development to utilize joint driveways or frontage roads between properties, where appropriate.

Policy M-4.5 **Traffic Calming**
Consider using traffic calming measures on local and collector streets, such as narrow street openings, turning prohibitions, one-way streets, landscaping, etc. to improve vehicular and non-vehicular traffic safety and enhance the aesthetic character of Scotts Valley's neighborhoods.

Policy M-4.6 **Utility Work Coordination**
Minimize disruption of newly paved or resurfaced streets by ensuring that road projects are coordinated with utility work.

Policy M-4.7 **Utility Undergrounding**
As part of capital improvement projects or new development, require the undergrounding of utilities along roadways.

Policy M-4.8 **Visual Screening of Vehicle Storage**
Continue to enforce the City's ordinance prohibiting the storage of construction equipment, tractor-trailers, camping trailers, vehicle dismantling facilities and similar uses where there is inadequate screening from arterials, collectors, and local streets.

Policy M-4.9 **Visual Screening**
Require appropriate landscaping and/or barrier screening in all new projects to screen off objectionable views along roads, streets and highways.

Policy M-4.10 **Signage**
Prohibit the placement of unsightly advertising and street directional signs along roadways.

Policy M-4.11 **Scotts Valley Drive and Mt. Hermon Road Corridors**
Employ a cooperative planning effort among public and private interests to implement appropriate land use controls and architectural techniques for improving and enhancing the scenic beauty and aesthetic qualities of Scotts Valley Drive and Mt. Hermon Road.

Policy M-4.12 **Highway 17 Corridor**
Continue to work with Caltrans and adjacent landowners to; enhance the landscaping and visual character along the Highway 17 corridor, preserve the views from the freeway, and buffer nearby properties from noise and lights. Require new developments to screen their parking, roof-top equipment, storage and loading areas to improve and enhance views from Highway 17.

Goal M-5 Improve and expand public and private transportation services for residents, workers, and visitors.

Regional

Policy M-5.1 **Regional Cooperation**
Support regional efforts to improve the availability, affordability, reliability, and convenience of public transportation service in Scotts Valley.

Policy M-5.2 **Cavallaro Transit Center**
Support the continued presence of the Santa Cruz METRO Cavallaro Transit

Center and work cooperatively to identify and implement measures to increase transit ridership through service and facility improvements and encouraging transit-oriented development on properties within one-quarter mile.

Policy M-5.3 **Paratransit**
Support paratransit alternatives such as the Santa Cruz METRO Paracruz program to ensure that public transportation in the City is responsive to the needs of the young, aged, disabled and disadvantaged.

Project

Policy M-5.4 Encourage new developments to provide for and promote transit use, where feasible. This may include providing fixed transit facilities such as bus shelters and pull-outs, consistent with anticipated demand. When applicable, submit development plans to the Santa Cruz Transit District for review and incorporate transit facilities, as appropriate, per district standards.

Policy M-5.5 **Private Bus Transit**
Work cooperatively with private bus transit operators to ensure potential impacts to roadways, on- and off-street parking, and adjacent sensitive land uses are minimized.

Goal M-6 Provide a complete network of bikeways and bicycle facilities in Scotts Valley.

Regional

Policy M-6.1 **Regional Bike Network**
Ensure that the bikeways in Scotts Valley are well integrated with existing and proposed regional bikeways in Santa Cruz County, particularly to/from downtown Santa Cruz.

Policy M-6.2 **Bike Improvement Funding**
Pursue opportunities for bicycle grant funding from federal, state, and local agencies to implement bicycle system improvements.

City

Policy M-6.3 **Accessibility for All Bicyclists**
Provide bikeways in Scotts Valley that are safe and convenient for bicyclists of all ages and abilities.

Policy M-6.4 **Safety**
Improve public safety by minimizing conflicts between bicyclists and motor vehicles on Scotts Valley's roadways.

Policy M-6.5 **Bikeways Maintenance**
As funds are available, perform the necessary maintenance on all established bikeways to keep them free of obstacles that would pose safety hazards for bicycles.

Policy M-6.6 **Bicycle Lane Construction (1)**
Include bicycle lane construction enhancements in all road improvement and expansion projects on designated bikeways and construct them in conformance with established safety standards. Encourage the construction of bikeways on private property, particularly where they provide an important link to the City's bikeway network.

Project

Policy M-6.7 **Bikeways Construction (2)**
Where available, require new developments located along designated bikeways to provide an appropriate bike way (path or lane) including rights-of-way and construction.

Policy M-6.8 **Bicycle Facilities**
Encourage new development to provide bicycle amenities, such as bicycle racks, lockers, and showers for employees, that support commuting by bicycle.

Actions

Action M-6.1 **Active Transportation Plan**
Maintain and update the Scotts Valley Active Transportation Plan as necessary.

Action M-6.2 **Capital Improvement Program**
Incorporate projects identified in Scotts Valley's Active Transportation Plan into the City's Capital Improvement Program.

Action M-6.3 **Intersection Standards**
Update the City's road standards and Active Transportation Plan to ensure accommodation for safe biking on City streets. Design features include separated bikeways, front queuing zones, painted sharrow lanes, and bike

detection signal systems, which are appropriate to detect and accommodate bicycles and their safe movement.

Action M-6.4 **Bicycle Parking Ordinance**
Develop bicycle parking ordinance to require provision of secure bicycle parking in new construction.

Action M-6.5 **Highway 17 Interchanges**
Work with Caltrans to ensure that any future modifications to Highway 17 interchanges in Scotts Valley improve safety and convenience for bicyclists and pedestrians, including bicycle detection sensors at controlled intersections.

Action M-6.6 **Bike Safety**
Work with the Scotts Valley Police Department and other appropriate organizations to promote bike safety education programs, particularly with youth.

Goal M-7 Provide high quality pedestrian facilities that support walking and the enjoyment of the outdoors in Scotts Valley

City

Policy M-7.1 **Pathways**
Maintain and improve pedestrian pathways, particularly pathways providing pedestrian access to natural areas and commercial areas.

Policy M-7.2 **Priority Investment**
Prioritize pedestrian facility improvements that address public safety concerns, complete gaps in the existing pedestrian circulation system, and enhance pedestrian mobility in high-use areas.

Policy M-7.3 **Accessibility for All**
As part of new development and City capital improvement projects, ensure that sidewalks and other pathways are accessible including accommodation for disabled persons and designed for use by people of all abilities. Construct crosswalks and sidewalks that are universally accessible.

Policy M-7.4 **Driveway Ramps**
Design driveway access ramps to not interfere with the safe use of sidewalks.

Projects

Policy M-7.5 **Development Projects**
Require all new development to provide pedestrian pathways and associated pedestrian amenities (e.g., benches, signage, etc.), particularly along arterial roadways and within one quarter mile of the Cavallaro Transit Center.

Policy M-7.6 **Sidewalks**
As part of capital improvement programs and new public or private roadway improvement projects, require the installation of sidewalks and pedestrian crossings in appropriate areas.

Actions

Action M-7.1 **Funding**
Seek funding from State and local agencies to expand and improve sidewalks, pathways, and other pedestrian facilities.

Action M-7.2 **Active Transportation Plan**
Maintain and update the Scotts Valley Active Transportation Plan as necessary.

Action M-7.3 **Obstacles and Obstructions**
Identify and inventory significant obstacles and obstructions, such as utility poles, traffic signal control boxes, overgrown vegetation, and root damage, on sidewalks. Eliminate or mitigate these obstacles and obstructions as funding becomes available.

Action M-7.4 **Pedestrian Access Survey**
Conduct a citywide survey to identify pedestrian barriers on key pedestrian routes or access points and identify how and these barriers could be removed. Include top priority pedestrian projects in the Capital Improvements Program update.

Action M-7.5 **Pedestrian Access Near Transit**
Include sidewalk improvements in the Capital Improvements Program update with a focus of constructing new sidewalks and maintaining existing sidewalks within a quarter mile of the transit center and bus stops.

Action M-7.6 **Sidewalk Construction**
Work to complete the construction of sidewalks along Mt. Hermon Road and

all collector streets with pedestrian access connecting complimentary land uses wherever feasible or when development occurs.

Action M-7.7 **Commercial Parking Lots**

Work with commercial property owners to improve the safety of pedestrians throughout parking areas. Require new development to include appropriately protected pedestrian paths.

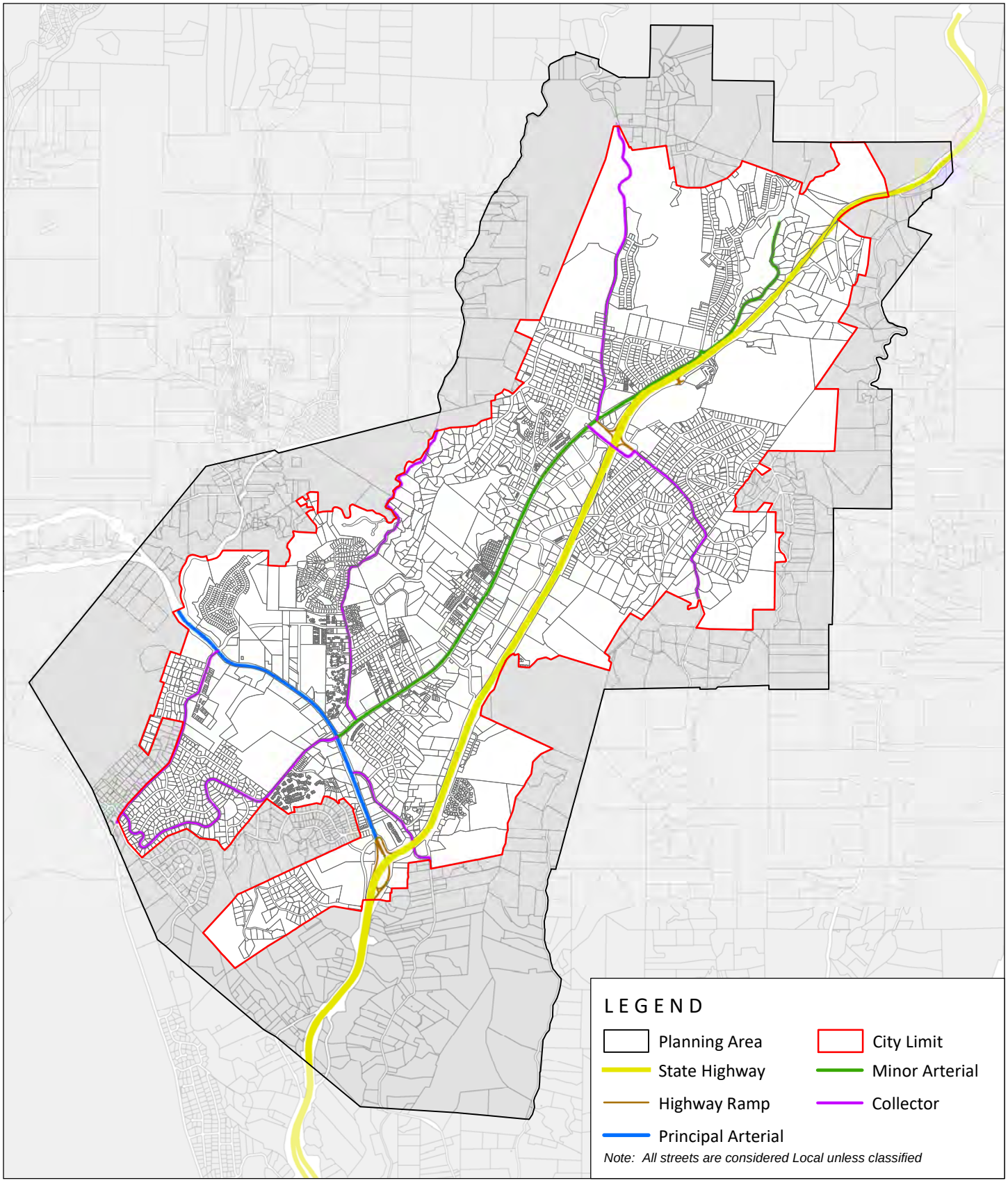


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Figure M-1: Roadway Network

Disclaimer: This Map was developed for the Genereal Plan. The City is neither liable nor responsible for the use of this map beyond its indended purposes.

OPEN SPACE & CONSERVATION

The Scotts Valley **Open Space and Conservation Element** addresses the conservation and management of natural resources and open space areas. This includes the protection of sensitive plant and animal species, preservation and enhancement of Scotts Valley's creeks and watersheds, and balanced management of open space areas. It also includes measures to protect the City's cultural and historic resources and improve air quality and reduce greenhouse gas emissions.

OPEN SPACE & CONSERVATION ELEMENT

Introduction

California State law requires that a General Plan include both an Open Space and a Conservation Element. This General Plan combines these two elements into a single element that addresses the concerns and satisfies the legal requirements for both.

State-required topics that must be addressed in this element (where relevant) include conservation, development, and utilization of natural resources including forests, rivers and other waters, fisheries, plants and wildlife, minerals, and soils.

Federal and State regulations also require communities to address the production of greenhouse gas (GHG) emissions, air quality, and solid waste and to develop impact reduction strategies, all of which are addressed in this element.

Current Status

Recommended by Planning Commission to City Council – DATE

Accepted by City Council at Public Hearing – DATE

Background and Context

Six major categories of open space that are required to be addressed per State Law are listed below, followed by a description of existing conditions for each of the four categories applicable to Scotts Valley.

- Open Space for the Preservation of Natural Resources
- Open Space Used for the Managed Production of Resources
- Open Space for Outdoor Recreation and Scenic Resources
- Open Space for Public Health and Safety
- *Open Space in Support of the Mission of Military Installations*[1]
- *Open Space for the Protection of Native American Sacred Sites*[2]

Open Space for the Preservation of Natural Resources

Topography

Scotts Valley is typical of a mountain/alluvial environment. The alluvian valleys of Carbonera Creek and Camp Evers Creek form the historic and modern core of the urban area, which is bordered by mountains.

Open space areas include areas of extreme slopes and poor soils which are unable to support development. Outside of the relatively flat valley formed by Carbonera Creek and its tributaries, the Planning Area is characterized by the varying slopes of the Santa Cruz mountain ridges, foothills, and gulches. Slope steepness depends largely on the geology, elevation, and soils of an area.

As shown in Figure OSC-1: Slopes, most of the Scotts Valley uplands have steep hillsides, some of which are over 40% slope and are considered unsuitable for development. In these areas, existing access is poor. Safe, all-weather roads cannot be developed, soils may be unstable and/or highly erodible, and the slopes are often heavily wooded. In addition, steep slopes may

[1] There are no areas associated with military bases in Scotts Valley. Therefore, this category of open space is not applicable to Scotts Valley.

[2] There are no local tribal lands located in Scotts Valley. Therefore, this category of open space is not applicable to Scotts Valley. Protection measures related to the potential identification of Native America cultural sites are included in the Land Use Element of this General Plan.

require extensive cut and fill grading to establish buildable sites which can be prohibitively expensive.

Steep banks near the area's creeks are often evidence of the erosive force of floodwaters and may be hazardous. Limited areas of moderately steep slope (25%-40%) exist within the Planning Area and could be developed under certain circumstances, but some of them are surrounded by very steep areas and are inaccessible. Gentle slopes (0%-25%) are found on mountain ridges in the Granite Creek, Glenwood, and Carbonera Creek valley, lower Bean Creek Road, Whispering Pines, and La Cuesta Drive areas and in most of the Mount Hermon Road area. Most of these areas have experienced some degree of development. Gentle slopes which remain rural in character are located west of the City limits in the Bean Creek area.

Watersheds

As shown in Figure OSC-2: Watersheds, Scotts Valley lies entirely within the watershed of the San Lorenzo River, a major drainage basin of northern Santa Cruz County. Within the Planning Area, are parts of three watersheds of major creek tributaries to the San Lorenzo River, as well as a small area which drains towards the river itself. The three creeks are Branciforte Creek, Bean Creek, and Carbonera Creek.

Most of the 7.4 square mile Carbonera Creek watershed is in the Scotts Valley Planning Area. Carbonera Creek is the major surface hydrological feature in the Planning Area. It generally runs northeast to southwest through the length of the City. Camp Evers tributary, about three quarters of a mile long, roughly parallels Mount Hermon Road, and the approximately one-mile-long west branch of Carbonera Creek drains the Glenwood Drive area. Less than 10% of the Branciforte Creek watershed lies in the Planning Area and approximately one third of the Bean Creek watershed forms the north portion of the Planning Area.

Groundwater

The Santa Margarita Groundwater Basin (SMGB)is a primary water supply source for Scotts Valley, San Lorenzo Valley, and Santa Cruz. It covers over 30 square miles in the Santa Cruz Mountains foothill, forming a triangular area that extends from Scotts Valley to the east, Boulder Creek to the northwest and Felton to the southwest.

The SMGB consists of a sequence of sandstone, siltstone, and shale that are underlain by granite that lie within a geologic trough called the Scotts Valley Syncline. This sequence of sedimentary rocks is divided into several geologic formations. These units are defined on the basis of the type of rock and their relative geologic age based on studies by the United States Geological Survey. In the SMGB, the sandstone units serve as the primary aquifers that provide the majority of groundwater production for the local water supply. The main aquifers in the Basin include:

- Santa Margarita Sandstone (Santa Margarita)

- Monterey Formation (Monterey)
- Lompico Sandstone (Lompico)
- Butano Formation (Butano)

Over the past 25 years, groundwater levels in many parts of the SMGB, especially in the Lompico Aquifer, have declined more than 200 feet. The greatest declines occurred between the late 1960s and mid-1990s. A variety of factors probably contributed to these declines, including:

- Increased groundwater pumping due to growth in area.
- Reduced recharge from the surface to groundwater due to an increase in paved areas and other land use changes associated with urbanization.
- Reduced groundwater recharge due to the drought.

The Groundwater Reporting Area (GWRA) is the area of reported annual data for the SVWD Groundwater Management Area and the Pasatiempo Groundwater Subarea, located south of the SVWD GWRA. The Pasatiempo Groundwater Subarea includes the portion of the SMGB served by the San Lorenzo Valley Water District and the Mt. Hermon Association.

The SMGWA is a Groundwater Sustainability Agency (GSA) that was formed as a Joint Powers Authority in June 2017 to manage water in the GWRA. It has three member-agencies: SVWD, SLVWD and County of Santa Cruz and is governed by the Board of Directors comprised of two representatives from each member agency, one representative from the City of Scotts Valley, the City of Santa Cruz, one from Mount Hermon Association and two private well owner representatives.

The major water purveyors that directly rely on the supply from SMGB are Scotts Valley Water District (SVWD), San Lorenzo Valley Water District (SLVWD), and Mount Hermon Association (MHA). The SMGB is the sole supply source for 13 small water systems and over 1,100 private well users. In addition, the City of Santa Cruz derives a major portion of its supply from the San Lorenzo River watershed, which overlaps the basin.

A decline of groundwater levels in many parts of the basin occurred during 1985-2004, representing a loss in groundwater storage in SMGB by an estimated 28,000 acre-feet. The diminished groundwater storage reduced sustaining base flows to local streams that support fishery habitats. Due to the water use efficiency measures and other management efforts at local water agencies, the total extraction from the SMGB has decreased about 45% since 1997. Over the last 10 years, the demand and supply in the basin have been in balance.

Scotts Valley Water District

Apart from a small area in the southwestern boundary of the City limits, a major of water supply is provided by the SVWD. SVWD currently operates five production wells: #3B, Orchard, #10A, #11A, and #11B. Groundwater pumping by well varies seasonally and annually to meet changing local water demand and allow for well maintenance activities.

Groundwater pumping is highest in the dry season months of May through October and lowest in the wetter months of December through March due primarily to seasonal changes in outdoor use. The timing of increased outdoor water use typically shifts with the amount of springtime precipitation. If March through May rainfall is above average, outdoor water usage tends to be below-average, whereas below-average spring rain tends to increase outdoor water use.

SVWD has actively managed groundwater in the area since the early 1980s in an effort to increase water supply reliability and to protect local water supply sources. In 1983, SVWD instituted a Water Resources Management Plan to monitor and manage water resources, in 1994 the agency formally adopted a Groundwater Management Plan in accordance with AB3030, also known as the Groundwater Management Act under Water Code section 10750.

In 1995, SVWD, SLVWD, MHA, Lompico Water District (LCWD), City of Scotts Valley and County of Santa Cruz signed a Memorandum of Understanding forming the Santa Margarita Groundwater Basin Advisory Committee. The committee was actively involved in the cooperative groundwater management of the basin until its dissolution and substitution with Santa Margarita Groundwater Agency (SMGWA) in 2017.

Additional information can be found in Community Services & Facilities Element and the following websites: www.svwd.org and www.smgwa.org.

Biological Resources

As shown in Figure OSC-3: Riparian Woodlands, there are three habitat communities in Scotts Valley: Riparian woodland, Ponderosa pine, and Zayante/Santa Cruz Sandhills. These habitats are discussed below, followed by a discussion of special-status plant and wildlife species and on-going habitat conservation plan efforts occurring in and around Scotts Valley.

Riparian Woodland Habitat

Riparian woodland is located along several area creeks, but regionally significant examples extend along Carbonero Creek between Disc Drive and Granite Creek Drive, and along Bean Creek between MacKenzie Creek and Mount Hermon Road. The riparian habitat relies on the year-round presence of fresh water and is often dominated by broadleaf deciduous trees such as box elder, sycamore, black cottonwood, big leaf maple, alder, and willow. The understory is lush, including poison oak, blackberry and an abundance of herbaceous growth and decaying vegetation. Wildlife use this habitat type extensively as a corridor for travel, breeding and feeding. Riparian habitats are rare and considered threatened throughout the state.

Ponderosa Pine Habitat

The Ponderosa pine habitat is a rare assemblage of vegetation limited to sandy, infertile Zayante soil formed over Santa Margarita sandstone. This habitat is located in the southwestern part of the Planning Area, on the slopes of Mount Hermon, and extends outside the Planning Area.

Due to its sandy soil, Ponderosa pine habitat drains very rapidly and does not retain enough water to support species such as redwood and Douglas fir which are common elsewhere. A substantial portion of the Ponderosa pine habitat in Santa Cruz County has been degraded by development and quarrying activity.

Zayante/Santa Cruz Sandhills Habitat

As shown in Figure OSC-4: Sandhill Habitat, the Santa Cruz sandhills are unique communities of plants and animals found only on outcrops of sandy soils derived from marine deposits in Santa Cruz County, central coastal California. They support diverse assemblages of plants that are uniquely adapted to the droughty, infertile soils, including four endemic plant species found nowhere else in the world. Also distinct, the sandhills fauna includes two endemic insects, isolated populations of two lizard species, and the last known population of the Santa Cruz kangaroo rat.

The endemic sandhills communities and species are naturally rare, due to their limited geographic range (Santa Cruz County) and narrow habitat specificity (inland sand outcrops). Habitat destruction due to sand quarrying, urban development, and agriculture has reduced and fragmented habitat. As a result, three sandhills plants (Santa Cruz wallflower, Ben Lomond spineflower, and Santa Cruz cypress) and two sandhills animals (Mount Hermon June beetle and Zayante band-winged grasshopper) have been listed as federally endangered. Several other endemic and locally unique plants and animals in the sandhills are also very rare and the two sandhills plant communities — maritime coast range ponderosa pine forest and northern maritime chaparral — are listed as sensitive communities in the California Natural Diversity Database. Ongoing habitat conversion, fragmentation, degradation, and genetic contamination threaten the persistence of these unique species and communities.

Wildlife

Several special-status invertebrate species are known from the Scotts Valley area, including Opler's longhorn moth (*Adela oplerella*), the Ohlone tiger beetle (*Cicindela ohlone*), Mount Hermon June beetle (*Polyphylla barbata*), and the Zayante band-winged grasshopper (*Trimerotropis infantilis*).

Raptors that may nest or forage in mixed conifer forest and grasslands in the Planning area include Cooper's hawk (*Accipiter cooperii*), sharp-shinned hawk (*Accipiter striatus*), red-shouldered hawk (*Buteo lineatus*), red-tailed hawk (*Buteo jamaicensis*), white-tailed kite (*Elanus*

leucurus), American kestrel (*Falco sparverius*), and Northern harrier (*Circus cyaneus*). These species are protected under California Fish & Game Code Section 3503.5.

A number of special-status songbirds and passerines (relatively smaller perching birds) occur or have the potential to occur in the mixed conifer forest and grassland habitats and include, among others: loggerhead shrike (*Lanius ludovicianus*), Vaux's swift (*Chaetura vauxi*), and the purple martin (*Progne subis*).

A number of bat species are common to the Planning Area including the pallid bat *(Antrozous pallidus*), the Townsend's Pacific big-eared bat (*Corynorhinus townsendii townsendii), and the* Western mastiff bat (*Eumops perotis californicus*). The San Francisco dusky-footed woodrat (*Neotoma fuscipes annectens*) is often found on the steeper slopes in the mixed conifer vegetation where it builds nests at the base of large trees.

List of Threatened, Endangered, and Other Special-Status Species

Threatened, endangered, and other special-status species that are known to occur or have the potential to occur in or near the Planning Area are shown in Table OSC-1: List of Threatened, Endangered, and Other Special-Status Species.

Table OSC-1: List of Threatened, Endangered, and Other Special-Status Species

Common Name	Scientific Name	Status
Ben Lomond buckwheat	*Eriogonum nudum var. decurrens*	1B.1
Bent-flowered fiddleneck	*Amsinckia lunaris*	1B.2
Bonny Doon manzanita	*Arctostaphylos silvicola*	1B.2
California giant salamander	*Dicamptodon ensatus*	SSC
Choris' popcornflower	*Plagiobothrys chorisianus var. chorisianus*	1B.2
Coho salmon - central California coast ESU	*Oncorhynchus kisutch pop.*	FE, SE
Kellogg's horkelia	*Horkelia cuneata var. sericea*	1B.1
Mount Hermon June beetle	*Polyphylla barbata*	FE
Northern curly-leaved monardella	*Monardella sinuata ssp. nigrescens*	1B.2
Ohlone tiger beetle	*Cicindela ohlone*	FE
Pacific Grove clover	*Trifolium polyodont*	SR, 1B.1
Robust spineflower	*Chorizanthe robusta var. robusta*	FE, 1B.1
San Francisco popcornflower	*Plagiobothrys diffuses*	SE, 1B.1
Santa Cruz black salamander	*Aneides niger*	SSC
Santa Cruz clover	*Trifolium buckwestiorum*	1B.1
Santa Cruz cypress	*Hesperocyparis abramsiana var. abramsiana*	FT, SE, 1B.2

Common Name	Scientific Name	Status
Santa Cruz wallflower	*Erysimum teretifolium*	FE, SE, 1B1
Scotts Valley polygonum	*Polygonum hickmanii*	FE, SE,1B.1
Scotts Valley spineflower	*Chorizanthe robusta var. hartwegii*	FE, 1B.1
Steelhead - central California coast DPS	*Oncorhynchus mykiss irideus pop. 8*	FT
Woodland woollythreads	*Monolopia gracilens*	1B.1
Zayante band-winged grasshopper	*Trimerotropis infantilis*	FE

Source: CDFW, California Natural Diversity Database, 2023.

FE = Federally Endangered
FT = Federally Threatened SE = State Endangered SR = State Rare
SSC = State Species of Special Concern CNPS Plant Ranks
1B = Rare, Threatened, or Endangered in California and Elsewhere 2A = Presumed Extirpated in California, But Common Elsewhere
2B = Rare, Threatened, or Endangered in California, But More Common Elsewhere CNPS Threat Ranks
0.1 = Seriously threatened in California (over 80% of occurrences threatened / high degree and immediacy of threat)
0.2 = Moderately threatened in California (20-80% occurrences threatened / moderate degree and immediacy of threat)
0.3 = Not very threatened in California (less than 20% of occurrences threatened / low degree and immediacy of threat or no current threats known)

Conservation Areas

There are three designated conservation areas within the Planning Area that are managed to preserve their habitat and plant and animal species: the Santa Cruz Sandhills, Glenwood Preserve, and Polo Ranch.

Santa Cruz Sandhills

The *Sandhills Conservation and Management Plan: A Strategy for Preserving Native Biodiversity in the Santa Cruz Sandhills* (2004) provides a comprehensive strategy for the maintenance of native biodiversity in the Santa Cruz Sandhills.

Where Santa Cruz Sandhill habitat is located on private land, development is restricted according to the guidelines as described in the *Interim-Programmatic Habitat Conservation Plan (IPHCP) for the Endangered Mount Hermon June Beetle and Ben Lomond Spineflower* (2011).

Within the City limits, these areas are located in three IPHCP "Project Units," namely the Scotts Valley East Unit (3.2 acres), Scotts Valley West Unit (109 acres) and the Whispering Pines Unit (242 acres within the City and 131 additional units in Santa Cruz County [373 acres total]). While these areas are largely built out, any new development is limited to small, residential projects and must adhere to the following requirements: (1) Require a County or City discretionary or building permit that involves ground disturbance; (2) Be residential in nature; (3) Be within 1 of 10 identified "Project Units;" (4) Be located within a parcel that is less than or equal to 1.5 acres; (5) involve no more than 15,000 square feet of development activity and

associated ground disturbance on a single parcel; and (6) incorporate the minimization measures described in Section 5.2 of the IPHCP.

More information can be found at: https://www.santacruzsandhills.com/scmp.html

Glenwood Open Space Preserve

The 160-acre Glenwood Preserve is located on the east and west sides of Glenwood Drive. The Preserve was dedicated to the City of Scotts Valley as a condition of approval for the development of 49 single-family residences on Deerfield Drive.

The two federally listed species that occur in the Preserve are the primary focus of this Plan. The southeast corner of the Preserve is one of 15 currently known locations of the endangered Ohlone tiger beetle (*Cicindela ohlone*) (USFWS 2001, DFG 2002). The grassland in the Preserve also supports the endangered Scotts Valley spineflower (*Chorizanthe robusta var. hartwegii*) and is part of designated critical habitat for the species (USFWS 2002).

Several additional special status species are known to occur within the Preserve. The Opler's longhorn moth (*Adela oplerella*), a Federal Species of Concern, has been observed in the southeastern portion of the Preserve. Mount Diablo cottonweed (*Micropus amphibolus*), included on the California Native Society's ("CNPS") List 3, and Gray's clover (*Trifolium grayi*), considered a CNPS species of local concern, have both been observed in grassland throughout the Preserve.

The *Habitat Conservation Plan and Long-Term Management Plan for the Glenwood Preserve* (approved December 2017) describes the long-term management and monitoring of these species while providing very limited passive recreation use (trails).

More information can be found at: https://www.landtrustsantacruz.org/category/protected-lands/glenwood-open-space-preserve/

Polo Ranch

Approved in August 2009, Polo Ranch, a 40-lot subdivision located at the former Santa's Village park site provides approximately 100 acres of open space lands. The open space includes:

- Natural areas that will remain undeveloped
- A fenced area for protected plant habitat (e.g., Scotts Valley Spineflower) not open to the public
- A private tot-lot park, open to the public
- Trails that start at a tot-lot park and lead to an earthen path near the southern end of the property.

The homeowner association owns the open space. A land trust is the easement holder for the fenced protected habitat, which is managed by an open space manager.

Open Space Used for the Managed Production of Resources

Forest lands/timberland production lands, mineral deposits and subsurface aquifers are natural resources of significance located within the Planning Area. Additionally, water quality and conservation concerns are directly related to open space areas of the City and Planning Area.

Forest Lands

There are no parcels designated for timberland production with the City limits. However, within the Planning Area, two parcels are designated by County of Santa Cruz zoning for potential timberland production (APNs: 056-281-03 and 056-281-12), east of State Highway 17 and south of Lodato Park. These two parcels have County General Plan land use designations of Rural Mountain (R-M) and Rural Residential (R-R), both residential designations.

Mineral Deposits

The "Surface Mining and Reclamation Act" of 1975 required the State geologist to designate mineral resources of regional or statewide significance. The Act also required cities to include the designations in their General Plans, if applicable. There are no identified mineral resource zones with the City limits; however, an area of significant mineral depositions has been identified outside the City limits, within the southwest portion of the Planning Area. Known as the Hanson or Kaiser Quarry, Santa Margarita Sandstone was extracted to produce sand for construction. The 200 acres quarry ceased operation in 2003. All former mineral processing facilities have been removed and disturbed areas have been reclaimed as open space with a native species vegetation similar to naturally occurring habitats in the surrounding area. As such, no mineral extraction activities presently occur within the City limits or Planning Area.

Water Quality

Scotts Valley and the Planning Area derive potable water entirely from local aquifers. The Planning Area is underlain by several geologic formations which form a groundwater basin. Groundwater recharge is a vital component of natural resource protection. The Santa Margarita Sandstone, the shallowest aquifer unit in the Scotts Valley area, has the highest recharge capability of the several geological formations underlying the Planning Area.

Urban runoff is a major factor that can impact water quality in urbanized communities like Scotts Valley. When stormwater flows over impervious surfaces, it can carry non-point source pollutants like oil, grease, solvents, and petroleum products from roadways and parking lots into creeks and other water bodies into which the stormwater is eventually discharged.

In 2009, the City prepared and approved a Storm Water Management Plan that describes best management practices and adopted a Stormwater and Urban Runoff Pollution Control

Ordinance (Ordinance No. 184) which establishes regulations regarding the protection of water quality.

Open Space for Outdoor Recreation and Scenic Resources

Open space conservation is important to conserve scenic, cultural, and historic resources.

Recreational Resources

A discussion regarding City and regional parks and recreational programs can be found in the Community Services and Facilities Element.

There are several major physical characteristics of the Scotts Valley community which affect the provision of open space and recreation areas. These include the steep wooded hills which surround and enclose the valley floor, Carbonero Creek and its tributaries which flow the length of the community, and State Highway 17, which bisects the community.

The surrounding hills, creeks and associated tributaries form the foundation of natural resources in the Planning Area. They function as essential elements of the environmental system and are major visual resources for the community. The hills play an important role in the identity of the community, providing visual diversity, as well as a unifying form for an otherwise random urban pattern. Access to the hills is limited and poorly defined and is generally not available for development due to steep slopes.

Lack of access and development within the riparian corridor limit recreational use of Carbonero Creek unless provisions for trail easements and access can be made. The creek and its tributaries do not function as a significant recreational resource.

State Highway 17 is a constraint to open space and recreational development within the community. It forms a physical and visual barrier between the east and west parts of the community.

Glenwood Open Space Preserve

One of the most significant publicly accessible open space recreation areas in the City is the Glenwood Preserve. This 166-acre property located north of Siltanen Community Park is owned by the City of Scotts Valley, and the Land Trust of Santa Cruz County holds a Conservation Easement. This preserve consists of grasslands, riparian forests and wetlands, and is home to several rare species including the Ohlone tiger beetle and the Scotts Valley spineflower. In December 2017, the Scotts Valley City Council approved the Land Trust's management plan for the preserve, which will enable the construction of trails outside of sensitive areas.

Scenic Resources

Areas of the City and Planning Area offering scenic value are significant open space features. The generally flat valleys along Carbonera Creek, its west branch tributaries, and the Camp

Evers tributary form a pocket in the Santa Cruz mountains within which most of the local urbanization has occurred. Hillsides immediately adjacent to these valleys have offered spectacular views for residential development in areas including Tabor Drive, Montevalle, Granite Creek, Navarra Drive and Whispering Pines. Forested ridgetops, which have remained largely undeveloped and have not been logged, are an attractive focal point for many scenic views. State Highway 17, which climbs from Santa Cruz on the south into the valley, offers outstanding vistas of the area. Scenic winding roads through steep redwood forested canyons border the Planning Area on Granite Creek Road, Vine Hill Road, and Bean Creek Road.

Figure OSC-5: Viewsheds and Scenic Corridors identifies prominent forested ridges, scenic road corridors along a portion of Highway 17 and several redwood canyon riparian areas, and vistas (largely from higher vantage points toward the ridges, or toward the broad sweep of the valley below). Prominent ridges parallel State Highway 17 on the east and Scotts Valley Drive on the west, surround the City limits north and west on Glenwood Drive, and follow the Bean Creek/Zayante divide in the southwest part of the City. While the mapped road corridors largely remain scenic because of dense vegetation or absence of development, the areas visible from Highway 17, Scotts Valley Drive, and Mount Hermon Road should all be considered important. These latter areas are visually accessible to nearly everyone in the Planning Area and therefore make up much of Scotts Valley's visual image. In the City's Planning Area, Highway 17, Graham Hill Road, and Mount Hermon Road are designated by Santa Cruz County as scenic and worthy of viewshed protection.

Cultural Resources

The City Hall, site located on Civic Center Drive, exemplifies the City's rich cultural heritage, as it contains both the historic Scott House and a 10,000-year-old archaeological deposit. Archaeological sites, dating from prerecorded history, are known to exist based on survey records of the regional site survey at Sonoma State University, from a ground reconnaissance of 95% of the City done in 1977 for the City's wastewater facilities plan and reports which have been prepared since this time though the environmental review process for proposed projects.

As illustrated in Figure OSC-6: Cultural Resource Areas, there are two zones of primary concern, the high and moderate sensitivity zones. The low sensitivity zones are generally found in the upland portions of the Planning Area away from fresh water sources, while the high and moderate zones are found in the more level areas which historically provided better access to fresh water sources. Because the Planning Area is rich in archaeological resources, most of it is defined as being of high to moderate archaeological sensitivity. To protect undisturbed sites from vandalism, precise locations remain confidential except to professionals and property owners.

Historic Resources

In March 1987, the City adopted a Historic Landmark Preservation Ordinance. The purpose of the ordinance is to protect, enhance, perpetuate uses, improvements, buildings, and other

structures of historic, architectural, artistic, cultural, engineering, aesthetic, political, social, and other significance, located within the City limits. The ordinance also established the Cultural Resource Preservation Commission whose function is to establish criteria, review, and comment on historical significance on all activity within the City. One of the duties of the Commission is to maintain a local register of historic properties.

In 1990, the City, in cooperation of the Scotts Valley Historical Society (SVHS), completed a survey of all potential historic structures within the City limits. The purpose of the study was to provide the City with specific information to identify which buildings and/or properties may be historically significant. The survey identified two historic structures; the Scott House (described below) and the Polo Barn, which, due to its deteriorating condition, was demolished in June 2014.

Scott House

Built in 1853 by Hiram D. Scott, the Valley's namesake, this Greek revival farmhouse was originally located along Scotts Valley Drive east of its present location at the Scotts Valley Civic Center. The Scott house was originally a very symmetrical, New England style, Greek Revival house with an attached ell. Being from Maine, Scott constructed a home that had the comfort and conveniences of the wooden structures of his New England homeland. The mortice and tenon style of construction used in the house was abandoned in the East coast in 1840. The corner pilasters and open pedimented gable exemplify typical Greek Revival details. Native California redwood is the dominant wood used in the house's construction. Mr. Scott may have borrowed the floor plan and detailing from the popular builder's guide and house pattern books of the day. The original house consisted of a parlor, parlor bedroom, second bedroom, dining room, kitchen, and attic.

The Scott House was moved in 1936 from its location along the old Santa Cruz County Road, near where MacDorsa Drive is today, to its present site west one hundred yards up the hill. The widening of the Santa Cruz-Los Gatos highway, later called California Highway 17 and now Scotts Valley Drive, necessitated this move.

Owned by the City of Scotts Valley, the house is on the National Register of Historic Places, being an example of early 1850's architecture and its association with the Scott family.

Additional information regarding the history of Scotts Valley and the historic structures survey can be found at http://history.scottsvalleychamber.com/index.html and Chapter 1: Introduction.

Open Space for Public Health and Safety

The conservation of open space areas within the context of public health and safety includes air quality, climate change, and the reduction of greenhouse gas (GHG) emissions.

Air Quality

The project site is located within the North Central Coast Air Basin (NCCAB), which includes Monterey County, San Benito County, and Santa Cruz County, comprising an area of approximately 5,159 square miles along the central California coast. The Monterey Bay Air Resources District (MBARD) is responsible for local control and monitoring of criteria air pollutants throughout the NCCAB.

Air in Scotts Valley is typically maritime in origin, as it moves over the land from the Pacific Ocean. Summers are warm and dry, while winters are mild and experience periods of rains. The northwesterly winds vary during the day, increasing throughout the hours of daylight. Subsidence inversions, which occurs during the summer and autumn under the influence of the North Pacific summertime high pressure area, can cause air pollutants to become trapped due to decreased vertical movement and poor ventilation. Wintertime inversions, which are shallower and occur with nighttime cooling, may also tend to trap some pollutants, as well as create dense surface fog. However, midday heating usually initiates vertical air currents and improves air quality. In addition, steady winds throughout the year provide generally good horizontal ventilation.

The Monterey Bay Air Resources District (MBARD) has the primary responsibility for ensuring that all state and federal ambient air quality standards are achieved and maintained within the basin. The MBARD responsibility with the California Air Resources Board (CARB) for ensuring that State and national ambient air quality standards are met within Santa Cruz County and the NCCAB. State law assigns local air districts the primary responsibility for controlling air pollution from stationary sources (i.e., non-moving, fixed-site sources, such as industrial facilities), while the CARB controls mobile sources (e.g., cars and construction equipment). The MBARD is responsible for regulating air pollution, permitting and inspecting stationary sources, monitoring air quality, and air quality planning activities.

The NCCAB is considered in attainment for most air pollutants, which means that the basin meets most state and national standards. However, the NCCAB is in non-attainment for ozone (O_3) and course particulate matter (PM_{10}). Vehicles are a significant source of these pollutants, both directly by combustion and indirectly by the interaction of combustion byproducts with one another with ultraviolet (UV) light.

Sensitive receptors include those segments of the population that are most susceptible to poor air quality, such as children, seniors, athletes and people with cardiovascular and chronic respiratory diseases, as well as sensitive land uses, such as schools, parks, and residential communities. Air quality problems intensify when sources of air pollutants and sensitive receptors are located near one another. Since schools, parks, and residential areas are located throughout the City, the consideration of sensitive receptors is an important aspect of the General Plan.

Additional information can be found at: www.mbard.org.

Climate Change and Greenhouse Gas Reduction

Climate change affects all communities in California, particularly regarding water supply, flooding, air pollution, heat waves, and sea level rise. Unless adequately anticipated and mitigated, the effects of climate change would impact Scotts Valley's economy, public safety, and overall quality of life.

Climate change is the observed increase in the average temperature of the Earth's atmosphere and oceans along with other substantial changes in climate (such as wind patterns, precipitation, and storms) over an extended period. Gases that absorb and re-emit infrared radiation in the atmosphere are called GHGs. GHGs are present in the atmosphere naturally, released by natural sources, or formed from secondary reactions taking place in the atmosphere. The gases that are widely seen as the principal contributors to human-induced climate change include carbon dioxide (CO_2), methane (CH_4), nitrous oxides (N_2O), fluorinated gases such as hydrofluorocarbons (HFCs) and perfluorocarbons (PFCs), and sulfur hexafluoride (SF_6) (CEQA Guidelines § 15364.5). Water vapor is excluded from the list of GHGs because it is short-lived in the atmosphere and its atmospheric concentrations are largely determined by natural processes, such as oceanic evaporation.

GHGs are emitted by both natural processes and human activities. Of these gases, CO_2 and CH_4 are emitted in the greatest quantities from human activities. Emissions of CO_2 are largely by-products of fossil fuel combustion, whereas CH_4 results from off-gassing associated with agricultural practices and landfills. GHGs have the potential to adversely affect the environment because such emissions contribute, on a cumulative basis, to climate change. Climate change is by definition a cumulative impact because it occurs worldwide. Although emissions of one single project do not cause climate change, GHG emissions from multiple projects (past, present and future) throughout the world could result in a cumulative impact with respect to climate change.

The accumulation of GHGs in the atmosphere regulates the earth's temperature. Without the natural heat trapping effect of GHGs, Earth's surface would be about 34° C cooler (CalEPA, 2006). However, it is believed that emissions from human activities, particularly the consumption of fossil fuels for electricity production and transportation, have elevated the concentration of these gases in the atmosphere beyond the level of naturally occurring concentrations.

Additional information can be found at: https://ww2.arb.ca.gov/.

California's Climate Change Policy and Local Communities

The effects of climate change and pollution pose great risks for Californians, including more frequent and more intense forest fires, more air pollution, deadly heat waves, a significant

reduction in snowpack and state water supplies, sea level rise and erosion along California's long coastline, and billions of dollars in damage to our agricultural, tourism, recreation, and other industries. These impacts have the potential to be hugely disruptive to how local governments operate.

Executive Order S-03-05 established greenhouse gas (GHG) emissions reduction targets for the state. Subsequently, AB 32 (2006) established a comprehensive program to achieve quantifiable, cost–effective reductions of greenhouse gases on a scheduled basis. Additional legislation supported AB 32, including SB 375 (2008), which aligned land use and transportation with environmental goals locally through Sustainable Community Strategies (SCS), and Executive Order B-30-15, which establishes 40 % below 1990 levels by 2030 as an intermediate target towards the 2050 goals. The 2014 revised AB 32 scoping plan highlights the importance of local government in reducing emissions to achieve long–term statewide goals. To achieve California's 2050 emissions goal of 80% below 1990 levels, emissions must decline several times faster than the rate needed to reach the 2020 emissions limit. The scoping plan, per SB 32 and SB 197, was revised again and adopted in December 2017.

Goals, Policies & Actions

Goal OSC-1 To protect and conserve Scotts Valley's natural resources.

Policies

Region

Policy OSC-1.1 **Regional Collaboration – Biological Resources**
Continue to participate in regional, state, and federal programs that protect biological resources in Scotts Valley and the region.

Policy OSC-1.2 **Regional Collaboration – Stormwater**
Continue to partner with and support federal, state, and local agencies in regional planning and management initiatives to promote and enhance water quality in Scotts Valley and the region. Participate in efforts to reduce stormwater and urban runoff impacts to water quality, restoration efforts, and regional mitigation, monitoring, and public education programs.

Policy OSC-1.3 **Regional Sandhills Habitat Conservation Plan**
Continue to collaborate with the County of Santa Cruz and the U.S. Fish & Wildlife Service to maintain the habitat conservation plan (HCP) for the Sandhills Habitat area.

Policy OSC-1.4 **Hanson Quarry Restoration**
Work in coordination with Santa Cruz County, Scotts Valley Water District, and other relevant agencies to plan and implement any future remediation and/or reuse options for the Hanson Quarry.

City

Policy OSC-1.5 **Glenwood Open Space Preserve**
Continue to collaborate with the Land Trust of Santa Cruz County to maintain the management plan for the Glenwood Open Space Preserve.

Policy OSC-1.6 **Natural Diversity**
Promote the protection and preservation of native species, habitat, and vegetation types and overall natural diversity in Scotts Valley.

Policy OSC-1.7 **Environmentally Sensitive Areas**
Preserve and protect environmentally sensitive areas in Scotts Valley.

Policy OSC-1.8 **Riparian Corridors**
Riparian corridors shall be maintained and protected consistent with federal, State and local regulations. Degraded corridors shall be restored or improved in association with development of frontage properties. Require landscaping for new developments along creeks or in wetlands to be native riparian plant species.

Policy OSC-1.9 **Creek Protection**
Maintain creek beds, riparian corridors, water courses, and associate vegetation in their natural state to assist in groundwater percolation and prevent erosion and downstream sedimentation.

Policy OSC-1.10 **Creek and Wetland Setbacks**
Require setbacks and implementation of standards and guidelines for development and improvements within the City and adjacent to creeks and wetlands as set forth in the City's Stormwater Management Program.

Policy OSC-1.11 **Creek Restoration**
Where opportunities exist and are feasible associated with new Public Works Department or private development, restore culverted or buried channels to their natural state.

Policy OSC-1.12 **Wetland Protection**
Protect and restore the biological productivity and quality of wetlands, where feasible.

Project

Policy OSC-1.13 **Slope Exceeding 25%**
A building permit for new construction shall be issued for building envelopes whose average slope, as defined by the slope formula in the City's Municipal Code, exceeds 25%, only with an engineering geology study that finds no danger to life or property exists in development.

Policy OSC-1.14 **Native Plant Communities**
New development proposed in, or adjacent to, areas containing native plant communities shall be carefully planned and provide for their conservation and maintenance.

Policy OSC-1.15 **Project Biological Resources Impacts**
The City's environmental review process shall be used to determine potential impacts to biological resources of project proposals. Ensure that new development avoids, minimizes, and/or mitigates impacts to biological resources and sensitive habitat.

Policy OSC-1.16 **Biological Survey**
As a part of the environmental review process, require new development proposed within areas of native plants or rare or endangered wildlife habitat to prepare a site-specific survey which identifies the location and type of species present. The development shall be required to mitigate any potential impacts to such species. Where appropriate, designate those areas as open space.

Policy OSC-1.17 **Wetland Habitat**
Require new development to protect and preserve wetland habitats that meet any of the following conditions: 1) Wetlands that contribute to the habitat quality and value of undeveloped lands established or expected to be established in perpetuity for conservation purposes; 2) Wetlands contiguous to riparian or stream corridors or other permanently protect lands; 3) Wetlands located within or contiguous to other high value natural areas.

Policy OSC-1.18 **Wetland Study**
Require the submittal of a detailed biological study for new development where an initial site inventory indicates the presence or potential for wetland species or indicators. The study shall contain a delineation of all wetland areas on the project site based on the definitions contained in Section 13577(b) of Title 14 of the California Code of Regulations.

Actions

Action OSC-1.1 **Invasive Species**
Manage or eliminate invasive species from City-owned property and open space on a regular basis, as deemed necessary to maintain the viability of native plant species.

Action OSC-1.2 **Santa Cruz Sandhills HCP**
Work with relevant agencies to finalize and implement an HCP for the Sandhills area habitat in the Planning Area. In the interim, continue to support use of the Interim Programmatic Habitat Conservation Plan (IPHCP)

as mitigation for loss of sandhills habitat in conjunction with new development.

Action OSC-1.3 **Glenwood Open Space Preserve Access**
Seek opportunities (e.g., grants) to expand the amount of publicly accessible trails within the Glenwood Open Space Preserve and properly manage and mitigate neighborhood impacts at trail access points, where possible.

Goal OSC-2 To preserve and protect existing viewsheds and scenic open spaces and corridors.

Policies

City

Policy OSC-2.1 **Ridgeline Protection**
Predominant ridgelines shall be protected to allow clear view from streets and roads. Scenic easements associated with new development shall be established to protect the ridgelines.

Policy OSC-2.2 **Ridgeline Trail System**
Support efforts to create a ridgeline trail system, as described in the Scotts Valley Parks Master Plan.

Project

Policy OSC-2.3 **Dedication of Open Space and Conservation Easements**
Encourage the dedication of property as open space and/or conservation easements to provide increased public access to scenic corridors and open spaces. Encourage that as part of new development, areas over 40% slope as defined by the City's Municipal Code are dedicated as open space scenic easements. The open space designation shall be recorded in the Office of the County Recorder.

Policy OSC-2.4 **Natural Setting Integration**
Protect the visual resources of Scotts Valley by requiring that new development avoid impacts to prominent ridges and scenic corridors as shown in Figure OSC-5: Viewsheds and Scenic Corridors. Where appropriate, designate those areas as open space.

Policy OSC-2.5 **Natural Setting Integration**
Protect visual resources by requiring that new development be integrated into the natural setting.

Policy OSC-2.6 **Landscape Screening**
Landscaping, using drought-tolerant and native plants, should be used as part of new development to integrate the man-made environment into the natural backdrop and to screen or soften the visual impact.

Policy OSC-2.7 **Infill Development**
Encourage infill development on vacant land within existing developed areas. Where infill is not feasible, new development should occur adjacent to existing urban areas where services are available or can be easily extended.

Policy OSC-2.8 **Clustering Development**
Where appropriate, encourage clustering of new development through the use of Planned Development (PD) zoning, where applicable, to minimize disturbance of natural features and resources and maximize preservation of open space.

Policy OSC-2.9 **Site Planning**
Give attention to compatibility of site planning and design with the overall scenic quality of Scotts Valley, especially through siting of development and street improvements, and landscaping and sign control restrictions.

Policy OSC-2.10 **Quality Design**
Encourage high-quality site design, landscaping, architecture, and sign design that complements the City's small-town character and valley setting.

Policy OSC-2.11 **Street and Open Space Planning**
Where feasible, projects shall locate streets and open space, and not private yards, along waterways, ridges, or scenic vistas.

Policy OSC-2.12 **Protect and Enhance Natural Environment**
Site planning for new development in the City should be designed to protect and enhance the natural environment.

Goal OSC-3	To preserve surface and ground water supplies, reduce stormwater runoff, and improve and water quality in the Planning Area.

Policies

Region

Policy OSC-3.1 **Regional Collaboration – Stormwater**
Continue to partner with and support federal, state, and local agencies in regional planning and management initiatives to promote and enhance water quality in Scotts Valley and the region. Participate in efforts to reduce stormwater and urban runoff impacts to water quality, restoration efforts, and regional mitigation, monitoring, and public education programs.

Policy OSC-3.2 **Water Use Efficiency**
Continue to partner with and support water districts in the Planning Area to develop and implement water use efficiency programs.

Policy OSC-3.3 **Public Outreach on Water Resources**
Continue to partner with water districts in the Planning Area, local non-profits, and other environmental organizations to educate the public about water resources, planning and management topics.

City

Policy OSC-3.4 **Storm Drainage System**
Seek to maintain a storm drainage system which provides optimal flood protection and maximum groundwater recharge.

Policy OSC-3.5 **Drainage Channels**
As part of the permit process, require the dedication of easements for natural drainage channels, where appropriate.

Policy OSC-3.6 **Project Surface and Groundwater Supplies**
Maintain regulatory measures to protect streams, creeks, ponds, and aquifers from pollution due to toxic substances, and erosive forces.

Policy OSC-3.7 **Development Impact to Groundwater Resources**
As part of the environmental review process, and in cooperation with the applicable water districts, require new development to evaluate the impact to local water resources. Where deemed appropriate, mitigation may include construction of recharge improvements.

Policy OSC-3.8 **Non-Point Source Pollution**
Minimize, avoid, or eliminate non-point source pollution by controlling stormwater runoff, polluted dry weather runoff, and other pollution, in compliance with Scotts Valley's National Pollutant Discharge Elimination System (NPDES) Permit and Stormwater Management Plan.

Policy OSC-3.9 **Best Management Practices – Stormwater**
Require new development, public and private, to meet or exceed state stormwater requirements and incorporate best management practices to treat, infiltrate, or filter stormwater runoff and reduce pollutants discharged into the storm drain system during construction and post-construction, to the maximum extent practicable.

Policy OSC-3.10 **Landscaping and Re-Vegetation**
Require landscaping and re-vegetation of graded or disturbed areas for new development.

Policy OSC-3.11 **Drought Tolerant and Native Plants – Landscaping**
Encourage the use of drought-tolerant and native plants in landscaping to minimize the need for fertilizer, pesticides, herbicides, and excessive irrigation; and conform with Stormwater Pollution Prevention Plans.

Policy OSC-3.12 **City Property Water Quality Maintenance**
Design, construct, and maintain City properties in a manner that maximizes water quality protection through: 1) Designing new and renovated landscaped and paved areas that suit site conditions, protect water quality, and support sustainable maintenance; 2) Using drought-tolerant native and non-invasive plant species; 3) Incorporating Low Impact Development design techniques; 4) Practicing the principles of integrated pest management; and, 5) Selecting and using fertilizers that minimize negative impacts on soil organisms and aquatic environments.

Policy OSC-3.13 **Water Use**
Encourage efficient water use methods such as the use of low-flow plumbing fixtures and water-wise landscaping in new and existing residences and businesses.

Project

Policy OSC-3.14 **Drainage Plans**
Require new development to protect water infiltration, purification, and retentive functions of natural systems. Drainage plans shall be designed to complement and utilize existing drainage patterns and systems, providing drainage for the developed area while minimizing the potential for erosion.

Policy OSC-3.15 **Impervious Surfaces**
New development shall minimize the amount of impervious surfaces and shall be prohibited from having post-project peak stormwater runoff discharge rates exceeding the estimated pre-project rate.

Policy OSC-3.16 **Prevent Contaminant Settling**
Utilize natural features supplemented by engineering designs to prevent contaminants from settling over recharge areas while allowing percolation of non-contaminated water into the aquifer.

Policy OSC-3.17 **Project Groundwater and Water Quality Impacts**
Use the environmental review process to determine potential groundwater and water quality impacts of new development.

Policy OSC-3.18 **Water Quality Best Management Practices**
Require new development to implement best management practices that reduce stormwater runoff and water quality impacts associated with the construction and operation of the project.

Actions

Action OSC-3.1 **Drought Tolerant and Native Plant List**
Compile a list of resources regarding drought-tolerant and native plants for landscaping in Scotts Valley.

Action OSC-3.2 **Stormwater Infrastructure**
Maintain a priority list and timeline for public stormwater drainage infrastructure improvements in Scotts Valley.

Action OSC-3.3 **Funding for Stormwater Management**
Identify funding sources to upgrade inadequate stormwater facilities in the City.

Action OSC-3.4 **Stormwater Management Program**
Update the City's Stormwater Management Program as necessary to be consistent with State requirements.

Action OSC-3.5 **Water Conservation Ordinance**
Amend the City's Municipal Code to adopt a Water Use Efficiency Ordinance.

Goal OSC-4 To protect and conserve the Planning Area's significant historical and archaeological resources.

Policies

City

Policy OSC-4.1 **Maintain Historical and Archaeological Resource Inventory**
Continue to cooperate with appropriate organizations and professionals to maintain information on the location and significance of historical and archaeological resources.

Policy OSC-4.2 **Restore Historic Structures**
Encourage public and private efforts to restore designated historic structures and to continue their use as an integral part of the community, where appropriate.

Policy OSC-4.3 **Protect and Enhance Historic Structures**
Protect and enhance designated historic structures through the environmental, permit, and design review processes, where appropriate.

Policy OSC-4.4 **Historic Preservation Grants**
Apply and/or encourage private parties to apply for historic preservation and restoration grants for historically designed structures.

Project

Policy OSC-4.5 **Protect Archaeological Resources**
Use the City's environmental review process to determine potential impacts to archaeological resources of project proposals. The City's archaeological sensitivity zone map shall be used, along with other appropriate data, to evaluate whether archaeological resources are threatened by new development.

Policy OSC-4.6 **Development on Known Archeological Resources**
All new development located on a parcel(s) containing an existing or former historic structure shall require an archaeological field reconnaissance report prior to project consideration by the decision-making body.

Policy OSC-4.7 **Historic Structure Destruction**
Prohibit the destruction of designated historical resources without a prior public hearing and consideration given to preservation alternatives.

Actions

Action OSC-4.1 **Update Historic Structures Survey**
Commission an update to the Evaluation of Potential Historic Structures in the City of Scotts Valley (Laffey, 1990). The updated survey should re-assess previously identified historic structures and identify any additional structures which may be considered historic since the 1990 survey.

Action OSC-4.2 **Financial Assistance and Incentives**
Participate in financial assistance programs, such as low-interest loans and property tax reduction programs that encourage maintenance and restoration of historic properties.

Action OSC-4.3 **Archaeological Resource Preservation Standards**
Maintain standards concerning when and how to conduct archaeological surveys and the preferred method of preserving artifacts.

Action OSC-4.4 **Educational Programs**
Foster public awareness and appreciation of cultural resources by sponsoring educational programs, helping to display artifacts that illuminate past cultures, and encouraging private development to include historical and archaeological displays where feasible and appropriate.

Action OSC-4.5 **Partnering for Preservation**
Partner with agencies, non-profit organizations, and citizens groups to help identify, preserve, rehabilitate and maintain cultural resources.

Action OSC-4.6 **City-Owned Historic Structures**
Preserve and, as resources permit, rehabilitate City-owned historic structures by seeking grants, donations, private-sector participation or other techniques that help fund rehabilitation and adaptive reuse.

Goal OSC-5	To integrate air quality, land use and transportation planning and promote the increased use of renewable energy sources to reduce the emission of criteria pollutants and greenhouse gases from mobile sources; and to promote building techniques that increase energy efficiency.

Policies

Region

Policy OSC-5.1 **Maintain and Improve Air Quality**
Cooperate with regional agencies – including the Monterey Bay Air Resources Board (MBARD), the Santa Cruz County Regional Transportation Commission (SCCRTC), and the Association of Monterey Bay Area Governments (AMBAG) in developing and implementing air quality management plans.

Policy OSC-5.2 **State and Regional Collaboration**
Participate in regional, state, and federal efforts addressing renewable energy sources, energy efficiency, greenhouse gas emissions, and reduced consumption of natural resources.

Policy OSC-5.3 **Renewable Energy Research and Education**
Support State and federal legislation promoting research and education on renewable energy and other technologies.

City

Policy OSC-5.4 **Renewable Energy Strategies**
Encourage the implementation of energy strategies to increase the local use and production of renewable energy.

Policy OSC-5.5 **On-Site Energy Generation**
Encourage on-site energy generation under appropriate regulatory oversight.

Policy OSC-5.6 **Reduce Automobile Pollution**
Promote the implementation of circulation system improvements that can reduce local consumption of fossil fuels.

Policy OSC-5.7 **Concentration of Higher-Density Land Uses**
To help reduce air quality emissions, concentrate commercial, mixed-use, and high-density residential development along transit corridors, at major intersections, and near activity centers that can be served efficiently by public transit and alternative transportation modes.

Policy OSC-5.8 **Exposure to Hazardous Air Pollutant Emissions**
Minimize exposure of the public to hazardous air pollutant emissions, particulates and noxious odors from highways, major arterial roadways, industrial, manufacturing, and processing facilities.

Policy OSC-5.9 **Reduction in GHG Emissions**
Encourage reduction in greenhouse gas emissions, including alternatives to use of gas-powered vehicles. Such alternatives include public transit, alternatively fueled vehicles, bicycle and pedestrian routes, and bicycle- and pedestrian-friendly development design.

Policy OSC-5.10 **Reduced Vehicle Miles Traveled**
Encourage development of transit-oriented and infill development and encourage a mix of uses that foster walking and alternative transportation; and thereby reduce vehicle miles traveled.

Policy OSC-5.11 **Low-emissions City Vehicles**
As appropriate, purchase City vehicles with electric, fuel efficient, or alternative fuel systems including hybrid, compressed natural gas (CNG), and biodiesel.

Policy OSC-5.12 **Cost-Benefit Considerations**
Ensure that greenhouse gas reduction strategies optimize benefits relative to costs. Prior to adopting any greenhouse gas reduction strategy, consider the cost of implementation to the City and the private sector.

Policy OSC-5.13 **Reusable Goods**
Encourage the use of reusable, returnable, recyclable, and repairable goods through incentives, educational displays and activities, and City purchasing policies and practices.

Policy OSC-5.14 **Support for Energy Efficiency**
Continue to support organizations that promote energy efficiency and offer assistance to residents and businesses that wish to increase their energy efficiency.

Project

Policy OSC-5.15 Maintain Air Quality Standards
Implement conditions on new industrial and commercial development appropriate to maintain federal and state ambient air quality standards.

Policy OSC-5.16 Sensitive Uses Adjacent Toxic Air Contaminants
Ensure that new development with sensitive uses located adjacent to toxic air contaminant (TAC) sources minimize potential health risks by incorporating design features with consideration of site and building orientation, location of trees, and incorporation of ventilation and filtration to lessen any potential health risks. If deemed necessary, the City shall require the preparation of a health risk assessment.

Policy OSC-5.17 Air Quality Design Considerations
Encourage new development that protect and improve air quality and minimize direct and indirect air pollutant emissions by reducing vehicle trips (e.g., projects with access to transit and projects that provide walking and bicycling amenities).

Policy OSC-5.18 Photovoltaic Panels
Encourage the installation of photovoltaic panels on new homes and businesses.

Policy OSC-5.19 Solar Heaters
Encourage the use of solar water and pool heaters.

Policy OSC-5.20 Passive Solar Design
Encourage passive solar design in new development, in which window placement and building materials help to collect and maintain solar heat in the winter and reflect solar heat in the summer.

Policy OSC-5.21 Energy-Efficient Design Features
Encourage new development to incorporate energy-efficient design features for HVAC, lighting systems, and insulation that exceed Title 24 standards.

Policy OSC-5.22 High-efficiency Residential Appliances
Require that new construction and major remodeling residential projects use high-efficiency or zero-waste fixtures.

Policy OSC-5.23 Demolition Material Recycling
Require recycling of building demolition materials, where practical.

Policy OSC-5.24 VMT Reduction
Provide bikeways, pedestrian paths, and transit turnouts/stops as requirements of new development applications, as applicable.

Policy OSC-5.25 Transit Facilities
Where appropriate, encourage the construction of transit facilities as part of new development.

Policy OSC-5.26 Minimize Construction Pollution
Require builders to use appropriate techniques to minimize pollution from construction activities.

Policy OSC-5.27 Wood-Burning Fireplace Alternatives
Consistent with the Monterey Bay Air Resources Board, prohibit wood-burning fireplaces in new and significantly renovated residential projects.

Policy OSC-5.28 Grey water Collection
Support grey water collection and reuse within residential and business closed water systems (toilets) and support further study of appropriate use of grey water within landscaped areas.

Policy OSC-5.29 City Project Design
Ensure that all City-sponsored new development serves as models of energy efficient building design.

Actions

Action OSC-5.1 Consistency with Other Directives
Monitor federal, state, and regional policies and directives relating to climate change, and adjust City policies and programs as appropriate to maintain consistency.

Action OSC-5.2 Green Building Regulations
Update the City's green-building regulations as necessary to be consistent with state regulations.

Action OSC-5.3 Consumption/Waste Reduction
Encourage the reduction of waste and consumption from household and business activities in Scotts Valley through public outreach and education activities.

Action OSC-5.4 **Public Outreach – Energy Efficiency**
Participate in the efforts of other regional, state, and federal agencies to provide outreach to residents, businesses, and property owners on programs, incentives, and regulations to increase energy efficiency.

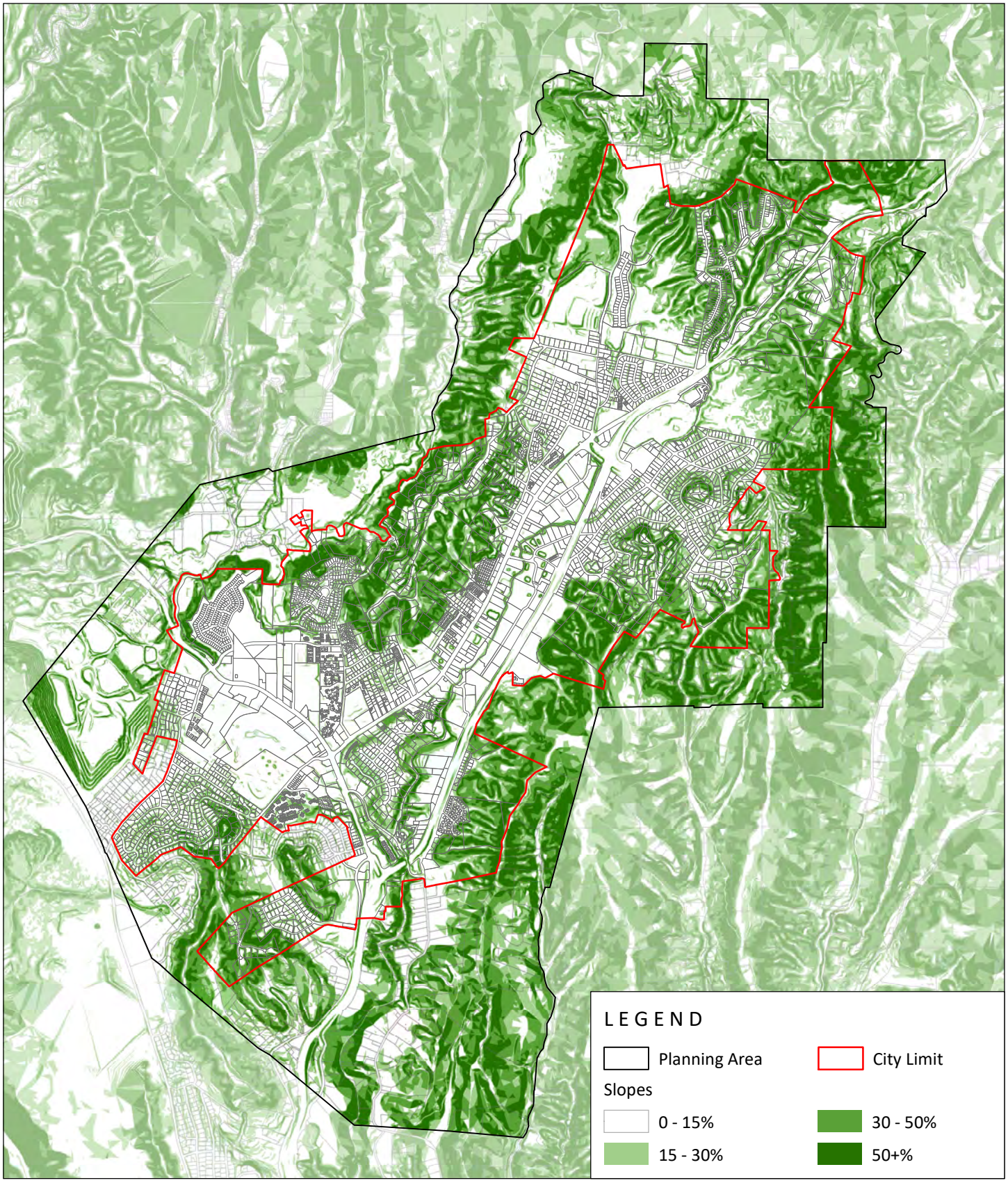

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Figure OSC-1: Slopes

Disclaimer: This Map was developed for the Genereal Plan. The City is neither liable nor responsible for the use of this map beyond its indended purposes.

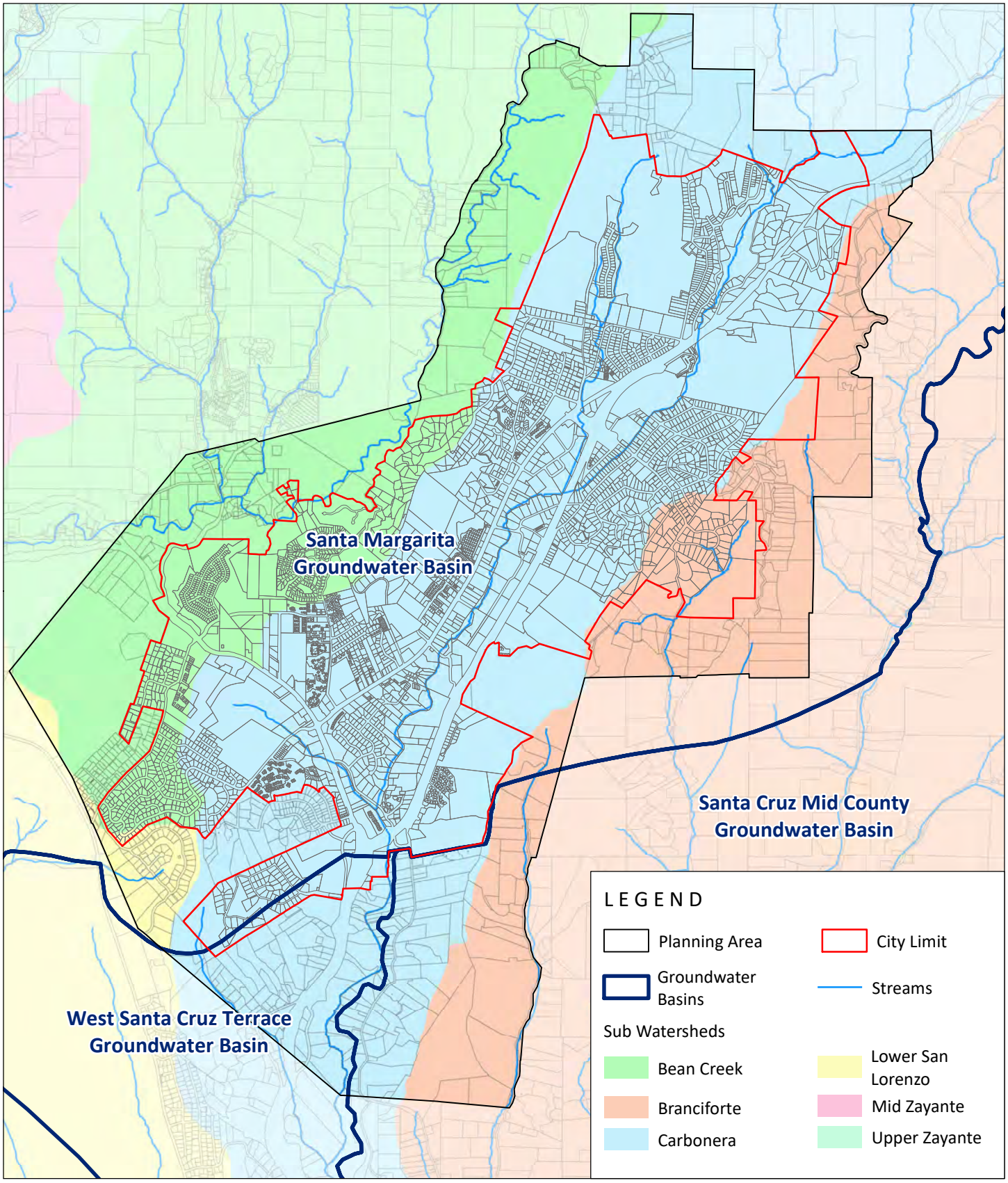

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Figure OSC-2: Watersheds

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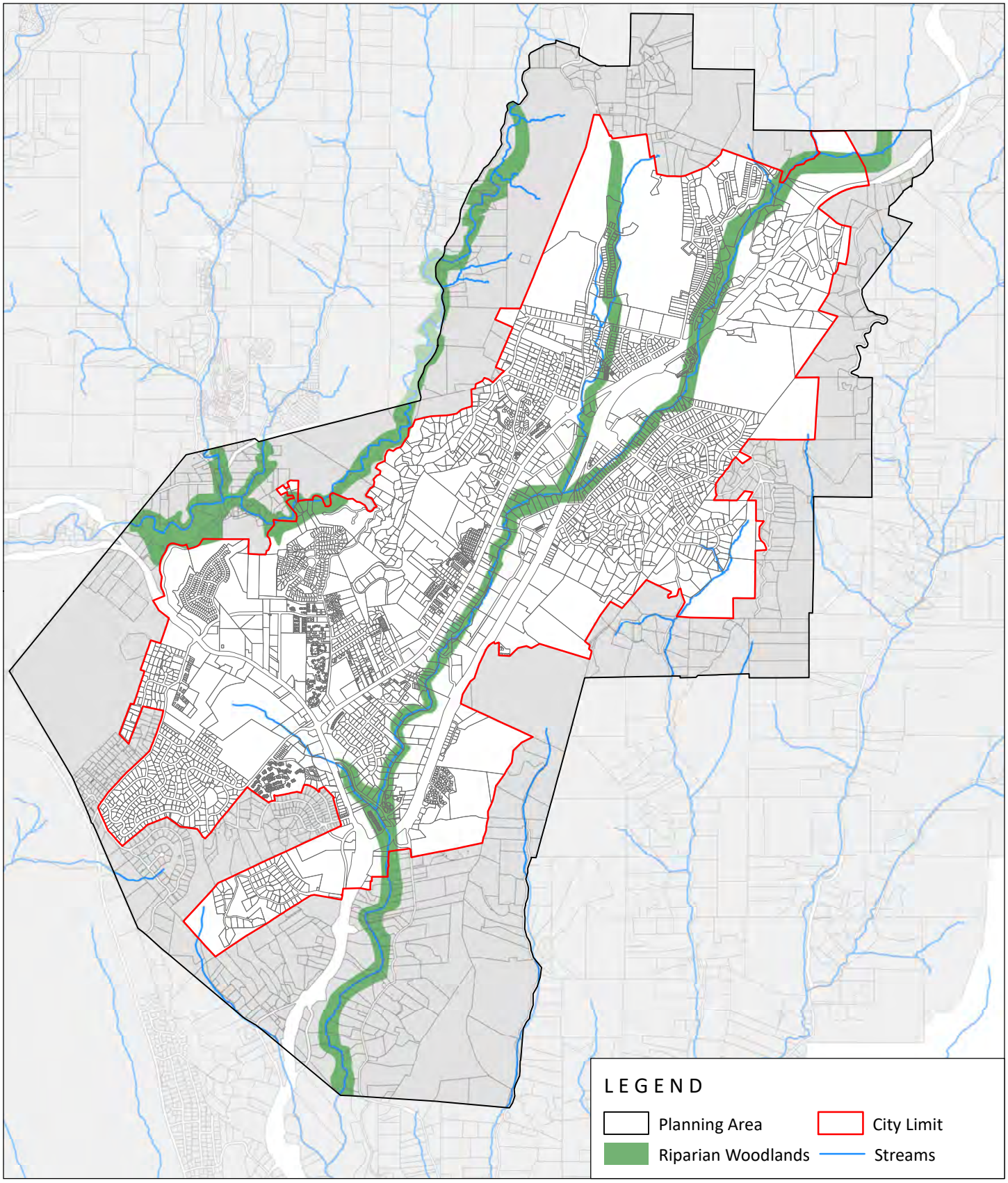

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Figure OSC-3: Riparian Woodlands

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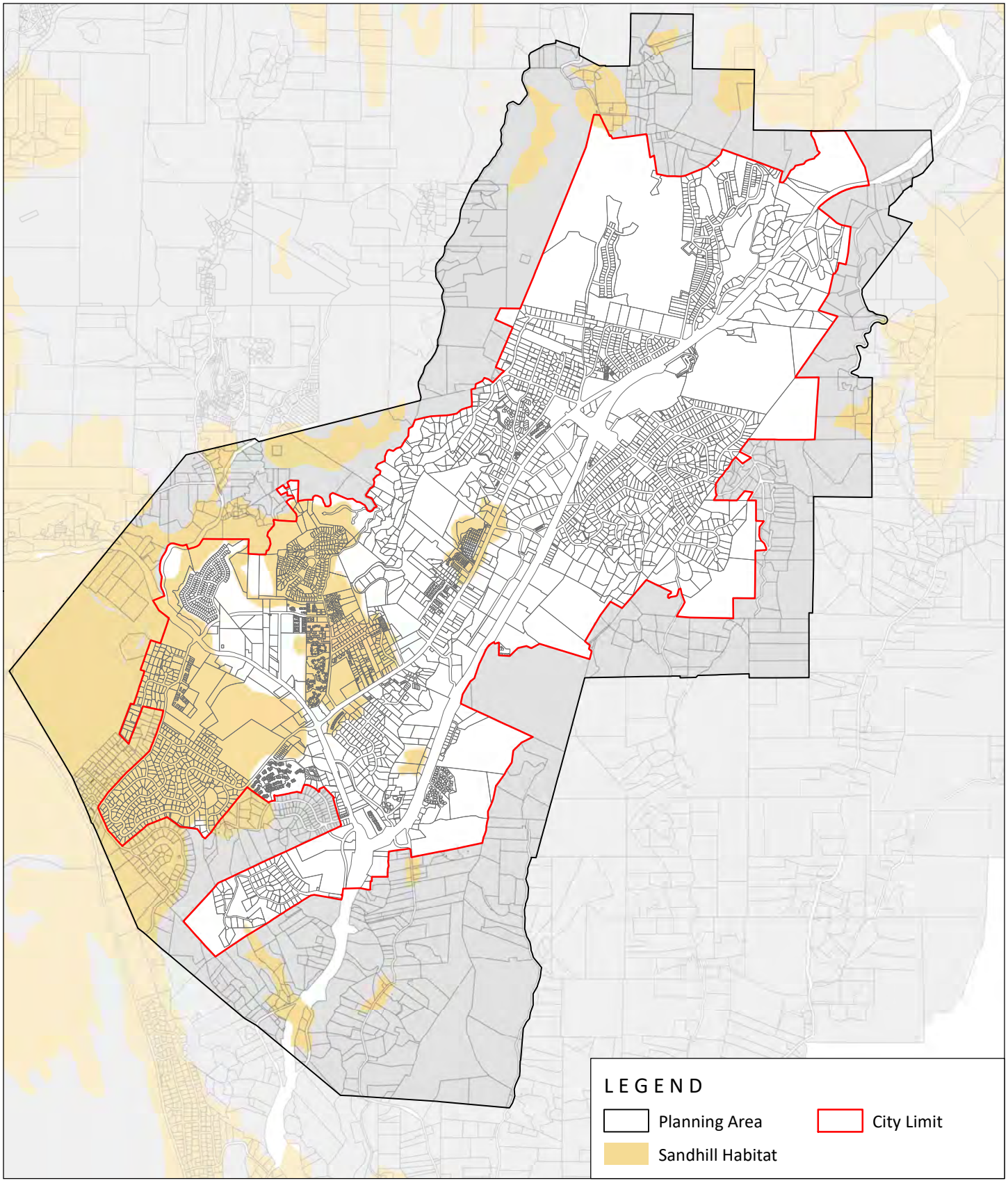

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Figure OSC-4: Sandhill Habitat

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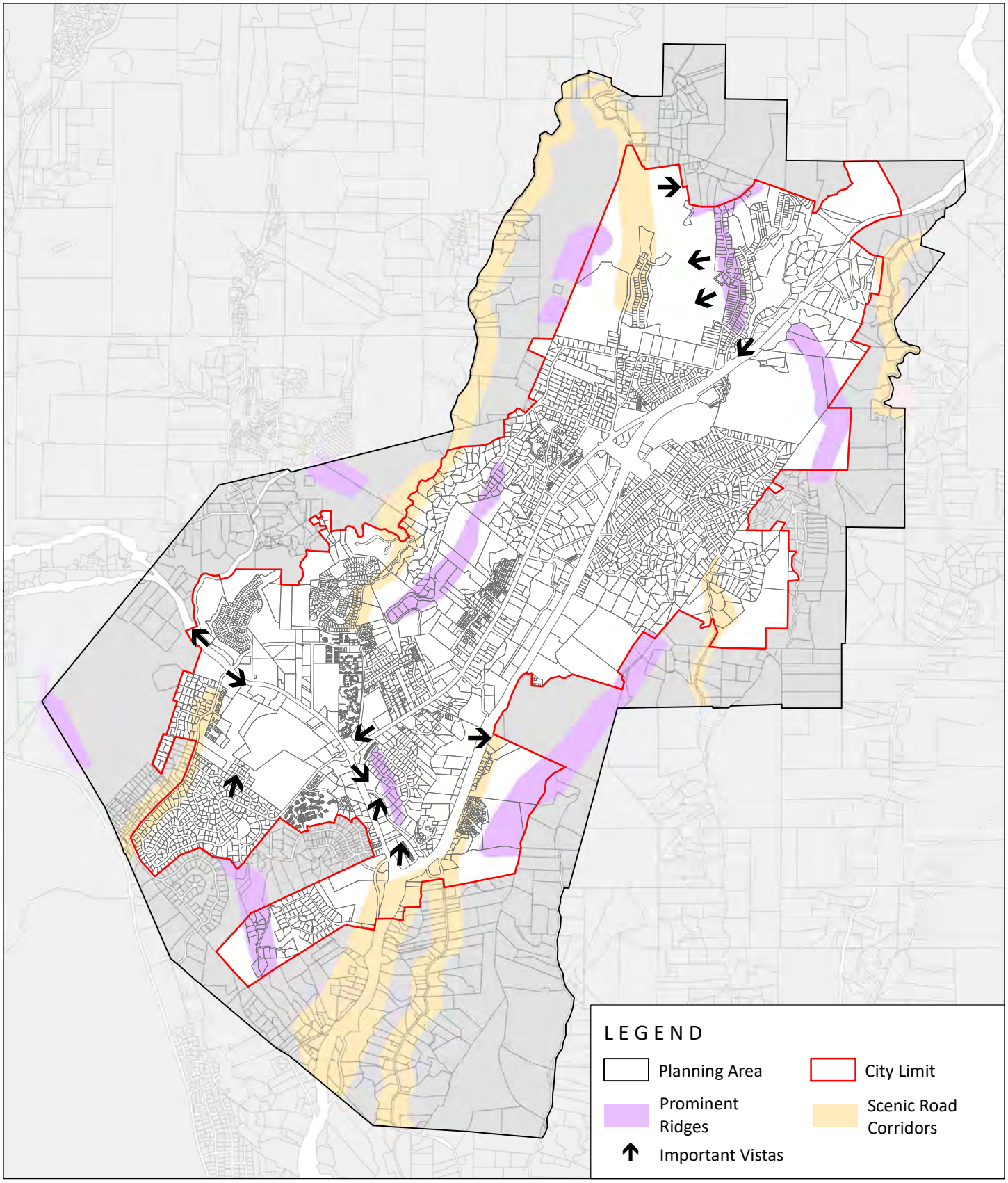

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Figure OSC-5: Viewsheds and Scenic Corridors

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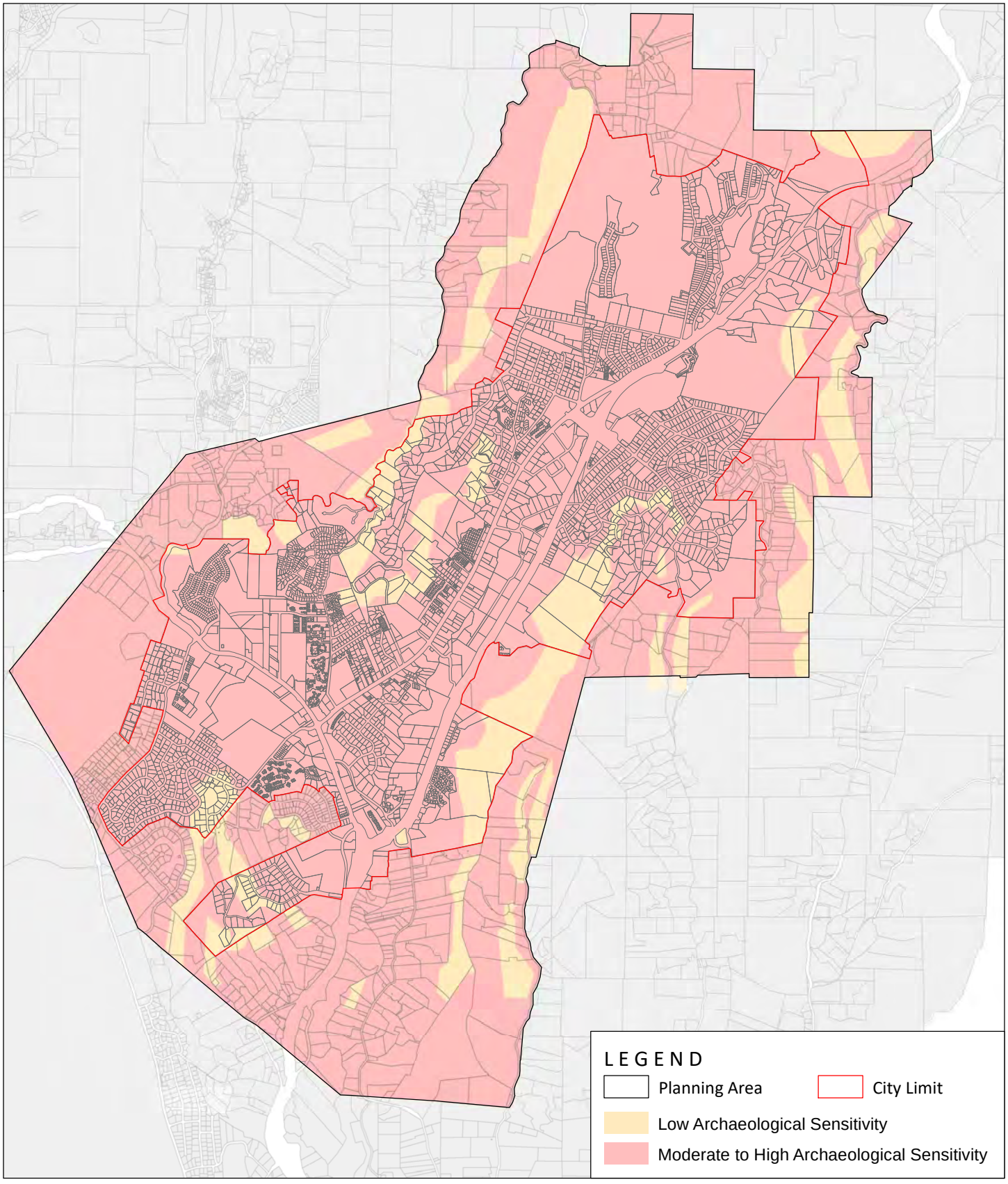

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Figure OSC-6: Cultural Resource Areas

SCOTTS VALLEY GENERAL PLAN

Disclaimer: This Map was developed for the Genereal Plan. The City is neither liable nor responsible for the use of this map beyond its indended purposes.

City_Parcels

Mask_Planning_Area

SAFETY & NOISE

The Scotts Valley **Safety & Noise Element** addresses risks in Scotts Valley to the community's health and safety, identifying potential hazards and providing policies to protect against and mitigate those hazards.

SAFTEY & NOISE ELEMENT

Introduction

California State law requires that a General Plan include both a Safety and a Noise Element. This General Plan combines these two elements into a single Safety and Noise Element that addresses the concerns and satisfies the legal requirements for both.

The purpose of the Safety Element of the General Plan is to reduce death, injuries, property damage, and the economic and social dislocation resulting from natural hazards. These hazards include fire, flooding, geologic & seismic, and hazardous materials spills. The element also discussion the City's emergency preparedness plan to provide for the safety of the community in the event of one of these emergencies.

The Noise element of the General Plan complies with California Government Code Section 5302 (f) to control and abate environmental noise and to protect citizens from excessive noise exposure.

Current Status

Recommended by Planning Commission to City Council – DATE

Accepted by City Council at Public Hearing – DATE

Safety Element Background and Context

Existing Conditions

The Safety & Noise Element is tied to the Land Use, Community Services and Facilities, and Mobility Elements of the General Plan. Land use policies, standards, and designations must be critically reviewed and when necessary, land use restricted based on potential safety hazards. The Community Services and Facilities Element focuses on maintaining a high level of fire, police, and other public services to protect the physical environment, as well as residents, against the natural and human-generated hazards of the Planning Area. The Mobility Element must incorporate evacuation routes and street standards that permit the residents, as well as emergency vehicles, to continue to move throughout the area in times of crisis or natural disasters.

Wildfire Hazards

Any fire, regardless of size or location, poses a threat to life and property until it is contained or controlled. It must be recognized that all fires are hazardous and fire prevention and safety measures must be incorporated into all land use planning decisions.

Fire hazards are generally categorized into two main types: 1) **Wildland Fires**. A fire in an area of combustible vegetation that generally occurs in the countryside, rural area, or an undeveloped portion of a parcel. 2) **Structure Fires**. Fires which involve specific sites and structures including residential, commercial, utility, and industrial type occupancies. Figure SN-1: Fire Hazard Areas, identifies major fire protection areas within the Scotts Valley Planning Area.

The State of California experiences large wildland fires almost every year. The factors contributing to fires – highly flammable brush, rugged terrain, long arid summers, dry northeast winds, periods of drought, and an expanding population – are all typical characteristics of Scotts Valley. Effective fire suppression over the past 100 years has led to uncharacteristically high fuel loads. When ignitions occur during unfavorable weather, in areas with poor access, fires can rapidly increase to an unmanageable size prior to fire crews' arrival.

Santa Cruz County has a history of wildland fires, particularly in the more mountainous regions of the Santa Cruz Mountains. In 2008 Santa Cruz County experienced three large wildfires resulting in approximately 5,400 acres burned and numerous homes destroyed. Again, in 2009, Santa Cruz County experienced two large wildfires resulting in approximately 8,500 acres damaging and destroying numerous homes and structures. In the Fall of 2020, the CZU Lighting complex fire burned more than 86,000 acres and more than 1,480 buildings; including 140 residential and commercial structures, and one fatality (CalFire, 2020). While the City of Scotts

Valley was not directly affected by this fire, precautionary evacuations were required due to the imminent threat of fire, adequate emergency access, and smoke resulting in dangerous air quality conditions.

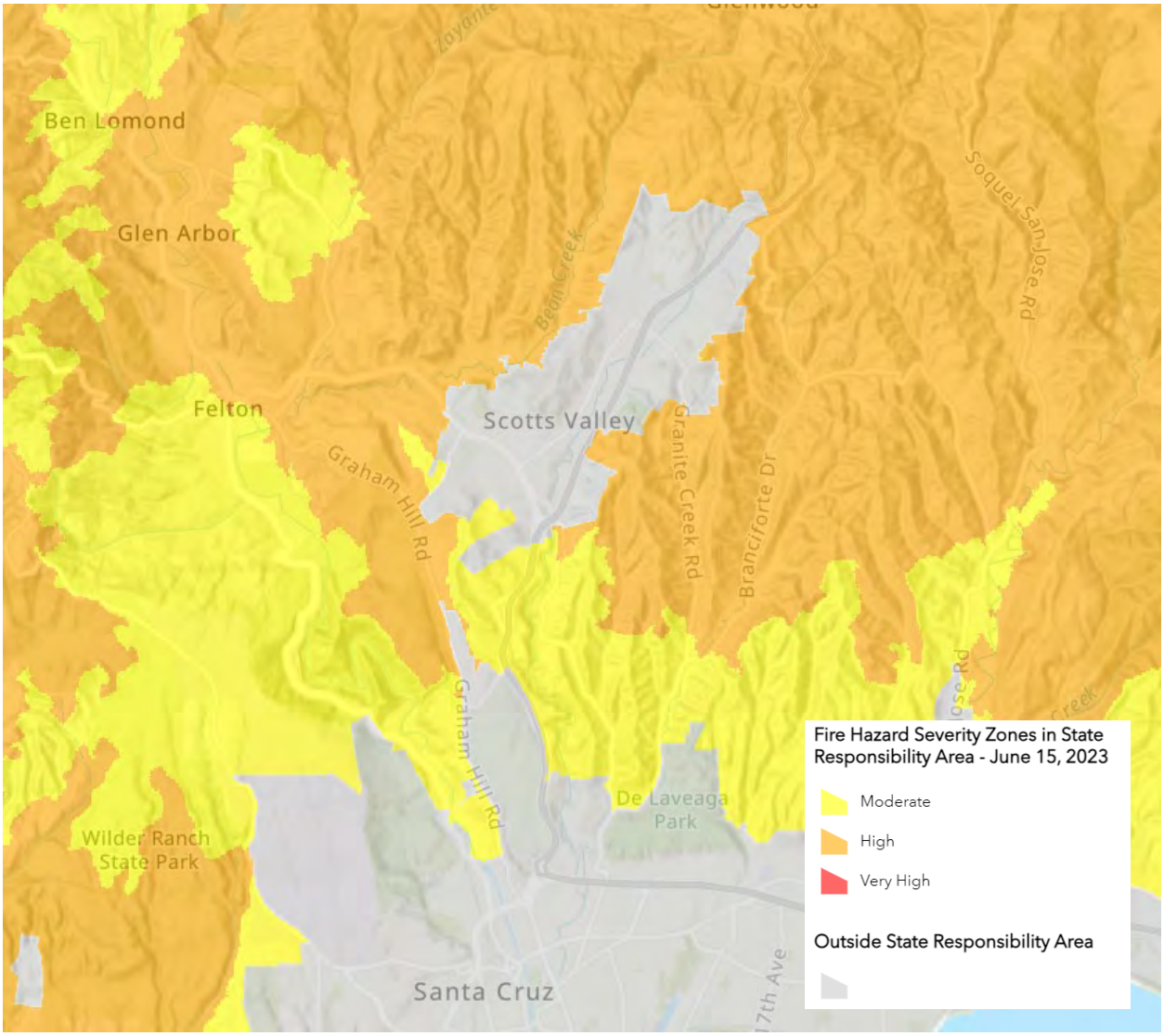
Primary responsibility for preventing and suppressing wildland fires in the County is divided between local firefighting agencies and the State. Local firefighting agencies have the primary responsibility in areas designated within a "Local Responsibility Area" (LRA). The Scotts Valley Fire District is the primary firefighting agency in the Scotts Valley Planning Area (see Figure CFS-2: Fire Districts). The California Department of Forestry and Fire Protection (CalFire) has the primary responsibility in those areas designated as a State Responsibility Area (SRA). Santa Cruz County is in the Santa Cruz – San Mateo SRA, and fire management efforts are guided by the Santa Cruz County – San Mateo County Community Wildfire Protection Plan, which is incorporated herein by reference.

CalFire Fire Hazard Severity Zones

CalFire uses Fire Hazard Severity Zones (FHSZ) to classify the anticipated fire-related hazard for state responsibility areas (SRAs). A FHSZ is a mapped area that designates zones (based on factors such as fuel, slope, and fire weather) with varying degrees of fire hazard (i.e., moderate, high, and very high). FHSZ maps evaluate wildfire hazards, which are physical conditions that create a likelihood that an area will burn over a 30- to 50-year period. They do not take into account modifications such as fuel reduction efforts.

While FHSZs do not predict when or where a wildfire will occur, they do identify areas where wildfire hazards could be more severe and therefore are of greater concern. FHSZs are meant to help limit wildfire damage to structures through planning, prevention, and mitigation activities/requirements that reduce risk. The FHSZs serve several purposes: they are used to designate areas where California's wildland urban interface building codes apply to new buildings; they can be a factor in real estate disclosure; and local governments consider fire hazard severity in the safety elements of general plans.

CalFire identifies FHSA for State Responsibility Area (SRA) lands and separate draft Very High Fire Hazard Severity Zones for Local Responsibility Area lands. Moderate, high, and very high FHSZs are found in areas where the State has financial responsibility for fire protection and prevention. Only very high FHSZs are found in Local Responsibility Areas (LRAs). The City of Scotts Valley is located within the Local Responsibility Area, where local governments have financial responsibility for wildland fire protection. However, as shown in the CalFire Web-application generated image below, the areas surrounding the City limits are located in a SRAs with a Moderate and High FHSZ designation.



Fire Hazard Development Regulations

Fire hazard regulations are intended to minimize on-site property damage and personal injury, avoid damage to adjacent properties, and reduce the cost of fire suppression services. Increasing "built-in" fire protection in those areas where new construction is allowed is the most cost-effective way to achieve these objectives. All development must have adequate water available for fire suppression, whether from a hydrant and community system or from an on-site storage tank.

Where development is permitted near wildlands and natural vegetation, the fire hazard must be further mitigated by other measures. The locations of subdivision lots and building

envelopes can maximize access by emergency vehicles and minimize construction in steep or wooded areas. Fire retardant roof materials are now required in high fire hazard areas. Preventing the spread of wildland fires to and from structures also requires establishing defensible space around each structure through management of surrounding vegetation and clearing of fuel breaks.

Fire Protection Issues

Various land uses require minimum water flows for adequate fire project (see Appendix BB of the California Fire Code, Table BB105.1: Minimum Required Fire-Flow and Flow Duration for Buildings). Fire hydrant capacities within the Scotts Valley Planning Area present some fire protection challenges for the Fire District in meeting these flows. Hydrant capacities range from 1,000 gpm (in 60% of the District), 500-1,000 gpm (30%) to 0-500 gpm (10%). Service is especially limited in the higher elevations. Most of the valley floor, however, has flows in excess of 2,000 gpm with storage of 2.8 million gallons. Thus, all the commercial and industrial areas of Scotts Valley are adequately protected; however, specific areas experience water supply and pressure problems. The Insurance Services Office, Inc. (ISO®) evaluates fire departments in the United States. Based on this evaluation, they assign a rating between 1 and 10 for each department – 1 being the best and 10 being the worst. This rating reflects the overall effectiveness of the department and helps determine the fire insurance premiums for property owners in that department's jurisdiction. Based on the above hydrant capacities, the insurance rating for parcels within 5 miles of a Scotts Valley Fire District station is 2. Parcels greater than five miles from the nearest Scotts Valley Fire District station have an insurance rating of 10.

Other issues regarding provision of fire service involve restrictions due to road widths and structural obstructions. Problem areas are located around the Granite Creek-Southwood Drive "Ridge," Cadillac Drive, Bean Creek Road, and Lockhard Gulch-Nelson Road. The Scotts Valley Fire District has a minimum road width requirement of 24-foot streets with no parking on either side, 28 feet with parking on one side, and 36 feet with parking on both sides. Approved turnarounds must comply with Santa Cruz Fire Prevention Officer Standard FPO-015 as adopted by the Scotts Valley Fire District. The standard sets minimum width and radius for cul-de-sac, Hammer-T, and lateral slip type of turnarounds.

Another critical roadway problem is rural mountainous roads, single-point exit, and long dead-end streets with no emergency outlets. Examples include but are not limited to Bean Creek Road, Bethany Drive, Tabor Drive, Lockhart Gulch, and Sawyer Court. The Scotts Valley Fire District requires that any dead-end roadway greater than 150' have an approved turnaround in accordance with Santa Cruz Fire Prevention Officer standard FPO-015**.** This physical restriction presents a safety hazard.

Flood Hazards

FEMA defines flooding to be a general or temporary condition of partial or completely inundation of two or more acres of normally dry land or of two or more properties.

The Scotts Valley Planning Area is subject to flood hazards resulting from heavy rainfall, causing the overflow of stream courses. Scotts Valley is principally drained by Carbonera Creek, which begins 1.3 miles north of the City limits. The creek runs through the City parallel to Highway 17, and eventually joins Branciforte Creek. The creek has two main tributaries in Scotts Valley: Camp Evers Creek runs south of Mt. Hermon; West Branch Creek runs east of Glenwood Drive. These creeks have been altered by road development, bridges, and culverts.

Insufficient channel capacity to handle peak flood flows, obstructions (such as vegetation or structures) in the stream channel, and poor land use practices can increase flood potential. Runoff occurs when storms of high intensity and/or long duration exceed the soil's ability to absorb water. Runoff rate and volume is also influenced by slope and vegetative cover. The greater the slope, the less chance rainfall has to infiltrate into the soil. Infiltration potential is enhanced by vegetation which serves to reduce the velocity of raindrops striking soil surfaces. In undeveloped areas where there are fewer streets and structures, absorption levels can be excellent. In intensely developed area where streets, parking lots, and structures cover much of the ground surface, absorption is extremely low because these materials are often impermeable.

Urban development conditions contribute to erratic runoff rates and flooding in areas where there is an inadequate storm drainage system. When the capacity of storm drains is exceeded, flooding occurs. Development in these flood-prone areas increases hazards to life and property.

The City of Scotts Valley revised its Storm Water Quality Plan in 2009. The plan recognized an increased need for adequately sized drainage facilities. Both in-stream and off-stream drainage facilities were identified, provided a cost estimate, and prioritized for both private and public properties (SWMP, 2009).

In addition to flood control improvements, the Federal Flood Insurance Program makes flood insurance available to residents and businesses in flood hazard areas after the hazards of flooding are estimated. Insurance rates vary according to the expected severity of the hazard. To participate in the program, however, a community must regulate development in the hazard area to not increase any hazards.

As shown in Figure SN-2: Flood Hazards, flood prone areas along Carbonera Creek have been identified on the Flood Insurance Rate Map published by the Federal Emergency Management Agency (FEMA). The primary areas are Zone A, where floods are predicted to occur once every

100 years, and Zone B, where floods are predicted to occur every 100 to 500 years. Development in Zone A must be constructed outside or above the 100-year flood zone. Although the flood area is not designated open space on the City's Land Use Map, the area remains open space for drainage and riparian corridor protection.

The State Department of Water Resources also developed Levee Flood Protection Zone (LFPZ) maps to increase awareness of flood risks associated with State-Federal levees. Using best available data from sources such as FEMA floodplain maps and local project-levee studies, the maps identify the areas where flood levels would be more than three feet deep if a project levee were to fail. The City of Scotts Valley and the County of Santa Cruz are not listed in the Levee Flood Protection Zone.

The Division of Safety of Dams provides data on jurisdictional dam failure. The closest dam is Loch Lomond Dam located north of Ben Lomond. A breach of this dam would inundate Newell Creek which flows into the San Lorenzo River and through San Lorenzo Valley before emptying into the Pacific Ocean. The City of Scotts Valley is located more than a mile from the closest potential area of inundation and separated by significant topography and thus would not be affected.

The City regulates flood hazards by requiring the floor elevation of new development to be at least one foot above the 100-year flood height and preventing development which may cause floodwaters to flow at hazardous velocities. The 100-year flood hazard area was mapped by FEMA on Flood Insurance Rate Maps in 2012. These maps are available in the City's Public Works and Planning Departments and are used to indicate the necessity for special review prior to project approval.

Geologic Hazards

Geologic Setting

As shown in Figure SN-3: Fault Zones, the Scotts Valley Planning Area is relatively close to four major fault zones. These fault zones are the San Andreas Fault Zone, located approximately five miles to the northeast of the Planning Area; the Zayante Fault Zone, located to the north within 1.5 miles of the Planning Area; the Butano Fault Zone, located approximately four miles to the north; and, the Ben Lomond Fault Zone, located approximately one mile to the southeast of the Planning Area. Based on the major historic earthquakes which have occurred along these faults, each is considered to be active or potentially active, except for the Ben Lomond Fault for which insufficient data exists to determine its activity. A relatively short fault (1.5 miles), the Bean Creek Fault, is located along the lower portion of Bean Creek just outside of the Planning Area to the west, although there is insufficient data to classify this fault zone as well.

Both the Zayante Fault and the Butano Fault are considered potentially active and capable for producing major earthquakes of magnitude 7.4 and 6.4 on the Richter Scale, respectively. Both faults exhibit evidence of activity and are tied into the San Andreas Fault system. The Ben Lomond Fault is also considered a potentially active fault.

Seismic Hazards

The following includes descriptions of potential seismic hazards which may be experienced in the Scotts Valley Planning Area. Seismic hazards can be divided into five basic categories: faulting or ground rupture, ground shaking, liquefaction, seismic slope failure, and seismically induced water waves. Seismically induced water waves would not directly affect Scotts Valley based on the Planning Area's location in the Santa Cruz Mountains. Seismic slope failure includes discussion of landslides and erosion.

Faulting and Ground Rupture

Faulting and ground rupture occur when one side of a fault moves during an earthquake horizontally or vertically in relation to the earth on the other side. The earth's surface may also rupture, but this does not occur every time a fault moves. Structures placed over a fault stand a high possibility of failure should faulting and ground rupture occur. There is no indication that surface rupture is a hazard in the Planning Area as no known faults traverse it.

Ground Shaking

Ground shaking is vibration of the ground caused by earthquakes and often results in damage to structures. The extent of damage depends on characteristics of underlying soils and rocks, design and configuration of the structure, quality of materials and workmanship used in construction, location of epicenter and magnitude of the earthquake, and duration and character of the ground motion. Damage to structures due to ground shaking may occur if tall, multi- story buildings are located on deep saturated soils and if the periods of vibration of the structures and the ground are similar. Potential for damage to buildings is generally minimized for well-constructed, single-story wood-frame buildings. Of all the hazards associated with major earthquakes, ground shaking will have the most pervasive impact in the Planning Area. Alluvium is highly responsive to ground shaking. Much of the present development along Scotts Valley Drive and Mt. Hermon Road is located on alluvium and therefore will be subject to strong shaking during a major earthquake. Shaking often will trigger landslides, particularly on slopes of 15% or greater.

Liquefaction

The City of Scotts Valley is located in the south-central Santa Cruz Mountains, in the heart of the Central Coast ranges of California. This is a seismically active region that is influenced by numerous named and unnamed faults in the area. The City is underlain by bedrock of the

Purisima Formation, which is comprised of sandstone, diatomaceous siltstone, and shale. As shown in Figure SN-4: Liquefaction Potential, portions of Scotts Valley have been mapped with a "moderate" and "high" liquefaction potential rating. Landslide hazards in the City are concentrated in the hillside areas in the nearby western and eastern boundaries of the City and include active (movement within the past 50 years), dormant (little movement within the past 50 years), and old (little movement within the past 100 years) landslides.

Ground shaking may cause liquefaction of recent alluvial and terrace deposits. Liquefaction occurs when non-cohesive surface or sub-surface materials are saturated and become liquid-like under the influence of ground shaking. This may result in ground failure. The longer the shaking, the greater the potential for ground failure.

Seismic Slope Failure

Seismic slope failures include earthquake caused slope failure, landslides, and liquefaction. The severity of this hazard depends on the duration and intensity of shaking, location and magnitude of the quake, and the characteristics and condition of the ground at the time. The longer the shaking, the greater the potential for ground failure. Lurch cracking and lateral spreading are other types of slope failure. Lateral spreading occurs along creek banks or the open side of fill embankments.

Landslides

Landslides due to earthquakes involve the movement of rock, soil, mud, and debris. The range from minor slides to major landslides involving millions of cubic yards. Steep slopes found in the Planning Area could offer such mass movements. Landslides may occur as an effect of nearby moderate to major earthquakes. Figure SN-5: Landslide Deposits, displays areas of known or suspected landslides as mapped by the United State Geological Survey. As existing landslide data has been recognized to be lacking in detail for the Planning Area, previously prepared planning documents have stressed the preparation of site-specific studies to identify landslide hazards that may exist at any one location.

Down slope movement may be rapid or so slow that a change of position can be noted only over a period of weeks or years. A landslide can range from several square feet to several square miles in area. Damage to structures can range from slight to total destruction. Conditions that contribute to landslide occurrence in the Planning Area include loose and weakly consolidated soils or rock; steep slopes; amount, intensity, and volume of rainfall; poor drainage and erosion. Human activity often contributes to slope instability by inappropriate or poorly engineered grading, removal of vegetation, and alteration of surface and subsurface water conditions. In some situations, septic tanks and landscape watering can increase the landslide potential by saturating slopes.

Erosion

Erosion is a natural process caused by wind, water, and gravitational forces. However, hazards due to erosion are difficult to separate from flooding and land sliding hazards. In some cases, erosion is a result of flood and landslide conditions. In others, prolonged erosion can cause rapid water runoff and land sliding.

The removal of soil from site and its subsequent deposit can create two erosion-related problems. Deposits of eroded material can affect flood plains, cause sedimentation of rivers, lakes, reservoirs, and may clog drainage structures. Activities which expose soils to the erosive action of water and wind may accelerate erosion.

Reducing erosion hazards in urban areas is the responsibility of persons who modify the land surface and the city or county which reviews and controls development. Property owners assume the continuing responsibility of erosion control through the maintenance of landscaping and drainage systems.

Geologic Hazard Reduction

The most effective way to reduce threats to public health and safety from geologic hazards is to continue to effectively regulate new development. The thrust of a risk reduction program should be toward conscientious land use decision-making which considers geologic hazards. Geologic hazard maps should be updated as new information becomes available. Property owners and developers will be given the opportunity to demonstrate, through on-site investigations, whether or not the hazard potential areas on existing maps should be revised to reflect data derived from more detailed and current studies.

Reducing Landslide Potential

A large portion of the Planning Area consists of sloping land with moderate to high landslide potential. The probability of landslide occurrence increases as slope increases. Most developments in areas with steep slopes require large amounts of earth movement and a high degree of cut and fill activity. This increases the potential for landslide problems. Detailed engineering and geologic studies should accompany any proposal for development within these areas. Studies should demonstrate to the satisfaction of the City that the proposed projects minimize environmental impacts and risks to human life.

Special planning and safety considerations shall be made for moderate and steep slopes in the Planning Area. More gentle slopes allow a greater degree of development flexibility. Engineering and geologic studies should be required for development within moderate and steep slope areas to evaluate the stability of site landforms and the site's suitability for the proposed use. The existing character of the hills of the Planning Area should be maintained by retaining, to the greatest extent possible, the natural contour of ridges, natural drainage

courses, and natural rock outcroppings. Grading should respect the natural topography, and high cut and fill slopes should be avoided. Roads and driveways should attempt to follow the natural contours of a site. Provisions also should be made for siltation and erosion control and re-vegetation of all graded areas. Increases in water runoff quantities and velocities over natural terrain should not be permitted.

Landslide damage potential can be reduced by such alternatives as restricting development on or near landslide deposits, or permanently stabilizing slides masses. Landslide damage can be avoided by simply leaving hazardous areas undeveloped. Small landslide potential areas may be totally removed. The soil removed can be used elsewhere as compacted fill. In all cases, a first and critical step is to recognize the existence of an old slide and the potential for future slope stability problems. Potential slope stability problems can often be anticipated in areas where other land sliding activity has previously occurred.

Hazardous Materials

Overview

Hazardous materials include certain products which are corrosive, ignitable, toxic, radioactive, flammable, or explosive and reactive. In their natural state, these materials may be solid, liquid, or gas. Actual materials regulated are defined by Health and Safety Code section 25501, as amended. State law mandates that each city and/or county identify and register hazardous materials that are being used. The City of Scotts Valley has adopted an ordinance (Ord. No. 107) which regulates the safe storage and handling of all hazardous materials. The Santa Cruz County Department of Environmental Health Services is responsible for enforcing State hazardous materials and waste regulations in Scotts Valley (SCCDHS, 2015).

The Santa Cruz County Hazardous Materials Team (SCCHMT) responds to hazardous material response emergencies in the Planning Area. The SCCHMT is a collaboration between the County of Santa Cruz, the cities of Scotts Valley, Santa Cruz, Capitola, Watsonville, CA State Parks, and the University of California, Santa Cruz (SVFD, 2015).

The major safety issues involving hazardous materials can be classified into two categories: (1) fire; and (2) public exposure to toxic substances as a result of a release. A major problem with chemical fires is their secondary effects. Burning chemicals can generate toxic vapors, thereby greatly increasing the potential for adverse health effects from both the original material and its combustion product. Releases may occur in areas where hazardous materials are being stored, handled, transported, or disposed. Hazardous material releases may cause substantial environmental degradation and irreparable damage to natural resources.

Use and Storage of Hazardous Materials

Use and storage of hazardous materials is of particular concern to adjacent land uses. Hazards are created by leaks or releases which contaminate air, soil, or water, cause explosions, and/or cause fires.

Hazardous materials may be used at any given time by a number of industries within the City. Motor fuels, waste oils, propane, and other petroleum products are frequently overlooked as constituting the largest quantity of stored hazardous materials. However, other chemicals are used by a wide variety of businesses including electronic companies, cleaning establishments, and various medical and veterinary businesses. Hazardous materials in the form of household products are also used by the average consumer.

Household hazardous waste is collected by the Santa Cruz County Hazardous Waste Program. The closest hazardous waste collection facility to Scotts Valley is the Buena Vista Landfill, which is located 20 miles southeast of Scotts Valley. Some limited household chemicals are also accepted at the Ben Lomond transfer station.

Scotts Valley Hazardous Materials Plan

The purpose of the City's Hazardous Materials Storage Plan is to protect health, life, resources, and property through prevention and control of unauthorized discharges of hazardous materials. The ordinance is implemented through a permitting process. All businesses or persons that store hazardous materials must have a permit issued by the Santa Cruz County Department of Environmental Health Services.

The issuance of a permit is based on type or quantity of material, proper storage, emergency response plans, sampling, monitoring inspections, and testing programs. The ordinance provides for full cost recovery through a schedule of fees which is based on type and quantity of materials stored. A variety of commercial/industrial users of hazardous materials within the City. These materials may include bulk storage of fuels, solvents, resins, and a wide variety of other solids, liquids, and gases.

Emergency Preparedness

The City has an Emergency Operations Plan (last updated in 2015). The plan provides for the safety of the community in the event of a major emergency such as earthquake, flooding, wildland fires, and hazardous materials releases. The plan provides the base for direction and control of emergency operations and continuity of government, saving life and property, repairing and restoring essential systems and services, managing resources, and coordinating operations with other jurisdictions. The Chief of Police serves as the Operations Chief and the City Manager is the Director of Emergency Services. The City's Emergency Operations Center

(EOC), which functions as a communications and coordination center in the event of a disaster or large-scale emergency, is located in City Hall.

An annex to the Emergency Operation Plan (EOP) contains suggested evacuation routes for the City. Evacuation routes are determined on a case-by-case basis by EOC personnel. These proposed routes are broken down into three categories: freeways, arterials, and major collectors. Figure SN-6: Evacuation Routes, displays these evacuation routes. These routes were identified due to their ability to accommodate significant numbers of people, their relative location to freeways and arterials, and their geographic location. The direction of movement is denoted by arrows to promote safe and efficient evacuation of residents.

Noise

This Noise portion of the Safety & Noise Element has been prepared in compliance with California Government Code Section 5302(f) to control and abate environmental noise and to protect citizens from excessive and bothersome noise exposure.

Scotts Valley's most significant noise concerns stem from roadway noise, particularly along well-traveled corridors such as Highway 17 and local arterials. Noise is generally defined as unwanted sound and may produce physiological or psychological damage and/or interfere with communication, work, rest, recreation, or sleep. Noise is especially a concern near noise sensitive uses, which are generally defined as locations where people reside or where the presence of unwanted sound could adversely affect the use of land, such as residences, schools, and hospitals.

Definitions

Decibel, dB: A unit of measurement describing the amplitude of sound, equal to 20 times the logarithm to the base 10 of the ratio of the pressure of the sound measured to the reference pressure, which is 20 micropascals (20 micronewtons per square meter).

A-Weighted Level: The sound level in decibels as measured on a sound level meter using the A-weighting filter network. The A-weighting filter de-emphasizes the very low and very high frequency components of the sound in a manner similar to the response of the human ear and gives good correlation with subjective reactions to noise.

L10: The A-weighted sound level that is exceeded ten percent of the sample time. Similarly, L50, L90, etc.

Leq: Equivalent energy level. The sound level corresponding to a steady-state sound level containing the same total energy as a time-varying signal over a given sample period. Leq is typically computed over 1-, 8-, and 24-hour sample periods.

CNEL: Community Noise Equivalent Level. The average equivalent A-weighted sound level during a 24-hour day, obtained after addition of five decibels to sound levels in the evening from 7 p.m. to 10 p.m. and after addition of 10 decibels to sound levels in the night from 10 p.m. to 7 a.m.

Ldn: Day-Night Average Level. The average equivalent A-weighted sound level during a 24-hour day, obtained after the addition of 10 decibels to sound levels in the night after 10 p.m. and before 7 a.m. (Note: CNEL and Ldn represent daily levels of noise exposure averaged on an annual or daily basis, while Leq represents the equivalent energy noise exposure for a shorter time period, typically one hour.)

Noise Contours: Lines drawn about a noise source indicating equal levels of noise exposure. CNEL and Ldn are the metrics utilized herein to describe annoyance due to noise and to establish land use planning criteria for noise.

Ambient Noise: The composite of noise from all sources near and far. In this context, the ambient noise level constitutes the normal or existing level of environmental noise at a given location.

Definitions

Intrusive Noise: That noise which intrudes over and above the existing ambient noise at a given location. The relative intrusiveness of a sound depends upon its amplitude, duration, frequency, and time of occurrence, and tonal or informational content as well as the prevailing noise level.

Noisiness Zones: Defined areas within a community wherein the ambient noise levels are generally similar (within a range of 5 dB, for example). Typically, all other things being equal, sites within any given noise zone will be of comparable proximity to major noise sources. Noise contours define different noisiness zones.

Noise Measurements

Noise intensity is measured on a decibel (dB) scale. On this scale, noise at zero decibels is not audible, while noise at 120 to 140 decibels is painful and can cause ear damage. There are several different ways to measure noise. Community noise is typically measured in decibels with A-weighting (dBA). The dBA scale provides compensation for human sensitivity by discriminating against frequencies to approximate the sensitivity of the human ear. For evaluating noise over extended periods, the "Day-Night Noise Level" scale (Ldn) and the "Community Noise Equivalent Level" (CNEL) are measures of the average equivalent sound level (Leq) during a 24-hour period. These measurements of noise account for greater sensitivity of noise receptors at night by adding 5 decibels (for evening hours between 7:00 pm and 10:00 pm) and 10 decibels (for evening hours between 10:00 pm and 7:00 am) to nighttime noise levels and averaging the noise over a full day.

These measures do not readily account for sporadic and short term but potentially loud and disturbing noises that can be generated by industrial uses. The potential adverse impacts of such noises on sensitive receptors are better addressed by qualitative and subjective means.

Existing Noise Sources

The primary noise source in Scotts Valley is largely from automobile traffic (cars and trucks) traveling on roadways. As a general rule, peak pass-by noise levels for passenger vehicles on local streets are 60 to 70 dBA at 25 feet. Buses, trucks, motorcycles, and poorly muffled cars produce pass-by noise level 5 to 15 dBA higher. The sound level of noise from traffic in decibels is related to the amount of traffic. Noise intensity increases as the proximity of the noise source physically approaches the listener to a greater degree. A doubling or halving of traffic volume typically results in a 3-dB increase or decrease, respectively, in the traffic sound level. A change of 3 dB is generally considered to be the threshold for a perceptive change in sound. In general, a 10-dB increase in noise level is perceived as a doubling in loudness.

Primary roadways that generate noise in Scotts Valley are State Highway 17, Scotts Valley Drive, and Mount Hermon Road. Aircraft flying overhead is occasionally audible in Scotts Valley but is not a significant noise source relative to traffic noise. Other noise sources typical in this

residential location include dogs barking, leaf blowers, and children playing. These sources are not significant compared to the noise produced by the dominant transportation sources.

Sensitive Receptors

Noise sensitive land uses are typically given special attention to achieve protection from excessive noise. Noise sensitive land uses include residential areas, hospitals, libraries, schools, parks, and retirement homes. Highways and major arterials, such as Highway 17, Scotts Valley Drive, and Mount Hermon Road would have an effect on sensitive land uses.

Existing and Future Noise Conditions

Figure SN-7: Noise Contours displays the general level of future (2040) noise conditions resulting from traffic traveling on roadways in Scotts Valley, rated on a scale from 50 dBA to 80+ dBA, which represent areas bordering roadways experiencing Moderate to High to Very High traffic noise levels. As would be expected, the highest noise levels are generated immediately adjacent to the three major roadways in Scotts Valley where traffic volumes are greatest: Highway 17, Scotts Valley Drive, and Mount Hermon Road.

Noise and Land Use Compatibility Guidelines

The objective of the noise and land use compatibility guidelines is to provide the community with a means of judging the noise environment that it deems to be generally acceptable and to minimize noise-related complaints from residents. The compatibility guidelines shown in Table SN-1: CA State Land Use Compatibility Guidelines for Community Noise Environments should be used in conjunction with the future noise intensity levels in Figure SN-7: Noise Contours to identify locations that may require special treatment to minimize noise exposure.

If ambient noise levels in the area of a proposed project would exceed “normally acceptable” thresholds for the proposed land use category as shown in Table SN-2: Noise Increase Standards, the City will require a detailed analysis of feasible noise reduction requirements. As needed, noise insulation features must be included in the design of such projects to reduce exterior noise levels to meet the acceptable thresholds, or, for uses with no active outdoor use areas, to ensure maintenance of acceptable interior noise levels for the proposed land use.

Table SN-1: CA State Land Use Compatibility Guidelines for Community Noise Environments

Land Use Category	Community Noise Exposure (L_{dn} or CNEL, dBA) 55	60	65	70	75	80
Residential Low Density Single-Family, Duplex, Mobile Homes						
Residential – Multi-Family						
Transient Lodging – Motels, Hotels						
Schools, Libraries, Churches, Hospitals, Nursing Homes						
Playgrounds, Neighborhood Parks						
Golf Courses, Riding Stables, Water Recreation, Cemeteries						
Office Buildings, Business Commercial, and Professional						
Industrial, Manufacturing, Utilities, Agricultural						

Normally Acceptable
Specified land use is satisfactory, based on the assumption that any buildings involved are of normal conventional construction, without any special noise insulation requirements.

Conditionally Acceptable
New construction or development should be discouraged. If new construction does proceed, a detailed analysis of the noise reduction requirements must be made and needed noise insulation features included in the design.

Normally Unacceptable
New construction or development should be undertaken only after a detailed analysis of the noise reduction requirements is made and needed noise insulation features included in the design.

Clearly Unacceptable
New construction or development clearly should not be undertaken.

Table SN-2: Noise Increase Standards

Proposed Land Use	Maximum Noise Increase in dBA adjacent to Existing:			
	Sensitive	Residential	Commercial	Industrial
Sensitive				
At Property Line	3	5	5	5
50 ft. from PL	3	3	--	--
Residential				
At Property Line	3	5	5	5
50 ft. from PL	3	3	--	--
Commercial				
At Property Line	3	5	5	5
50 ft. from PL	3	3	--	--
Industrial				
At Property Line	3	5	5	7
50 ft. from PL	3	3	--	--

Goals, Policies & Actions

Goal SN-1 To protect human life and prosperity and to minimize injury, economic damage, and social dislocation resulting from disasters related to fire.

Policies

Region

Policy SN-1.1 **Fire Protection Cooperative Agreement**
Maintain cooperative fire protection and fire prevention agreements with the Scotts Valley Fire District.

Policy SN-1.2 **Public Education on Fire Awareness**
Continue to support the Scotts Valley Fire District fire safety and fire prevention public education programs.

Policy SN-1.3 **Invasive Species**
Cooperate with the California Department of Forestry and Fire Protection to reduce any identified significant fire threat resulting from invasive species which are not a constituent of protected habitat areas.

Policy SN-1.4 **Emergency Access**
Coordinate with public safety providers to implement feasible improvements and/or access plans for roadways with identified fire and emergency access deficiencies.

City

Policy SN-1.5 **City-Owned Space**
Maintain City-owned open space in a matter that minimizes fire hazards.

Policy SN-1.6 **Fire Protection Problem Areas**
In fire protection problem areas, development shall be permitted only after mitigation measures satisfactory to the Scotts Valley Fire District are developed to prevent or control spread of fire and provide life safety to occupants as recommended by the fire district.

Policy SN-1.7 **Fire Protection Management**
Encourage continued operation of California Department of Forestry and Fire Protection (CalFire) programs for fuel breaks, brush management, controlled burning, re-vegetation, and fire roads.

Policy SN-1.8 **Private Roadway Standards**
The City shall adopt standards for private roadways, establishing requirements for width and structural sections which meets the requirements of the Scotts Valley Fire Protection District.

Policy SN-1.9 **Roadway Standards –Clearance**
Roadway standards shall require that roads have an overhead vertical clearance of 15 feet. Horizontally, roadways are to maintain an unobstructed width for the entire length, including turnouts, turnarounds, and driveways, per requirements of the Scotts Valley Fire Protection District.

Policy SN-1.10 **Roadway Standards – Access Roads**
Roadway standards shall require that an access road not end father than 150 feet from any portion of a building. A turnaround which meets the requirements of the fire district shall be provided at the end of the road where the road exceeds 150 feet and dead ends.

Policy SN-1.11 **Roadways Standards – Private Bridges or Crossings**
Roadway standards shall require that private bridges or crossings which serve as part of an "access road be at least 20 feet wide and shall meet the minimum Caltrans standard weight rating of 40 tons". Bridges should be certified every five years by a registered engineer.

Policy SN-1.12 **Fire Suppression Water Availability**
The City shall require that new development have water available in the area pursuant to Appendix BB, Table BB105.1, of the California Fire Code: Minimum Required Fire-Flow and Flow Duration for Buildings. Water availability shall be provided by the appropriate water purveyor.

Policy SN-1.13 **Fire Safety Systems**
The City, in cooperation with the fire district, shall require that all buildings constructed include fire safety features, such as automatic fire sprinkler system, class "C" or better roof cover for structures in the non-wildland fire hazard area/Local Responsibility Area (LRA), Class "B" or better roof covering for moderate or high wildland fire hazard area/ State Responsibility Area (SRA), fire detection, and alarm systems.

Policy SN-1.14 **Landscape Vegetation – Fire Safety**
The City, in cooperation with the fire district, shall discourage the use of landscape vegetation that may contribute to the spread of fire for developments within the urban interface areas.

Policy SN-1.15 **Minimize Fire Hazards**
Support the Scotts Valley Fire District efforts to minimize fire hazards through the removal of vegetation, hazardous structures, materials, and debris.

Policy SN-1.16 **Fire Standards**
Continue to adopt revisions to the Uniform Fire and Building Codes and other standards which address fire safety as they are approved by inspection organizations and the State of California. Review, revise, and/or adopt existing or new local codes, ordinances, and Fire Safe Standards to reflect contemporary fire safe practices.

Project

Policy SN-1.17 **Fire District Review**
Encourage early review of proposed development project plans by the Scotts Valley Fire District.

Policy SN-1.18 **Development in Hazardous Fire Areas**
All new development and existing structures in hazardous fire areas shall provide adequate clearance of brush and vegetative growth from structures and roadways in accordance with the Uniform Fire Code.

Policy SN-1.19 **Adequate Fire Protection**
The City shall require new development to provide adequate fire protection improvements consistent with Scotts Valley Fire District requirements.

Policy SN-1.20 **New Construction Fire Safety Features**
New development shall be approved only if adequate hydrant water supply for minimum flow requirements and duration of flow can be met as directed by the Scotts Valley Fire District.

Policy SN-1.21 **Fire Impact or Mitigation Fees**
Consider additional impact or mitigation fees, or a benefit assessment, to offset the impact of new development on fire services.

Actions

Action SN-1.1 **Fire Prevention Public Information**
The City, in conjunction with the Scotts Valley Fire District, shall share and disseminate information to educate the public regarding fire prevention as it relates to landscape vegetation.

Action SN-1.2 **Fire Prevention Program**
The City shall support the Scotts Valley Fire District with their on-going fire prevention program for identified fire hazard zones within the Planning Area.

Action SN-1.3 **Design Review Guidelines Amendment**
As part of any future update to the Design Review Guidelines, include review of plans regarding the discouragement of use of landscape vegetation that may contribute to the spread of fire for developments within the urban interface areas.

Action SN-1.4 **Sign/Address Marking Visibility**
Monitor the visibility of road signs and address markings of businesses and residences, and address visibility issues to facilitate fire response effectiveness. Address identification shall be provided in accordance with Section 505 of the California fire Code.

Goal SN-2 To protect human life and prosperity and to minimize injury, economic damage, and social dislocation resulting from disasters related to flooding.

Policies

Region

Policy SN-2.1 **Flooding Hazards Regional Collaboration**
Participate in regional, State, and federal efforts to reduce flooding hazards, including efforts to maintain creeks and other waterways and address flood hazards on a watershed level.

City

Policy SN-2.2 **Flood Protection Ordinance**
Maintain the City's Flood Protection Ordinance.

Policy SN-2.3 **Development in Flood Prone Areas**
Proposed development in known flood prone areas shall be approved only if adequate measures are provided to reduce potential flood hazards.

Policy SN-2.4 **Flood Control Facilities**
Development of new or expansion of existing flood control facilities to protect individual properties shall be permitted only when it can be determined that such measures do not substantially increase the flood or erosion hazards to other properties.

Project

Policy SN-2.5 **Hydrological Analysis**
The City shall require a hydrological analysis to assess potential impacts of new development on adjacent and downstream properties and on the designated floodplain to determine needed flood control facilities.

Actions

Action SN-2.1 **Hazard and Floodplain Information**
Continue to work with appropriate local, State, and federal agencies, particularly the Federal Emergency Management Agency, to maintain the most current flood hazard and floodplain information for Scotts Valley.

Action SN-2.2 **National Flood Insurance Program**
Continue to participate in the Federal Emergency Management Agency National Flood Insurance Program (NFIP). Require all new buildings and structures to be established in a manner consistent with the NFIP floodplain management building requirements.

Goal SN-3 To protect human life and prosperity and to minimize injury, economic damage, and social dislocation resulting from disasters related to geologic and seismic events.

Policies

Region

Policy SN-3.1 **Seismic and Geologic Hazards Maps**
The City shall continue to use liquefaction, landslide, and other seismic and geologic hazard maps prepared by the City and County to assess geotechnical hazards within the Planning Area. These maps shall be updated as new and more accurate information becomes available.

City

Policy SN-3.2 **Hazard Considerations**
Continue to incorporate geotechnical hazard data into future land use decision-making, site design, and construction standards.

Policy SN-3.3 **Development Restrictions**
Prohibit structural development unless seismic and geological hazards can be mitigated.

Policy SN-3.4 **Seismic Analysis**
Continue to incorporate seismic risk analysis into the City's on-going building inspection program.

Policy SN-3.5 **Retrofits**
Encourage retrofitting of structures to withstand earthquake shaking and landslides consistent with current State Building Codes.

Policy SN-3.6 **Public Outreach – Seismic and Geotechnical Hazards**
Actively promote public education, research, and information dissemination on seismic and geotechnical hazards.

Policy SN-3.7 **Critical Facilities and Services**
Ensure that seismic hazards are mitigated to the greatest extent possible for critical public facilities, infrastructure, and emergency services.

Policy SN-3.8 **State Standards**
Continue to enforce all applicable requirements of the most current California Building Code and the California Building Standards to minimize public exposure to seismic and geologic hazards.

Policy SN-3.9 **Transportation Infrastructure**
Collaborate with Caltrans, the Santa Cruz County Regional Transportation Commission, and other relevant agencies to ensure the seismic safety and structural integrity of all bridges and overpasses in Scotts Valley.

Project

Policy SN-3.10 **Geotechnical Evaluations**
In a geologic hazard area, development shall be approved only after a geotechnical evaluation is completed by a registered geologist as part of the environmental review process. Where new development proposed for areas of known or suspected geologic hazards, as identified in City or County maps or where other information obtained by the City indicates geologic hazards exist in an area proposed for development, a detailed geotechnical and/or geologic report shall be prepared and submitted to the City as a part of the application or environmental review process.

Actions

Action SN-3.1 **Seismic and Geologic Hazards Maps**
Update City seismic and geologic hazards maps for the City and Planning Area as new and more accurate information becomes available. Continue to collaborate with the County on updating of seismic and geologic hazards maps for the City and Planning Area. The City shall review and revise existing seismic and geologic hazards maps at a minimum of every two years for adequacy.

Action SN-3.2 **Hillside Residential Development**
The City shall implement the provisions of the Zoning Ordinance as it may be modified from time to time relating to hillside residential development.

Action SN-3.3 **Data Accuracy**
The City shall periodically review the General Plan, Zoning Ordinance, Subdivision Ordinance, and Uniform Building Code to ensure that

geotechnical data and information relating to seismic hazards is current and accurate.

Goal SN-4 To protect human life and prosperity and to minimize injury, economic damage, and social dislocation resulting from disasters related to hazardous materials.

Policies

Region

Policy SN-4.1 **County Coordination**
Continue to coordinate with the Santa Cruz County Department of Environmental Health Services on enforcement of State and local plans, statutes, and regulations pertaining to hazardous materials and waste storage, use, and disposal.

Policy SN-4.2 **Storage and Handling Hazardous Materials**
The City, in coordination with the County Department of Environmental Health Services, shall control the use storage and handling of hazardous materials to protect the health and welfare of the life, environment and property within the community of Scotts Valley. Control of hazardous materials waste and disposal of hazardous materials shall be consistent with Santa Cruz County Hazardous Materials Program, and state requirements.

Policy SN-4.3 **Management and Inspection**
The County shall be the administering authority on behalf of the City in the management and inspection program of all facilities storing and/or using a hazardous material or substance. The County shall be responsible to ensure that all facilities storing and/or using hazardous materials or substance maintain a current permit and approved hazardous materials management plan.

City

Policy SN-4.4 **Significant Threat**
Development posing a significant unmitigated environmental threat from the use of hazardous materials or chemical shall not be permitted by the City.

Policy SN-4.5 **Underground Storage Tanks**
Underground storage tanks may be permitted provided the installation conforms with the requirements of Chapter 6.7 of Division 20 of the State Health and Safety Code and all regulations pertaining to underground storage tanks.

Policy SN-4.6 **Above Ground Storage Tanks**
Above ground storage tanks may be permitted provided the installation conforms with the requirements of Chapter 6.6.7 of Division 20 of the State Health & Safety Code.

Policy SN-4.7 **Sensitive Receptors**
Prohibit land uses and development that emit obnoxious odors, particulates, excessive light or glare, or other environment contaminant from being located near schools, community centers, senior homes, or other sensitive receptors.

Policy SN-4.8 **Green Building**
Encourage green building practices that reduce potentially hazardous construction materials.

Policy SN-4.9 **Hazardous Material Program**
The City shall continue to administer through the County Comprehensive Hazardous Materials Program, pursuant to Chapter 6.95 of the California Health and Safety Code.

Policy SN-4.10 **Above-Ground Storage Tank Location**
The City shall encourage locating above-ground propane tanks in areas of lower population density and activity.

Project

Policy SN-4.11 **Mitigation Processes**
Mitigate hazard exposure from new development projects through the environmental review process, design criteria, and standards development.

Policy SN-4.12 **Site Assessments**
Where necessary and based on the history of land use, require site assessments for hazardous and toxic soil contamination prior to approving development project applications.

Policy SN-4.13 **Stationary Sources**
Require that stationary air pollutant emission sources be located more than 500 feet and/or downwind from residential areas and other sensitive receptors.

Policy SN-4.14 **Health Rick Assessments**
Use the results for the Health Risk Assessments required by California Air Toxics "Hot Spots" Act to establish appropriate land use buffer zones around any new sources of toxic air pollutants that may pose substantial health risks.

Policy SN-4.15 **Sensitive Receptors**
Ensure that residential development or other projects with sensitive receptors that are proposed within 500 feet of a stationary or mobile air pollutant source do not create any substantial health risk.

Policy SN-4.16 **Roadway Materials**
Encourage the use of roadway materials that minimize particulate emissions.

Policy SN-4.17 **Air Quality Best Management Practices**
Encourage development projects to implement best management practices that reduce air pollutant emissions associated with the construction and operation of the project.

Policy SN-4.18 **Minimize Direct and Indirect Emissions of Air Contaminants**
New development shall be located and designed to conserve air quality and minimize direct and indirect emissions of air contaminants, including diesel emissions. This shall be done by the following:

1. Minimize impacts of new development by reviewing development proposals for potential impacts pursuant to CEQA and the Monterey Bay Unified Air Pollution Control District CEQA Guidelines. Apply land use and transportation planning techniques such as:
   - Incorporation of public transit stops;
   - Pedestrian and bicycle linkage to commercial centers, employment centers, schools, and parks;
   - Preferential parking for carpools and van pools;
   - Traffic flow improvements; and
   - Employer trip reduction programs.

2. Control dust and particulate matter by implementing the Monterey Bay Air Resources Board fugitive dust control measures. In addition, address construction and operational diesel exhaust impacts in consultation with the Air District, and the need for risk assessments, when conditions warrant.

Policy SN-4.19 **Dust Control Monitor**
Consistent with Monterey Bay Area Resources Board guidelines, new developments that result any ground disturbance greater than 2.2 acres per day shall require the contractor(s) or builder(s) to designate a person or persons to monitor the fugitive dust emissions and enhance the implementation of the measures as necessary to minimize dust complaints, reduce visible emissions below 20 percent opacity, and to prevent transport of dust off-site.

Policy SN-4.20 **Low VOC Paint**
New developments shall require by contract specifications that the interior and exterior architectural coatings (paint and primer including parking lot paint) products have a volatile organic compound (VOC) (i.e., ROG) content of 10 g/L or less. Contract specifications shall be included in the construction documents, which shall be reviewed and approved by the City of Scotts Valley prior to the issuance of building permits.

Policy SN-4.21 **Tier 4 Emissions**
Prior to issuance of grading permits, new developments shall prepare and submit documentation to the City of Scotts Valley that demonstrates that all off-road diesel-powered equipment meet the California Air Resources Board's Tier 4 Final off-road emissions standards.

Actions

Action SN-4.1 **City Staff Training**
Provide training for appropriate City personnel in hazardous material response and handling.

Action SN-4.2 **Coordination with the Monterey Bay Air Resources Board**
Work with the Monterey Bay Air Resources Board, the Association of Monterey Bay Area Governments (AMBAG) and, to the extent feasible, meet federal and State air quality standards for all pollutants. To ensure that new measures can be practically enforced in the region, participate in

future amendments and updates of the Air Quality Management Plan (AQMP) for the Monterey Bay Region.

Goal SN-5 To maximize post-disaster relief capabilities and recovery operations.

Policies

Region

Policy SN-5.1 **Coordination with Other Agencies**
Coordinate preparation efforts for natural and human-made disasters with the Santa Cruz County Office of Emergency Services, neighboring jurisdictions, and other governmental agencies.

Policy SN-5.2 **Community Groups**
Support the efforts of neighborhood and civic organizations to prepare for disasters.

Policy SN-5.3 **County Emergency Response Plan**
Work with the Santa Cruz County Emergency Services Administrator to periodically review the County-wide Emergency Response Plan and revise as needed to ensure adequate disaster preparedness.

Policy SN-5.4 **Emergency Notification Plan**
Work with local and County emergency services to properly notify the community when an emergency arises. Utilize a variety of emergency notifications and technologies.

City

Policy SN-5.5 **Emergency and Evacuation Routes**
Maintain a current and complete system of emergency and evacuation routes serving all areas of the City and Planning Area.

Policy SN-5.6 **Disaster Preparedness Exercises**
The City shall hold disaster preparedness exercises frequently enough to maintain the efficiency of participating mutual aid agencies.

Policy SN-5.7 **Emergency Response Deficiencies**
The City should provide sufficient funds and/or training to address any emergency response deficiencies that may be within the City's responsibility.

Policy SN-5.8 **Evacuated Area Scene Security**
The City should provide sufficient resources as necessary as to protect life and property in disaster areas where mandatory evacuation protocols have been enacted.

Actions

Action SN-5.1 **Emergency Preparedness Plan**
The City Manager or designated representative shall periodically review and update the City's Emergency Operations Plan. At a minimum, the City should review and update the Plan every three years. (SP-504, revised; SP-505, revised)

Action SN-5.2 **Disaster Preparedness Meetings**
The City shall hold coordination planning meetings with participating mutual aid agencies once every year to review disaster preparedness plans. The City shall participate with the County for such meetings. Periodically provide disaster preparedness information to residents. City staff and City Council shall participate in the California Specialized Training Institute's (CSTI) training programs when funding is available.

Action SN-5.3 **Preparedness Training**
Continue to provide basic training for all or appropriate City employees in disaster preparedness, first aid, and cardiopulmonary resuscitation (CPR).

Action SN-5.4 **Emergency Notification**
Work with all relevant agencies to develop a program and procedures for emergency notification.

Goal SN-6 To minimize impacts associated with vehicle noise.

Policies

Region

Policy SN-6.1 **Support State Legislation**
Support State legislation for noise abatement design measures in all State highway projects within the Planning Area and support State legislation governing noise emissions from vehicles.

City

Policy SN-6.2 **Mitigate Highway Noise**
The City should work with the Caltrans to mitigate the effects of existing and future highway noise.

Policy SN-6.3 **Reduce Commercial Vehicle Noise**
The City shall attempt to reduce the noise levels generated by commercial vehicles along Mt. Hermon Road and Scotts Valley Drive, including using State and local legislation as necessary.

Policy SN-6.4 **Enforce Roadway Speed Limits**
The City shall enforce existing speed limits, lowering them to reduce the noise levels where such benefits can be realized and remain consistent with other City goals and policies.

Policy SN-6.5 **Enforce State Standards**
The City shall continue to enforce noise emission standards imposed by the State of California vehicle code.

Policy SN-6.6 **Roadway Improvement Plans**
The City Public Works Department shall review all street and roadway improvement plans within the City limits to ensure incorporation of noise abatement measures. New street layout and redesigned street projects should be assessed for noise impacts, especially on neighboring noise sensitive land uses.

Actions

Action SN-6.1 **Truck-Trailer Delivery Transport**
The City shall develop rules regulating all truck-trailer transport (including diesel) delivery times in all zone districts and to all construction sites during late evening, early morning, and nighttime hours or on Sunday and holidays. This will include regulating the use of air horns and jake-brakes on trucks within City limits to reduce noise generated by them.

Goal SN-7 To provide an environment free from annoying and/or harmful noise. (NG-422)

Policies

City

Policy SN-7.1 **Commercial and Industrial Noise Standards**
Commercial and industrial noise level performance standards shall be retained in the zoning ordinance to restrict noise level increase and hours of operation.

Policy SN-7.2 **Identify Noise Pollution Sources**
The City shall identify and minimize or eliminate existing noise pollution sources.

Policy SN-7.3 **Outdoor Recreation Areas**
Outdoor recreation areas, especially in residential neighborhoods, should incorporate noise attenuation barriers, such as multiple rows of dense conifers, if the day-night noise levels exceed 60 dBA.

Neighborhood

Policy SN-7.4 **Noise Sensitive Land Uses**
Seek to avoid placing noise sensitive land uses (e.g., residential, hospitals, assisted living facilities, group homes, schools, day care centers, etc.) within the high noise impact areas (over 65 dB CNEL).

Project

Policy SN-7.5 **New Development Noise Attenuation**
New developments that are conditionally acceptable or increase the day-night noise level by more than the levels shown in Table SN-2: Noise Increase Standards, shall conduct a noise study to determine that the appropriate noise attenuation design measures have been incorporated to the City's satisfaction.

Policy SN-7.6 **Incompatible Noise Levels**
New developments that are considered noise sensitive shall not be located in proximity to existing noise generating uses, unless the existing noise level can be made compatible, through mitigations, with the proposed new sensitive use.

Policy SN-7.7 **Noise Attenuation Techniques**
The City Planning and Building departments shall ensure noise attenuation techniques are constructed in new development projects. The City building inspector will ensure that all design specifications relevant to a project's acoustical design for noise level reduction are completed as approved prior to final approval of any project.

Policy SN-7.8 **Commercial and Industrial Noise Increases**
The City shall strive to meet the local noise levels by careful permit review for noise increases in the case of new commercial or industrial development.

Policy SN-7.9 **Acoustical Engineering Analysis**
The City may require an acoustical engineering analysis to show that new commercial or industrial planned use will not increase the local ambient noise levels by more than the values set forth in the noise element of the General Plan.

Policy SN-7.10 **Noise Level Exceeding 60 dBA**
In areas where the annual day-night noise level exceeds 60 dBA, the City shall require an acoustical engineering study for proposed new construction or renovation of structure(s). Each acoustical analysis should recommend methods to reduce the interior day-night annual average noise levels to below 45 dBA for private dwellings, motels, hotels, office, and noise sensitive uses.

Policy SN-7.11 **Mitigation for Noise Sensitive Land Uses**
Seek to protect schools, hospitals, libraries, churches, convalescent homes, and other noise sensitive uses from excessive noise levels by incorporating site planning and project design techniques to minimize noise impacts. The use of noise barriers should be considered after all practical design-related noise measures have been integrated into the project. In cases where sound walls are necessary, they should help create an attractive setting with features such as setbacks, changes in alignment, detail and texture, murals, pedestrian access (if appropriate), and landscaping.

Policy SN-7.12 **Exterior Noise Measurements**
Exterior noise levels measured at the property line of proposed new residential developments shall be limited at or below an average annual day-night level of 60 dBA.

Policy SN-7.13 **Noise Levels Exceeding 75 dBA**
New residential development should not be allowed in regions where the annual day-night noise levels exceed 75 dBA.

Policy SN-7.14 **Hotel, Motel, Office Rooms**
Hotel, motel, and professional office construction or renovation plans must include design techniques to ensure that noise is attenuated to 45 decibels or better between adjacent private rooms.

Policy SN-7.15 **Construction Noise Management**
Ensure that construction activities are managed to minimize overall noise impacts on surrounding land uses.

Policy SN-7.16 **Construction Noise Reduction Plan**
Where appropriate, particularly when located adjacent to sensitive land uses, the City may require construction noise reduction measures as part of project development plans to reduce the effects of construction noise.

Policy SN-7.17 **Use of Truck Routes**
Limit truck traffic in residential and commercial areas to designated truck routes.

Actions

Action SN-7.1 **Noise Ordinance**

The City shall adopt a comprehensive noise ordinance which implements the noise policies of this General Plan. The noise ordinance will contain land use compatibility noise standards and will prescribe methods for meeting those standards.

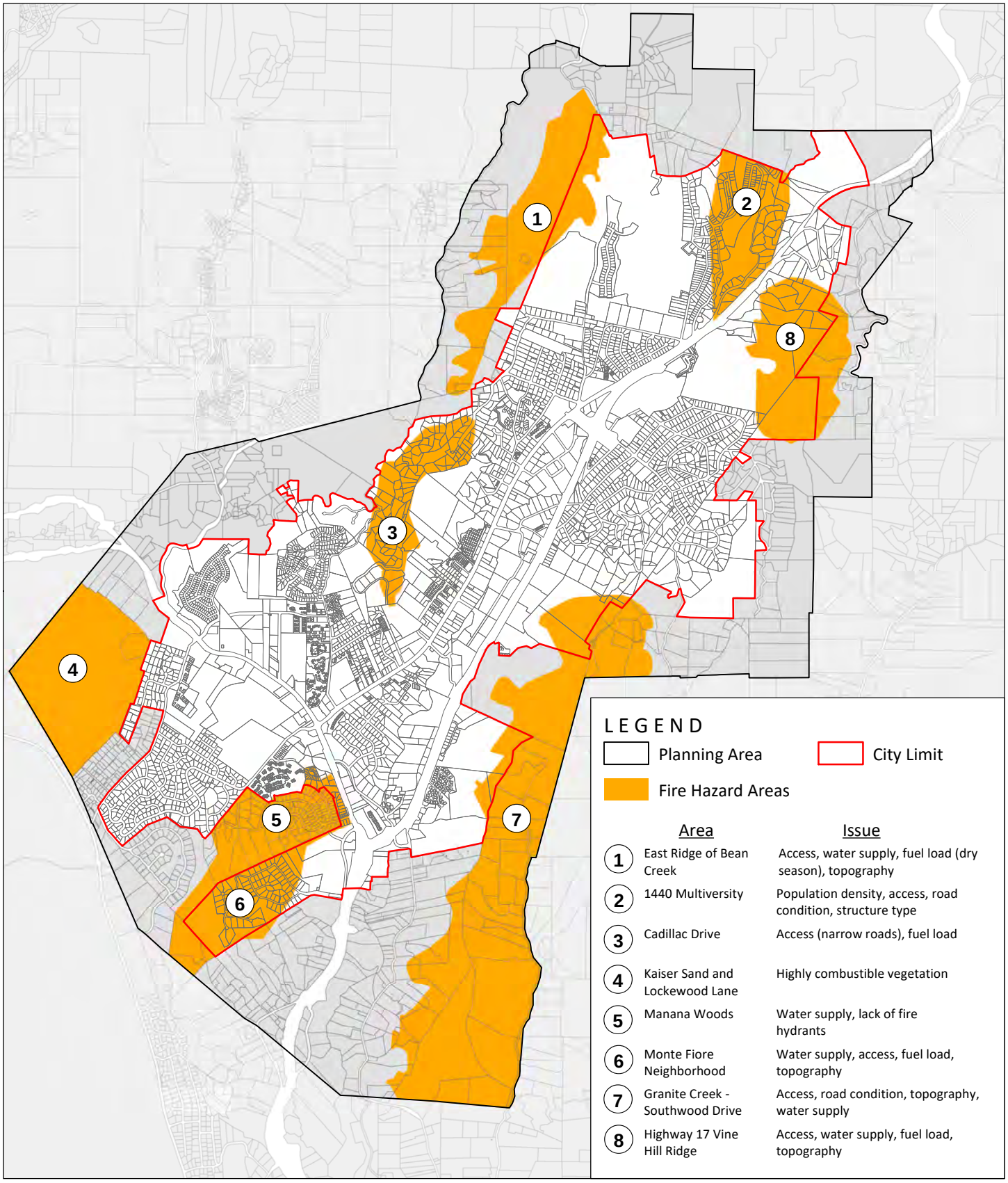


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Figure SN-1: Fire Hazard Areas

Disclaimer: This Map was developed for the Genereal Plan. The City is neither liable nor responsible for the use of this map beyond its indended purposes.

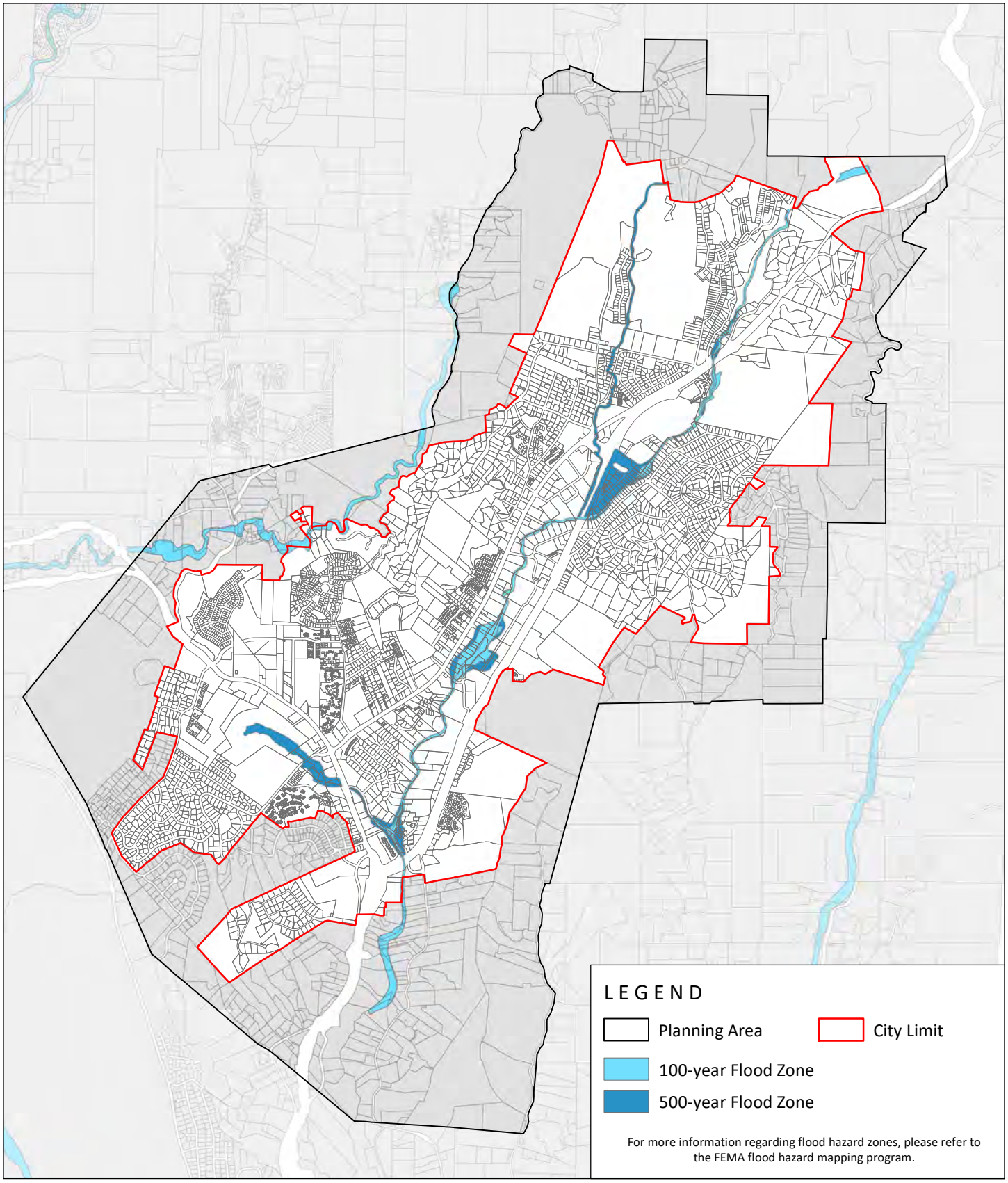

Figure SN-2: Flood Hazards

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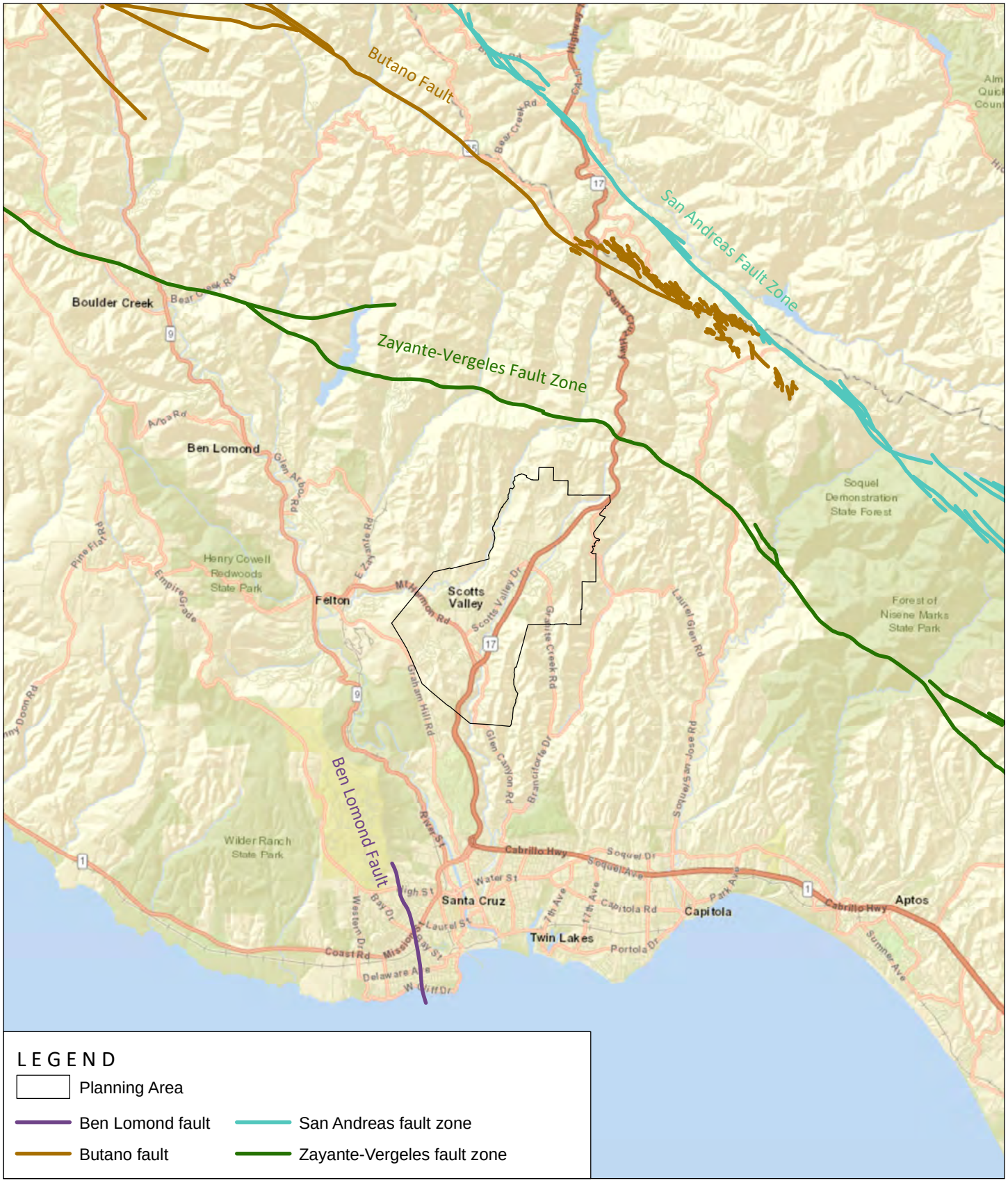

Figure SN-3: Fault Zones

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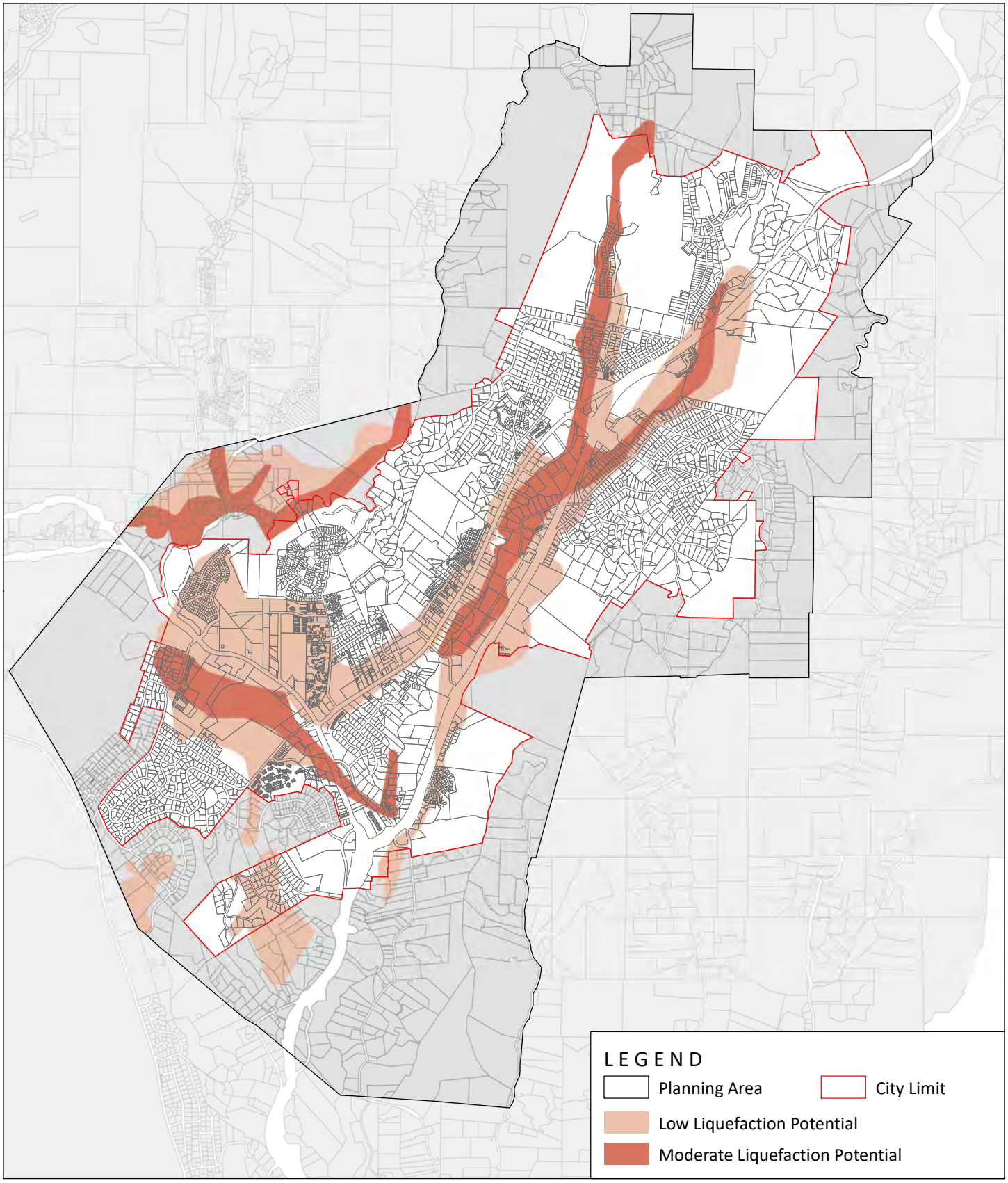

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Figure SN-4: Liquefaction Potential

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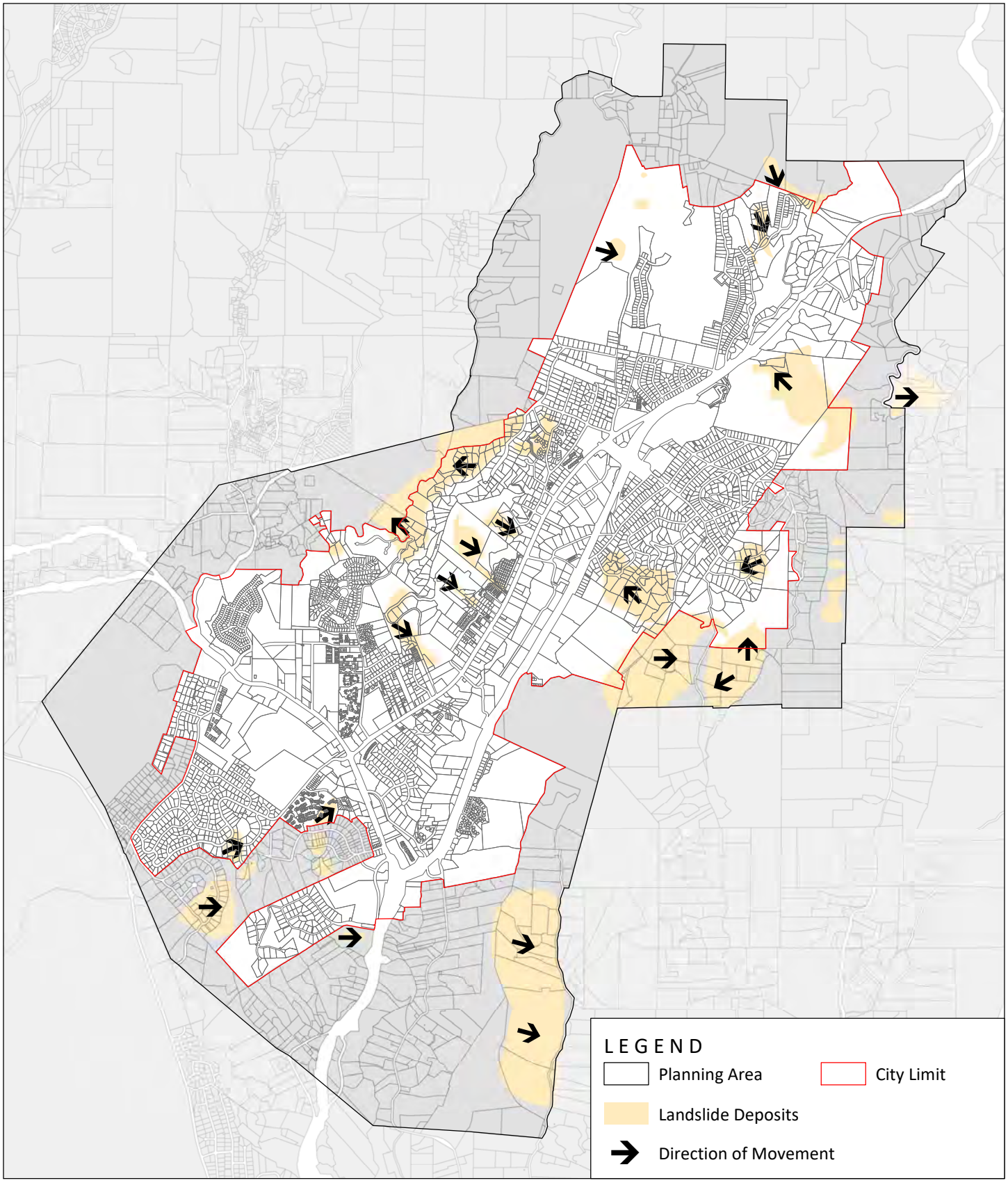

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Figure SN-5: Landslide Deposits

Disclaimer: This Map was developed for the Genereal Plan. The City is neither liable nor responsible for the use of this map beyond its indended purposes.

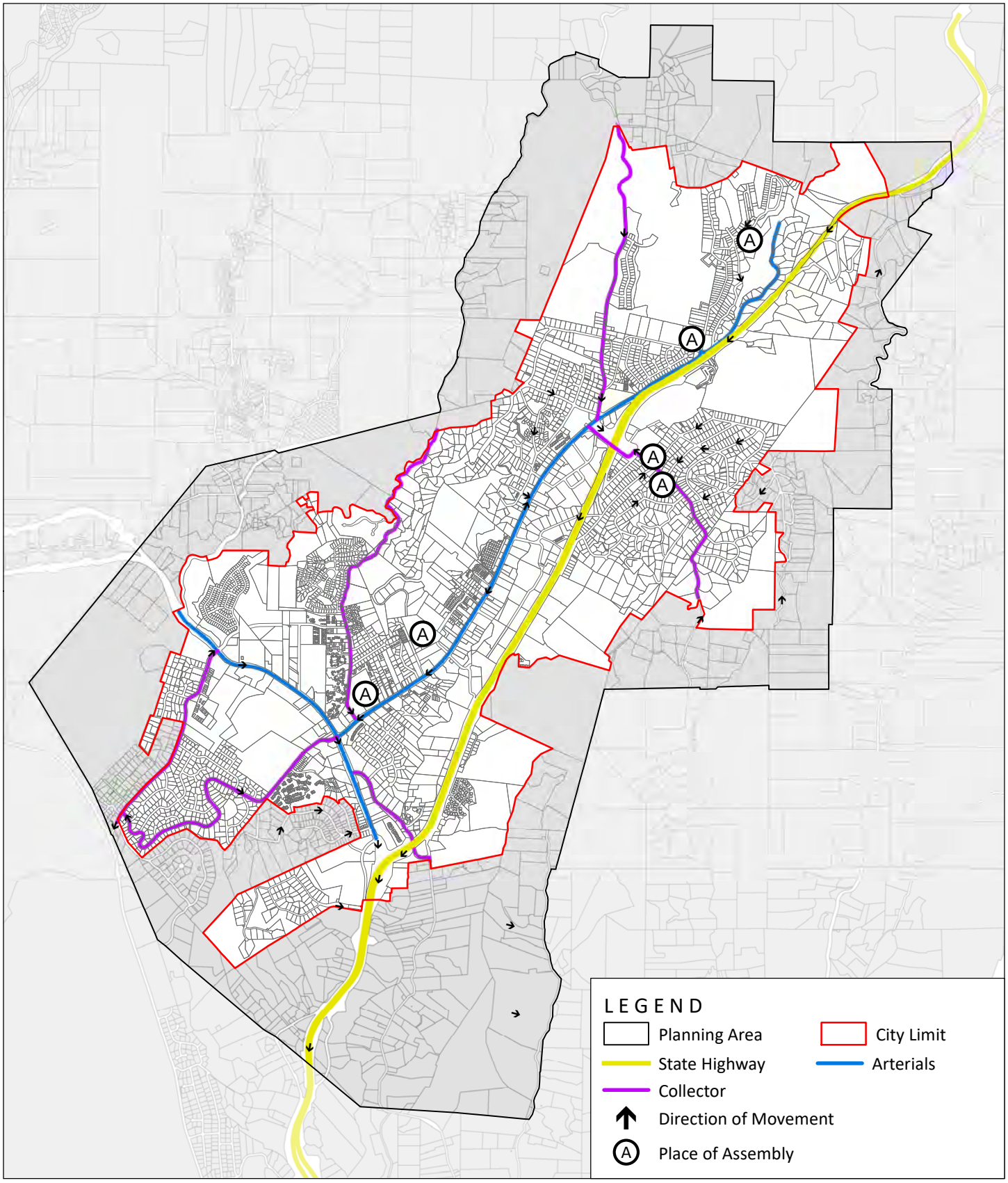

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Figure SN-6: Evacuation Routes

Disclaimer: This Map was developed for the Genereal Plan. The City is neither liable nor responsible for the use of this map beyond its indended purposes.

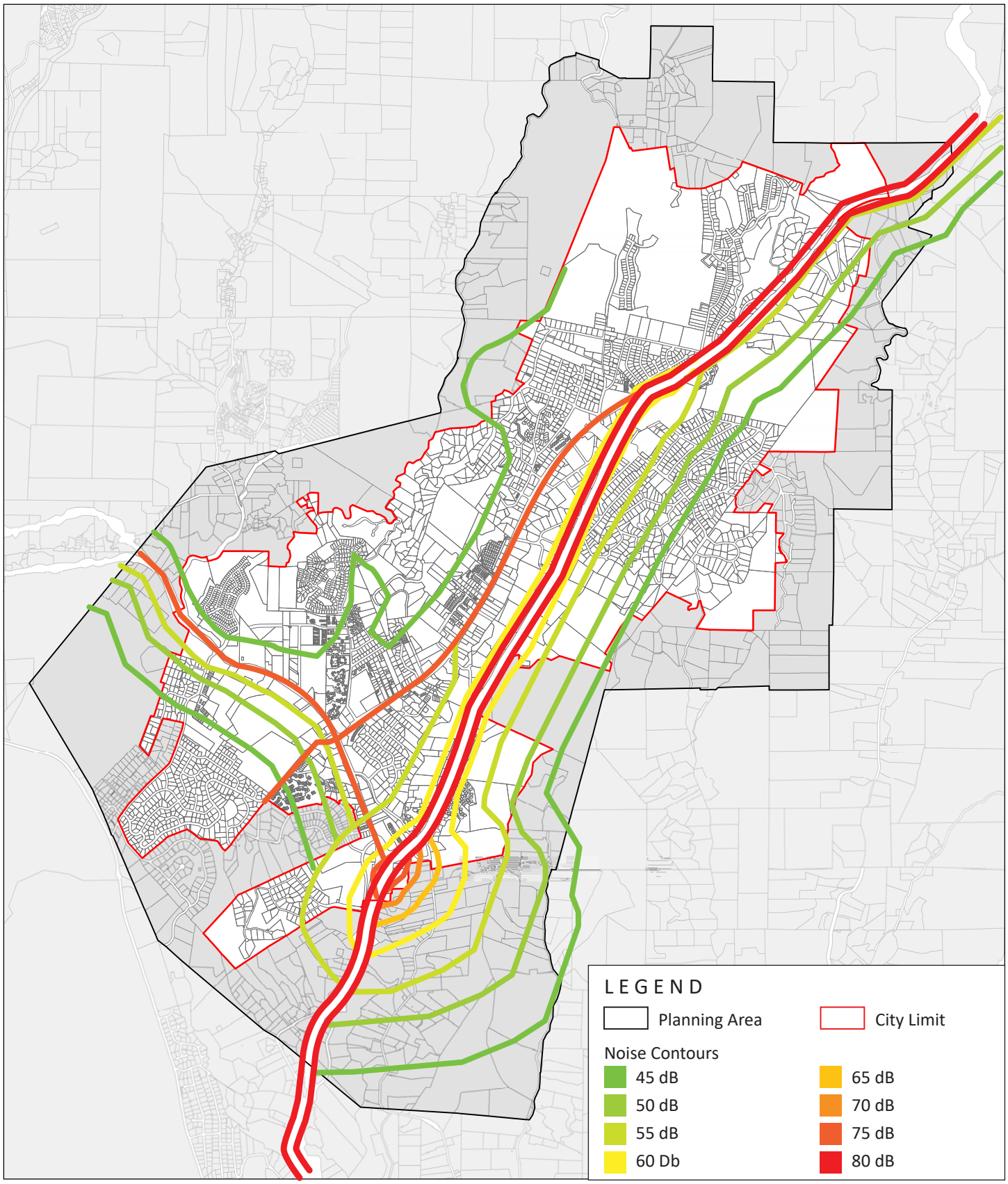

Figure SN-7: Noise Contours

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COMMUNITY SERVICES & FACILITIES

The Scotts Valley **Community Services & Facilities Element** defines the nature and types of community facilities, services, and activities necessary to maintain a high quality of life in Scotts Valley. The primary goal is to align funding resources with the level of service the community expects. The City also seeks to maintain safety, quality of schools, and other public facilities that are valued by the community.

COMMUNITY SERVICES & FACILITIES

Introduction

The Community Services & Facilities element is an optional element per California State law. It addresses community services related to city administration, police and fire protection, water services, wastewater and solid waste management, parks and recreation, public education, and community health.

It provides policy direction and implementation measures to guide future decisions related to these services and associated infrastructure, and to integrate community service concerns into land use decision making. The element is also intended to maintain community services that are available when needed to serve the residents and businesses in the City.

Current Status

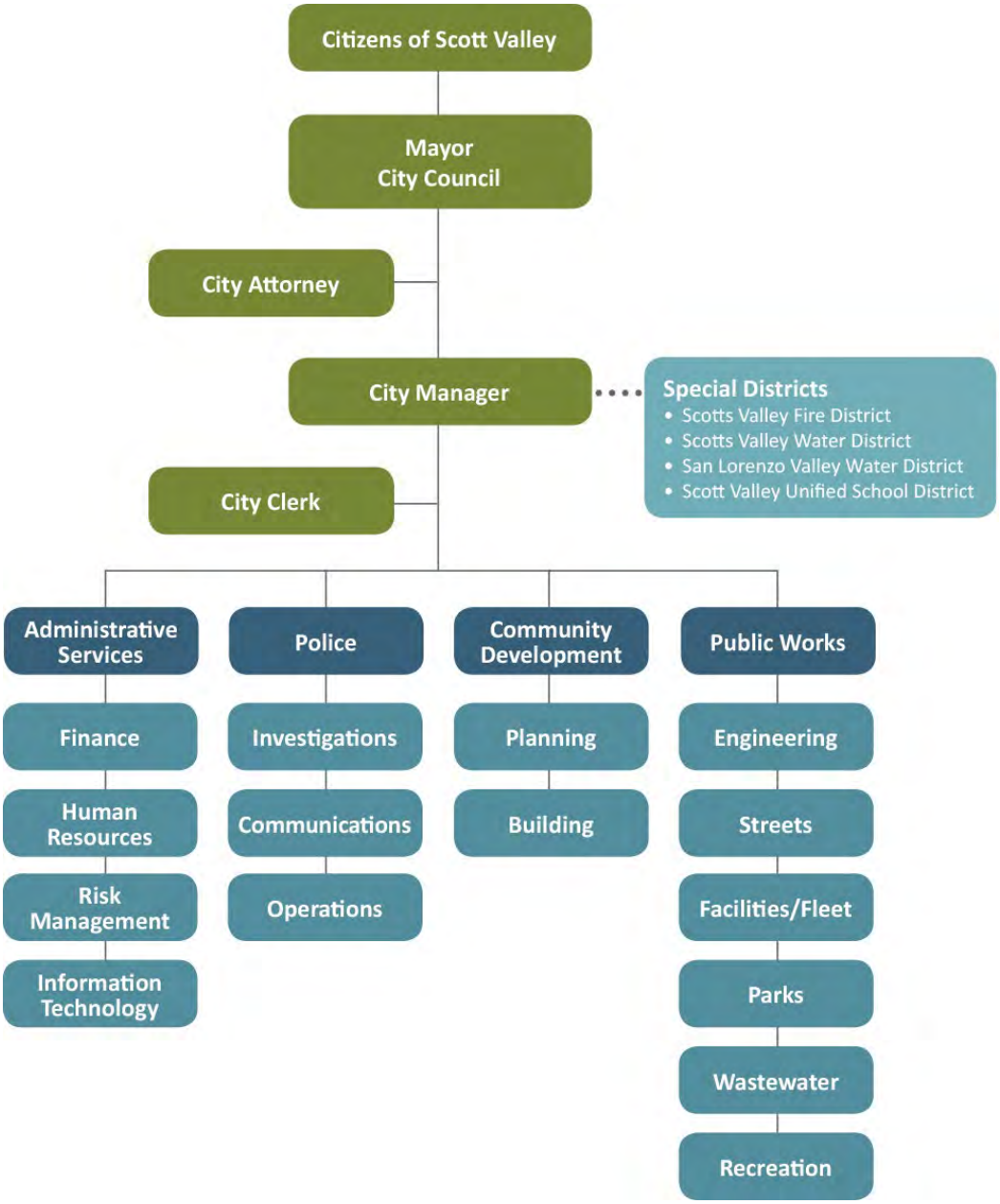
Recommended by Planning Commission to City Council – DATE

Accepted by City Council at Public Hearing – DATE

Background and Context

City departments include Administration; Finance; Police; Planning; Building; and Public Works, which includes Engineering, Street Maintenance, Vehicle Maintenance, Park Maintenance, Building Maintenance, Wastewater, and a Parks & Recreation Division.

The Scotts Valley Water District, a separate special district, provides water services. The Scotts Valley Fire Protection District, also a separate special district, provides fire services. Refuse collection and recycling services are contracted out.



City of Scotts Valley Community Services & Facilities

Scotts Valley was incorporated as a general law city in 1966. The City operates under the council form of government with legislative responsibility residing with an elected City Council of five members. One City Council member is elected by the others to serve as Mayor.

Administration, Finance, Planning, Building and Police functions are administered from the City Hall building on Civic Center Drive. Public Works/Engineering facilities are in the corporation yard on Lundy Lane.

Below is a summary of the primary City services and facilities. Additional information can be found at www.scottsvalley.org.

Police Protection

The major goals of Scotts Valley Police Department (SVPD) are to reduce crime through prevention, detection and apprehension; to provide the orderly and safe movement of vehicular traffic through law enforcement, to provide accident prevention and accident investigation; to ensure public safety through regulation and control of hazardous conditions; to recover and return lost and stolen property and; to provide non-enforcement services through programs reflecting community needs and desires.

SVPD has 20 sworn officers and eight non-sworn employees. In 2023, the SVPD's Dispatch Center handled more than 3,000 emergency calls and approximately 20,000 non-emergency calls. The average response time to emergency calls in 2023 was approximately two minutes (SVPD, 2023).

The Police Department has both formal and informal assistance agreements with the Santa Cruz County Sheriff's Office and the California Highway Patrol. Assistance may range from immediate help with an emergency problem to large or complicated criminal investigations.

Public Works

The Public Works Department includes four divisions, namely: 1) Engineering, 2) Maintenance, 3) Recreation, and 4) Wastewater.

Engineering Division

The Engineering Division includes three primary categories: design and construction, traffic engineering, and land development. The design and construction category includes design and implementation of capital improvement projects. Traffic engineering consists of the review of traffic impact studies, traffic movement counts, capacity analyses, and management of traffic signals throughout the City. Land development includes reviewing projects proposed by

prospective land developers and coordinating the review process with other departments such as Planning, Police, and other agencies.

Maintenance Division

The Maintenance Division involves street maintenance to include road repair work and striping of public streets within the City, as well as storm drain repair and maintenance; public building maintenance; and City vehicle maintenance. The Maintenance Division also takes care of the City parks; the two largest being Skypark and Siltanen Park. In total, the City has 38.6 acres of developed parks. Facilities include six parks/playgrounds, six soccer fields, four tennis courts, seven softball and baseball fields (four of which are joint use with ball fields), two bocce ball courts, two outside half-court basketball courts, a community center, a senior center, and two childcare facilities on the elementary school campuses.

Additional recreation facilities are provided by the Scotts Valley Unified School District (SVUSD), and the private sector. Public recreation facilities are shown in Figure CSF 1: Schools, Parks and Open Space.

Recreation Division

Recreation programs are administered by the Recreation Division. The Parks and Recreation Commission, a five-member commission appointed by the City Council, is an advisory Commission that oversees the parks and recreation programs.

The Parks and Recreation Commission has the responsibility of preparing a Parks Master Plan to plan for the acquisition, development and improvement of park facilities in Scotts Valley. The City's Parks Master Plan (adopted March 1996) indicates the goal of five acres of developed parks per thousand (1,000) persons. This does not include undeveloped open space and natural resource areas.

With a current population of nearly 12,000, the City has just over three acres of developed park land per thousand persons.

Wastewater Division

The City's sanitary sewer collection system is made up of approximately 45 miles of gravity pipelines, seven lift stations, and eight miles of force main. Wastewater is eventually conveyed to the City's Water Reclamation Facility (WRF) on Lundy Lane. It provides residents with wastewater treatment services and recycled water for landscape irrigation and other potential uses.

The WRF was constructed in 1964 as a 30,000 gallon/day package wastewater treatment plant to provide secondary level wastewater treatment. In 1972, an activated sludge treatment system was added, and plant capacity expanded to 120,000 gallons/day. Over the years, plant

capacity has been expanded several times to serve growth in the community and has the capacity to treat 1.5 million gallons each day, enough to see the City through planned build-out.

In 2001, the City received a permit from the Regional Water Quality Control Board to produce recycled water for unrestricted irrigation use. The tertiary treatment facility is treats up to one million gallons per day of recycled water which is used mainly for irrigation at local parks, schools, residences, landscape medians, and businesses. Following disinfection, the tertiary treated water meets State Title 22 standards for water reuse in California and is safe for all permitted uses.

City of Scotts Valley has partnered with the Scotts Valley Water District, which is the permitted distributor of the recycled water produced at the tertiary treatment facility. An average monthly recycled water demand ranges between 0.8 million gallons in January to 9.4 million gallons in July. Annual demand has been fairly stable at approximately 60 million gallons.

Other Community Service and Facility Providers

Fire Protection

As shown in Figure CSF-2: Fire Districts, the Scotts Valley Fire District (SVFD) provides all risk emergency response to a variety of incidents including fires, medical calls, hazardous materials incidents, rescues, and vehicle accidents for both the City of Scotts Valley and the surrounding unincorporated areas. SVFD is an autonomous special district, with funding generated from the area's property taxes. SVFD serves approximately 22,000 people in a 22-square-mile area. The SVFD boundaries run to Highway 17 at Highway 1 to the south, just beyond Laurel Road along upper Highway 17 to the north, Graham Hill Road through Henry Cowell, down to the City of Santa Cruz to the west, and along the Glen Canyon, Granite Creek, and Vine Hill Road areas to the East. The City of Scotts Valley lies within the district boundaries and represents 4.5 square miles of the total area served and approximately 60 percent of the SVFD's service area population.

SVFD has mutual aid agreements with numerous regional fire districts, including the Santa Cruz City Fire Department, Central Fire Protection District, Aptos/La Selva Fire Protection District, Felton Fire Protection District, Zayante Fire Department, and Cal Fire. The District currently manages and provides administrative oversight for the adjoining Branciforte Fire District.

SVFD operates two fire stations (both within the Scotts Valley city limits) and has 24-line firefighting personnel. Station One (headquarters), is located at 7 Erba Lane, and Station Two is located at 251 Glenwood Drive. The District has 27 full-time employees which include line firefighters and the administrative staff. The District also employs two part-time secretaries and 10 paid call firefighters which are used to supplement the Fire District's regular career firefighters on emergency incidents and in community service activities.

SVFD provides fire prevention services related to the enforcement of local and state fire codes, public fire prevention education, and the investigation of the cause and origins of fire. The Fire Prevention Division provides a comprehensive fire/life safety plan review for land development, new building construction, interior remodel projects, fire suppression, and fire alarm systems. In addition, periodic construction inspections are performed to ensure that completed projects conform to both state and local fire safety regulations.

SVFD responded to more than 2,300 district wide calls in 2023. The majority (more than 55 percent) of these calls were medical emergency calls. SVFD has a cooperative agreement with the Santa Cruz regional 911 dispatch center, also known as NETCOM, for all emergency and non-emergency dispatching.

Additional information regarding SVFD can be found at www.scottsvalleyfire.com. Additional information regarding wildfire hazards is discussed in the Safety & Noise element.

Water Services

Water is provided by three sources: the Scotts Valley Water District (SVWD), the San Lorenzo Valley Water District (SLVWD), and private wells. As shown in Figure CSF-3: Water Districts, the SVWD and SLVWD service area boundaries extend beyond the City's Planning Area boundaries. These two districts are responsible for providing public water services for residential, institutional and commercial purposes and for fire protection in their respective service areas.

Both the Scotts Valley Water District and the San Lorenzo Valley Water District rely mainly on groundwater in Santa Margarita Groundwater Basin to serve their respective customers.

SVWD has actively managed groundwater in the area since the early 1980s to increase water supply reliability and to protect local water supply sources. In 1983, SVWD instituted a Water Resources Management Plan to monitor and manage water resources, in 1994 the agency formally adopted a Groundwater Management Plan in accordance with AB3030, also known as the Groundwater Management Act under Water Code section 10750.

In 1995, SVWD, SLVWD, Mount Hermon Association, Lompico County Water District, City of Scotts Valley and County of Santa Cruz signed a Memorandum of Understanding forming Santa Margarita Groundwater Basin Advisory Committee that was actively involved in the cooperative groundwater management of the basin until its dissolution and substitution with Santa Margarita Groundwater Agency (SMGWA) in 2017. SMGWA is a Groundwater Sustainability Agency (GSA) that was established as a Joint Powers Authority in response to the 2014 Sustainable Groundwater Management Act (SGMA) that required the formation of local groundwater sustainability agencies (GSAs) that must assess conditions in their local water basins and adopt groundwater sustainability plans (GSPs). The *Santa Margarita Groundwater*

Sustainability Plan (2021) includes the following elements: basin description including groundwater levels, groundwater quality, subsidence, information on groundwater-surface water interaction, data on historical and projected water demands and supplies, monitoring and management provisions, and a description of how the plan will affect other plans, including city and county general plans. The Plan was approved by the Department of Water Resources in April 2023and is evaluated every five years after its adoption.

Additional information can be found at www.smgwa.org.

In accordance with the California Water Code (CWC), urban water suppliers with 3,000 or more service connections or supplying 3,000 or more acre-feet of water per year are required to prepare an Urban Water Management Plan (UWMP) every five years. The UWMP is a long-range planning tool that guides the actions of the public water suppliers and provides the elected officials, managers and the public with a broad perspective regarding various water supply issues. The Districts completed individual UWMPs in prior years; however, they decided to prepare a regional UWMP in 2020 because they are adjacent water districts that share groundwater and have a long history of partnering on various projects and activities.

Scotts Valley Water District

The Scotts Valley Water District (SVWD) was formed under County Water District Law in 1961. Its service area includes most of the City of Scotts Valley as well as some unincorporated areas north of the City with the service area of 5.5 square miles serving approximately 10,600 people. SVWD relies entirely on local groundwater for its potable water supply. Currently surface water is not part of the water supply portfolio, however, supplemental supply planning includes diversification of the supply and supplementing the groundwater with surface water via a conjunctive use with neighboring agencies, as well as utilization of the excess recycled water for future permitted uses.

SVWD service area boundaries include most of the City of Scotts Valley (City) as well as some unincorporated areas north of the City. Groundwater from the Santa Margarita Basin is the source of potable water supply for SVWD.

Potable Water

SVWD owns and maintains approximately 60 miles of potable water mains, several potable water storage tanks, pump stations, production wells, and water treatment facilities. Additionally, SVWD owns a recycled water distribution system.

As of 2023, the SVWD has six production wells that have a combined capacity of approximately 2,000 gallons per minute (gpm), or 2.87 million gallons per day (mgd), or 3,214-acre feet per year (afy). From the 1970's to the 2000's, groundwater production steadily rose to a peak of

2,077 afy in 2003. Since then, average production has declined by 40% due to water use efficiency measures, and service connection conversions from potable to recycled water.

Recycled Water

Recycled water has been available in Scotts Valley since 2002 and the program has expanded steadily through expansion of pipelines and service connections. The existing recycled water distribution system is comprised of a storage tank, pump station, approximately six miles of recycled water distribution mains, and supplies an annual average of approximately 200-acre feet per year (afy) water.

San Lorenzo Valley Water District

The San Lorenzo Valley Water District supplies water service to approximately 500 customers in the Pasatiempo Pines and Manana Woods area of Scotts Valley (SLVWD South Zone) from three wells located near the Santa Cruz County Probation Center. These wells have a combined pumping capacity of approximately 700 gallons per minute. Within the Scotts Valley portion of the San Lorenzo Valley Water District there are three major storage facilities with a combined storage capacity of 390,000 gallons, and approximately 4.5-mile transmission and distribution system.

Private Wells

There are several private wells in the Scotts Valley area that provide water for residential, commercial, and industrial uses, including the Valley Gardens Golf Course and several large mobile home parks. The County of Santa Cruz has the responsibility for permitting and registering the private groundwater wells.

Additional information about the SVWD and SLVWD can be found at:

www.svwd.org

www.slvwd.com

Additional information regarding water services can also be found in Chapter 5: Open Space & Conservation.

Scotts Valley Unified School District

The Scotts Valley Unified School District (SVUSD) operates the public-school system within the City of Scotts Valley. SVUSD administers two elementary schools; Vine Hill Elementary and Brook Knoll Elementary (K-5); Scotts Valley Middle School (6-8), and Scotts Valley High School (9-12).

Total SVUSD school enrollment for elementary and secondary students for the 2022/2023 academic year was 2,237. This roughly equates to approximately 600 students for each elementary school and the middle school, and 800 students for the high school.

SVHS participates in the International Baccalaureate (IB) program – the only one in Santa Cruz County and among only a few within the Monterey Bay area. The IB program is an alternative to the more common advanced placement (AP) program that most high schools provide for their more academically oriented students seeking college preparation. It draws students from around the county and serves as a valuable distinguishing feature for Scotts Valley.

Additionally, there are students that reside in the City of Scotts Valley who attend private schools within Scotts Valley. These include Baymonte Christian School, Child's Reflection, Montessori Scotts Valley, and Monterey Coast Preparatory School.

Additional information can be found at scottsvalley-ca.schoolloop.com.

Solid Waste Management

GreenWaste Recovery, a private contractor, provides weekly collection of garbage, recyclable materials, and yard trimmings for residents and businesses in the City of Scotts Valley. Solid waste (garbage and yard trimmings) is transported to the Monterey Regional Waste Management District (MRWMD) and eventually disposed of in the Monterey Peninsula Landfill while recyclables are delivered to the GreenWaste transfer facility in Watsonville and eventually taken to the GreenWaste Materials recovery campus in San José (GreenWaste, 2022).

The Monterey Peninsula Landfill, located in Monterey County, is permitted until 2107 and has a maximum capacity of 49,700,000 cubic yards of solid waste, with approximately 48,560,000 cubic yards of remaining capacity. The Monterey Peninsula Landfill is permitted to receive 3,500 tons of solid waste per day.

Goals, Policies & Actions

Goal CSF-1 To provide reliable and cost-effective water, wastewater, and solid waste management services that is sustainably managed.

Policies

Region

Policy CSF-1.1 **Groundwater Management Coordination**
Support the collaborative efforts by the Scotts Valley Water District, the San Lorenzo Valley Water District, the County of Santa Cruz who are responsible for sustainably managing the Santa Margarita Groundwater Basin.

Policy CSF-1.2 **Solid Waste Management Coordination**
Coordinate with the Santa Cruz County Recycling and Solid Waste Services and other local non-profit agencies to carry out community public health education and waste reduction programs.

City

Policy CSF-1.3 **Annexation**
Confirm with the relevant agencies prior to a city-led annexation that adequate water and disposal services can be provided for the proposed annexation area.

Policy CSF-1.4 **Master Plans**
Conduct periodic updates to wastewater, and stormwater master plans and require all new development requiring discretionary review to be consistent with the current master plans.

Policy CSF-1.5 **Special District Management Plans**
Work cooperatively with the Scotts Valley Water District and San Lorenzo Valley Water District to update their Urban Water Management Plan and other water management related plans as necessary.

Policy CSF-1.6 **Water Facility Protection**
Work in coordination with the relevant agencies to protect existing and future water, wastewater, and recycled water facilities from encroachment by incompatible land uses that may be allowed through discretionary land use permits or changes in land use or zoning designations.

Policy CSF-1.7 **Waste Diversion Rate**
Support efforts to meet the state's current and future waste diversion goals through City, County and other agency's recycling and diversion programs.

Policy CSF-1.8 **Expanded Materials Recycling**
Encourage increased recycling of materials by commercial, industrial, and residential generators.

Project

Policy CSF-1.9 **New Development**
The City shall not allow existing or new private wells to service new development that requires discretionary review.

Policy CSF-1.10 **Regulatory Compliance**
Monitor the development review process to support compliance with the water efficiency related regulations.

Policy CSF-1.11 **Wastewater Improvements**
Plan for necessary improvements and associated funding to ensure adequate levels of wastewater treatment are available to meet the demand of the service area.

Policy CSF-1.12 **Development-funded Facilities**
Where practical and appropriate, require new developments to construct on-site or off-site facilities that benefit larger group of constituents than just the ones served by the new development. In such instances, establish a process by which a future development is to reimburse the original development a proportionate share of the original cost of the facilities to the degree of the benefit received by them.

Policy CSF-1.13 **Stormwater Management**
Require new development to maintain predevelopment runoff levels, consistent with State regulations.

Policy CSF-1.14 **Recycled Water**
Support the expansion of recycled water infrastructure throughout Scotts Valley and require new development to connect to recycled water system if appropriate and feasible.

Actions

Action CSF-1.1 **Model Water Efficient Landscape Ordinance Compliance**
Develop an agreement between the City and the Scotts Valley Water District to ensure that all landscape construction within the City will comply with the State 2015 Model Water Efficient Landscape Ordinance (MWELO). [1]

Action CSF-1.2 **Greywater Systems**
Adopt the Over-the-Counter Building Permit for simple greywater systems. [2]

Action CSF-1.3 **Compliance with Senate Bill 407**
Establish the standard operating procedures and support the Scotts Valley Water District in addressing the compliance of CA Senate Bill 407. [3]

[1] The City adopted this ordinance by default per state law in 2016, and the only known compliance activity pertains to large multi-family developments that are reviewed by the Scotts Valley Water District via a third party. This agreement would ensure that the City is in compliance with the state law to ensure new (and large retrofitted landscapes) are in compliance for water use efficiency and to support new development.

[2] As a pilot program in 2016, a branched drain residential greywater system was installed within the City of Scotts Valley with a provisional over-the-counter greywater permit. On September 9, 2016, the permit was granted by the City. The City has expressed support of permanently adopting the permit form modeled after the Cities of Marina and Monterey.

[3] This bill requires public entities that supply water to adopt a program for tracking disclosures made upon the transfer of real estate water use efficiency. The District currently collects these for the municipality but lacks an appropriate form with the City logo and updated requirements on it.

Goal CSF-2 To provide high-quality emergency services for Scotts Valley residents, businesses, and visitors.

Policies

Region

Policy CSF-2.1 **Interagency Support**
Participate in mutual aid system and automatic aid agreements to back up and supplement capabilities to respond to emergencies.

Policy CSF-2.2 **Interagency Communications**
Maintain an effective communication system between emergency service providers within Scotts Valley and neighboring jurisdictions.

Policy CSF-2.3 **Regional Crime Prevention**
Participate in multi-jurisdictional crime suppression units with emphasis on career criminal apprehension and reducing the number of victims.

City

Policy CSF-2.4 **Police Service**
Ensure appropriate police staff, stations, equipment, and training to meet the demands of city residents, employees and visitors.

Policy CSF-2.5 **Fire Service**
Support the Scotts Valley Fire District's efforts to maintain staffing, facilities, and training activities to effectively respond to emergency and public service calls.

Policy CSF-2.6 **Emergency Preparedness Planning**
Maintain an emergency operations plan and emergency operations center to prepare for actual or threatened conditions of disaster or extreme peril.

Policy CSF-2.7 **Police Response Time**
The Police Department will strive to maintain a maximum three-minute response time to emergency calls within the City, 24 hours a day.

Policy CSF-2.8 **Community-based Program Development**
The Police Department will proactively promote community involvement and participation to define community needs, confirm priorities, and develop programs, which meet their needs, while also promoting neighborhood crime prevention programs.

Policy CSF-2.9 **Community Outreach**
Conduct outreach in the community to promote personal and public safety in daily life and in cases of emergency. Regularly update and inform the public on the real levels of crime and safety to strengthen their perceived sense of personal security.

Policy CSF-2.10 **Drug and Crime Prevention for Youth**
Work with the Scotts Valley School District and private schools to provide drug and crime prevention education and awareness.

Project

Policy CSF-2.11 **Plan Review**
All new development shall be referred to the Police Department for law and Scotts Valley Fire District for plan review evaluation of crime reduction, fire, and life safety issues.

Policy CSF-2.12 **Safety and Crime Prevention Through Design**
Seek ways to reduce police service demands through land use planning and project design.

Policy CSF-2.13 **Community Wildfire Protection Planning**
Require new development in areas susceptible to wildfires to be responsible for fire prevention activities (e.g., visible house numbering and use of fire-resistant and fire-retardant building and landscape materials) and to provide a defensible zone to inhibit the spread of wildfires.

Actions

Action CSF-2.1 **Emergency Services Budgeting**
During the annual budget review, assess the present and future requirements of the Police Department and allocate a budget commensurate with the City's needs.

Goal CSF-3	To provide ample, safe, and well-maintained park and recreation facilities and programs that serve the needs of the community.

Policies

Region

Policy CSF-3.1 **Multiuse Trail Network**
Work in coordination with other state and local organizations in the development of a regionally integrated, multiuse trail network as identified in the City's Parks Master Plan.

Policy CSF-3.2 **Connected Trails**
Where appropriate, trails shall connect with parks and recreational areas.

City

Policy CSF-3.3 **Park Planning**
Plan parks and recreation facilities adequate for the City's recreational needs, activities, and programs, commensurate with projected population growth.

Policy CSF-3.4 **Locating Park and Recreation Areas**
Locate and design park and recreation areas to provide for ease of access by pedestrians and bicyclists.

Policy CSF-3.5 **Mobility Access to Park and Recreation Facilities**
As a part of the City's open space/park and recreation implementation plan, incorporate trails, paths, sidewalks, and bicycle lanes to provide ease of access to and in the identified park and recreation areas.

Policy CSF-3.6 **Park Concessions**
Plan for the expansion of concessions in parks and recreation facilities.

Policy CSF-3.7 **Preventative Maintenance**
Fund and staff regularly scheduled preventative maintenance of all recreation facilities.

Policy CSF-3.8 **Coordination with Schools**
Coordinate with local schools to expand parks and recreation opportunities for the community through joint use agreements; co-development, expanding, and refurbishing; and other collaborative efforts.

Policy CSF-3.9 **Small Park Opportunity Sites**
Evaluate all lands, regardless of size, for their potential development as small parks, community gardens, landscape lots, etc.

Policy CSF-3.10 **Ongoing Maintenance**
Ensure that ongoing maintenance needs are addressed in the development and funding plans for any new or expanded parks, recreation facilities, and open space.

Policy CSF-3.11 **Recreation Programs**
Provide adequate recreation programs that serve the needs of all members of the community including youth, seniors, and disabled persons.

Policy CSF-3.12 **Parkland and in-Kind Contributions**
The Parks and Recreation Commission should advise the City Council regarding the acceptance or rejection of offers of donations of money, personal and/or real property to the City for recreational and park purposes and use and make recommendations where appropriate.

Policy CSF-3.13 **Sale or Purchase of Parkland**
The City Council should solicit the recommendation of the Parks and Recreation Commission regarding the sale or purchases of lands for park and recreation purposes.

Policy CSF-3.14 **Recreation Fees and Budgets**
The City Council should refer proposed changes to the Recreation Division's fee schedule and Parks and Recreation Division 's budgets to the Parks and Recreation Commission for its recommendation prior to City Council action.

Policy CSF-3.15 **Volunteer Support & Private Funding**
Volunteer efforts and private financial resources should be promoted and used in combination with public funds for enhancement, acquisition, maintenance and operation of park and recreation facilities. The Parks and Recreation Commission and/or park specialist should solicit volunteer efforts and private financial resources.

Neighborhood

Policy CSF-3.16 **Access to the Lodato Park Trail System**
The City shall work with property owners towards obtaining increased and ultimately full-time access to the trail system connecting to Lodato Park.

Project

Policy CSF-3.17 **Provision of Park Land and Facilities**
Condition new development requiring discretionary review to provide for the orderly completion of the City's comprehensive park system, including bicycle paths and hiking trails.

Policy CSF-3.18 **Dedication of Trail Easements**
The City shall require public dedication of trail easements and bike paths in new projects located along adopted routes.

Policy CSF-3.19 **Construction of Trails and Bike Paths**
For new development requiring discretionary review, the City may require where appropriate, the dedication and construction of trails and bike paths consistent with the General Plan policies as part of project approval.

Policy CSF-3.20 **Minimizing Trail Impacts**
When siting and designing new trails, seek to minimize impacts to sensitive biological and scenic resources.

Policy CSF-3.21 **Public Safety**
Promote public safety in planning, design, construction, and use of all recreation facilities.

Policy CSF-3.22 **Parkland Siting**
Locate and design park and recreation areas to provide for ease of access by pedestrians, bicyclists, and, where feasible, transit and equestrian.

Policy CSF-3.23 **Land Use Compatibility**
Park and recreation areas should be planned, developed, and used in a manner which is compatible with adjacent land uses.

Policy CSF-3.24 **Recreation for New Development**
Ensure that adequate park land is provided in conjunction with new residential development, concurrent with the City’s parks, recreation and open space, land and facilities development fee schedule.

Policy CSF-3.25 **Commercial and Industrial Development**
All commercial and industrial developments shall provide recreational facilities on-site or contribute money to enhance the City's park and recreation system.

Actions

Action CSF-3.1 **Parks Master Plan**
Maintain a citywide Parks Master Plan that sets service standards and strategic goals for the development and maintenance of parks and related facilities.

Action CSF-3.2 **Park Grant Funding**
Continue to solicit state open space, park and recreation, and access grants to acquire park land and/or to expand and develop the City's existing park facilities.

Action CSF-3.3 **Commercial and Industrial Recreation Provisions**
Amend City Code to require commercial and industrial development to provide open space/recreation facilities within the project. In the alternative, require dedication of land or in-lieu fees for park and recreation amenities.

Action CSF-3.4 **Park Programming Assessment**
Periodically reassess the changing needs of the community for recreation programs.

Action CSF-3.5 **Park Design**
The Parks and Recreation Commission shall develop specific designs for the park sites identified in the Parks Master Plan. These designs should provide recreation opportunities and facilities to meet the needs of various target groups: youth, adults and seniors, with emphasis on lifetime sports and activities for the expanding adult population.

Goal CSF-4 To provide great schools and high quality educational and training facilities and programs that define Scotts Valley as the preeminent community for families and a skilled workforce.

Policies

Region

Policy CSF-4.1 **Educational Partners**
Partner with educational institutions throughout the region to expand the range and quality of educational offerings available to the community.

City

Policy CSF-4.2 **Academic Excellence**
Advocate for the continued pursuit of academic excellence in schools serving the Scotts Valley community.

Policy CSF-4.3 **Adequate School Facilities**
Encourage communication and cooperation between the City, applicants for residential development projects, and appropriate educational districts and agencies to ensure that adequate, safe school facilities and services are planned to provide a quality educational environment for anticipated growth.

Policy CSF-4.4 **School Access**
Coordinate with the school districts to improve access to school facilities that maximize access, walkability, and safety, while minimizing impacts to surrounding neighborhoods. Implement the Safe Routes to School program where funded. Re-stripe streets for school zone safety as needed.

Policy CSF-4.5 **Joint Use of Facilities**
Continue to encourage school administrations to enable non-school hour use of their facilities by the public for educational and recreational purposes.

Policy CSF-4.6 **Workforce Training**
Collaborate with industrial organizations, businesses, and educational institutions to create opportunities for workforce training.

Policy CSF-4.7 **Youth Programs**
Work with public and private school administrators to promote or sponsor teen activities such as dances, job fairs, special classes geared to teen interests and issues, and volunteer programs for youth. Develop programs that promote youth leadership, empowerment, self-esteem, and an understanding, appreciation, and respect for cultural diversity.

Project

Policy CSF-4.8 **Project Review Adjacent to School Property**
The Planning Department shall submit any General Plan amendment, rezoning, or project development proposals for properties adjacent to existing or future school sites to the appropriate school district for review and comment prior to preparation of the City staff report.

Goal CSF-5 To provide high-quality community facilities and programs that connect members of all ages and abilities to a broad range of cultural, informational, and recreational resources.

Policies

City

Policy CSF-5.1 **Cultural Facilities**
Encourage the establishment of a broad range of facilities and events that expose Scott Valley residents to a variety of cultures, the arts, history, and technology.

Policy CSF-5.2 **Library Services**
Assure that basic library services are provided free of charge.

Policy CSF-5.3 **Libraries and Community Centers**
Support any improvements and programs associated with libraries and community centers as focal points for community engagement and information for residents of all ages and abilities.

Policy CSF-5.4 **Lifelong Learning**
Enhance and expand Scotts Valley's library facilities to meet the evolving educational and lifelong learning needs of the community. Coordinate with local educational institutions to offer courses and learning opportunities outside the classroom.

Policy CSF-5.5 **Recreation Programs**
Provide and/or sponsor recreational programs and services that are accessible and affordable to residents of all ages and abilities and encourage active and healthy living.

Policy CSF-5.6 **Access to Community Facilities**. Support the improvement of transit connections to community facilities for people who are transit dependent.

Actions

Action CSF-5.1 **Youth Programs**
Coordinate with public and private schools, local nonprofits, service clubs, and other agencies to provide opportunities for youth to explore and enjoy sports, creative and performing arts, future career paths, civic activities, and volunteer opportunities.

Action CSF-5.2 **Senior Programs**
Collaborate with service providers to provide a wide variety of senior services and programs, including daily opportunities for seniors to have physical activity, social interaction, and mental stimulation.

Action CSF-5.3 **Childcare and Childhood Development**
Encourage efforts to expand the overall capacity of and access to local childcare and early childhood development centers.

Goal CSF-6	Seek to create a community that promotes a physical, social, and business environment that improves the health and well-being of its citizens.

Policies

Regional

Policy CSF-6.1 **Multiagency Coordination**
Coordinate the activities and communications between code enforcement, fire, police, and public health agencies in the City of Scotts Valley and Santa Cruz County to proactively identify and ameliorate hazardous building and living conditions that create chronic health problems.

City

Policy CSF-6.2 **Community Education**
Provide and/or support the provision of campaigns that motivate healthy lifestyles and teach residents about the benefits of physical activity and healthy eating habits. Emphasize abuse prevention education for children in coordination with schools and the fire department.

Policy CSF-6.3 **Healthy and Local Food Venues**
Encourage stores and restaurants to offer and promote healthy food options, with a focus on underserved areas and areas near schools. Support incentives that encourage the development of retail venues that sell local, fresh produce. Actively support and provide space for a farmer(s) market.

Policy CSF-6.4 **Health and Social Services**
Support the permitting of sites for and services from organizations providing a broad range of health, prevention, and treatment services that reach individuals and families commensurate with the needs in Scotts Valley.

Policy CSF-6.5 **Healthy Workplace**
Encourage building design and employee programs and policies that maintain and improve the health, well-being, and productivity of employees.

Policy CSF-6.6 **Access to Medical Facilities**

Work with healthcare providers to improve transit connections to local and regional healthcare facilities for people who are transit dependent.

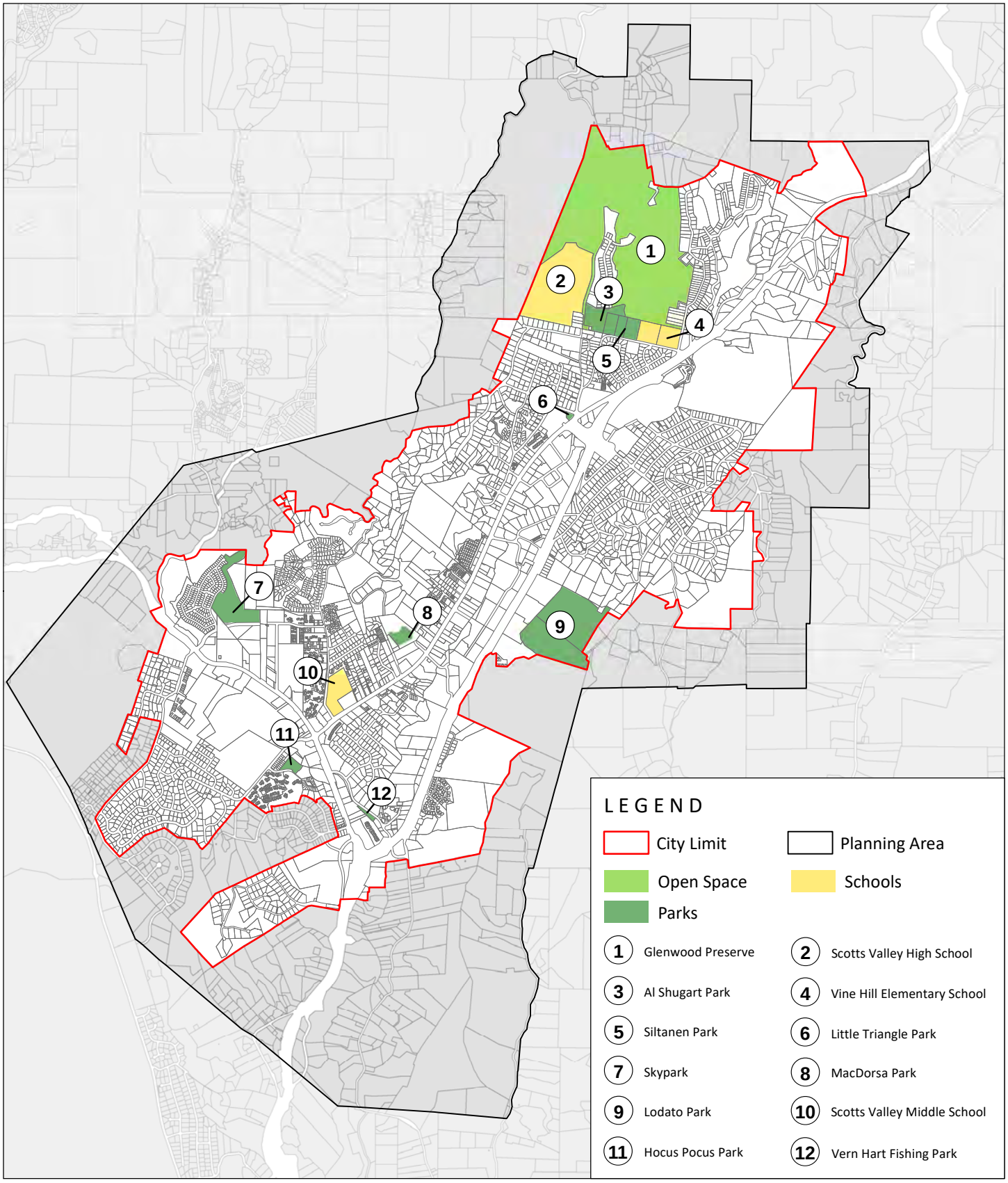


Figure CSF-1: Schools, Parks and Open Space

Disclaimer: This Map was developed for the Genereal Plan. The City is neither liable nor responsible for the use of this map beyond its indended purposes.

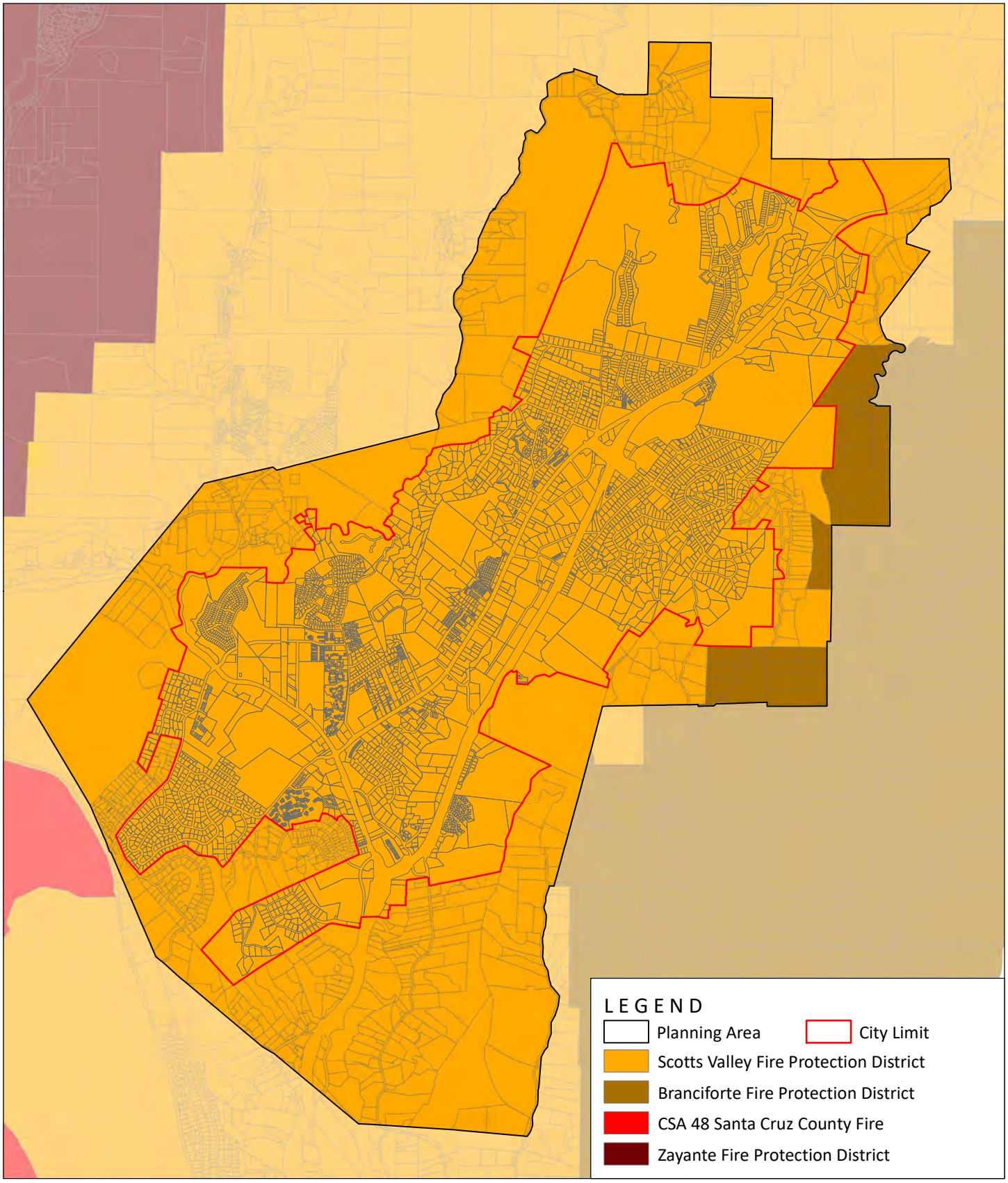


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Figure CSF-2: Fire Districts

City_Parcels
Mask_Planning_Area
County_Parcels
Scotts Valley Fire Protection District

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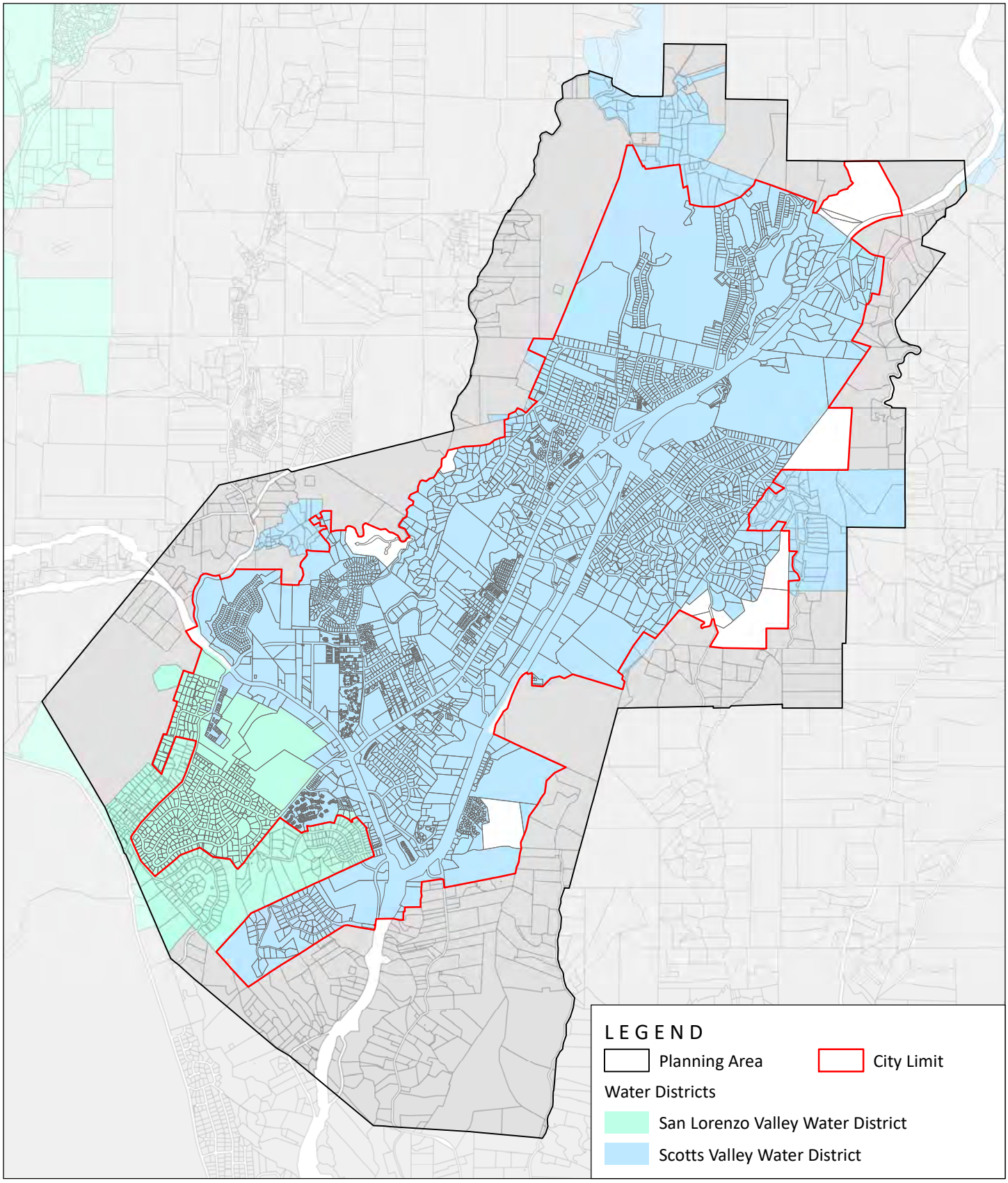

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Figure CSF-3: Water Districts

Disclaimer: This Map was developed for the Genereal Plan. The City is neither liable nor responsible for the use of this map beyond its indended purposes.

ENVIRONMENTAL REVIEW

The Scotts Valley **Environmental Review** is provided pursuant to CEQA Guidelines Section 15123. It includes an overview of the proposed action, significant effects, mitigation strategies, alternatives, and potential areas of controversy. For additional detail regarding specific issues, including the existing environmental conditions, please refer to the respective element of this General Plan.

ENVIRONMENTAL REVIEW

The purpose of an Environmental Impact Report (EIR) is to inform decision-makers and the general public of the environmental effects of a project that an agency may implement or approve. The EIR process is intended to provide information sufficient to evaluate the Scotts Valley General Plan (the project or proposed project) and its potential for significant impacts on the environment, to examine methods of reducing adverse impacts, and to consider alternatives to the project. The project site includes the City limits and the City of Scotts Valley Planning Area, as shown in Figure I-1 Regional Location.

This EIR has been prepared in accordance with the California Environmental Quality Act (CEQA) of 1970, as amended. In accordance with the requirements of CEQA, this EIR includes the following sections:

- A summary of the project;
- A project description;
- A description of the existing environmental setting, potential environmental impacts, and mitigation measures;
- Alternatives to the project as proposed; and
- Environmental consequences, including (a) any significant environmental effects which cannot be avoided if the project is implemented; (b) any significant irreversible and irretrievable commitments of resources; (c) the growth inducing impacts of the project; (d) effects found not to be significant; and (e) cumulative impacts.

Current Status

Recommended by Planning Commission to City Council – DATE

Accepted by City Council at Public Hearing – DATE

Summary of the Proposed Action

The project is an update to the City's existing 1994 General Plan which will guide the City's development and conservation over the next 20 + years.

State law requires that a general plan contain eight elements: land use, circulation, housing, open space, noise, safety, environmental justice, and conservation. The contents of these elements are outlined in state law. The City of Scotts Valley General Plan would bring the General Plan into compliance with recently enacted state laws and reflect current data as well as public and staff participation. The project addresses the following General Plan elements:

- Land Use
- Economic Development
- Housing
- Mobility
- Open Space & Conservation
- Safety & Noise
- Community Services & Facilities

The General Plan addresses the current needs and preferences of the community. It identifies and prioritizes opportunities to preserve the character of the community, conserve natural resources, and direct land use policies that enable sustainable growth in and around Scotts Valley.

The General Plan is the long-range plan or roadmap for the City as a whole. Updates to the General Plan include changes to various policies, addressing land use compatibility and development intensities, establishing impact thresholds for future development projects, and implementing various actions that would help meet its goals.

General Plan Buildout Assumptions

The Land Use Element describes the General Plan buildout assumptions that were used as the basis for this environmental review.

Public Agency Approvals

The project requires adoption by the Scotts Valley City Council. The Planning Commission and other decision-making bodies have reviewed the project and made recommendations to City Council. While other agencies have been consulted during the General Plan process, their approval is not required for adoption of the General Plan. However, subsequent development

under the General Plan may require approval of state, federal and/or responsible trustee agencies that may rely on this programmatic EIR for decisions in their areas of expertise.

Potential Environmental Impacts of the Project

This EIR focuses on the resource areas/issues germane to updating the General Plan. It evaluates potentially significant environmental impacts of the project and evaluates whether there are feasible mitigation measures that may lessen or avoid such impacts. As the project does not include any specific construction or development, but rather the potential for land use changes or development to be constructed in the future, the impact analysis is programmatic and cumulative in nature. This EIR also identifies and evaluates alternatives to the updated General Plan. This EIR evaluates potentially significant environmental effects related to the following environmental issues:

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

As part of the Notice of Preparation (7/16/20), the following environmental resources were determined to not pose significant impacts, as described below in Effects Not Found to be Significant:

- Agricultural & Forestry Resources
- Energy

- Mineral Resources

This environmental review chapter, in combination with several other elements of the General Plan document, serves as the Draft Environmental Impact Report (DEIR) for the project and provides the environmental information and analysis and primary CEQA documentation necessary to adequately consider the effects of the General Plan. The City of Scotts Valley, as Lead Agency, has approval authority and responsibility for considering the environmental effects of the whole of the project.

CEQA allows the Lead Agency to integrate the EIR as a chapter of the General Plan, as described in Section 15166 EIR – As Part of a General Plan, which states:

> (a) The requirements for preparing an EIR on a local general plan, element, or amendment thereof will be satisfied by using the general plan, or element document, as the EIR and no separate EIR will be required, if:
>
> (1) The general plan addresses all the points required to be in an EIR by Article 9 of these Guidelines, and
>
> (2) The document contains a special section or a cover sheet identifying where the general plan document addresses each of the points required. [1]
>
> (b) Where an EIR rather than a Negative Declaration has been prepared for a general plan, element, or amendment thereto, the EIR shall be forwarded to the State Clearinghouse for review. The requirement shall apply regardless of whether the EIR is prepared as a separate document or as a part of the general plan or element document.

Summary of Environmental Impacts and Mitigation Measures

Potentially Significant Impacts

With the exception of the Significant Unavoidable Impacts described below, all potentially significant and cumulative impacts identified in this Chapter 8: Environmental Review were

[1] Article 9 Contents of the EIRs requires inclusion of sections 15122 through 15131. These section are included in this Chapter 8: Environmental Review of the GP with the exception of section 15125 Environmental Setting which is included in the Background and Context of each respective Element.

determined to be less than significant due to the respective policies and action items described in this General Plan.

Significant Unavoidable Impacts

A significant and unavoidable impact was identified for Impact AQ-2 regarding a cumulatively considerable net increase in criteria pollutants. The most recent AMBAG 2018 Population, Housing Unit, and Employment Forecasts project population growth in five-year increments to the year 2040. The 2040 population forecast for the City of Scotts Valley by AMBAG is 12,418 persons. Since the General Plan assumes a population buildout of 15,400 (see Table LU-1: General Plan Buildout Summary), the General Plan would be inconsistent with the AQMP. This inconsistency in population forecasts is considered to result in a cumulatively considerable significant air quality impact. Due to the projected population growth, regional emissions would remain significant, and the General Plan would likely remain inconsistent with the AQMP. No further mitigation is feasible to reduce this impact. Therefore, this impact would remain **significant and unavoidable**.

A significant and unavoidable impact was identified for Impact T-1 regarding the exceedance of VMT thresholds. While Impact T-1 identifies goals and policies in the Mobility Element, and the City's *VMT Implementation Guidelines* identifies strategies to reduce VMT, impacts associated with implementation of the General Plan would not be reduced to less than significant due to the increased development, new roadways, and increased use of the City's and regional transportation system. While project-level impact mitigation shall be analyzed to reduce the significance of VMT-related impacts and the City VMT Implementation Guidelines will be continually improved and innovated to require VMT reduction to the extent feasible, this impact would be **significant and unavoidable**.

No other significant impacts were identified in this EIR. This is due to the fact that this General Plan is a programmatic policy document and does not propose specific development projects. Furthermore, where potential significant impacts were initially identified, additional policies were added to the General Plan to "pre-mitigate" such impacts. Lastly, the City of Scotts Valley is a compact urban community that is surrounded by natural barriers to outward expansion. As described in the Land Use Element, developable areas within the City limits are largely built out. As an established community, new development accommodated by the General Plan would be considered infill development, both on limited remaining vacant lands or intensification and/or redevelopment on underutilized parcels.

Cumulative Impacts

CEQA Guidelines

CEQA requires that an EIR contain an assessment of the cumulative impacts that could be associated with the proposed project. According to CEQA Guidelines Section 15130(a), "an EIR shall discuss cumulative impacts of a project when the project's incremental effect is

cumulatively considerable." Where a lead agency is examining a project with an incremental effect that is not "cumulative considerable," a lead agency need not consider that effect significant but shall briefly describe its basis for concluding that the incremental effect is not cumulatively considerable.

Cumulative Analysis Approach

In the case of a General Plan, the plan's cumulative effects are more challenging to assess since the scale of a General Plan does not meet the standard "project" description as envisioned by CEQA. Some agencies take the approach that the General Plan's environmental analysis is one and the same with the cumulative analysis since the General Plan anticipates full buildout of the Planning Area and represents the ultimate "list of projects".

However, such an approach circumvents the primary purpose of the requirement of analyzing the combined effect of "closely related" projects. For this reason, the Scotts Valley General Plan is evaluated in the context of its cumulative effect when considered with the general plans of neighboring communities. Specifically, this analysis includes a qualitative discussion of anticipated environmental effects of the combined planning efforts of Santa Cruz County and the cities of Santa Cruz, Capitola, and Watsonville. Using the general plans of other communities provides a more regional perspective on cumulative development impacts within the broader Santa Cruz County.

Cumulative Effects

Based on the Association of Monterey Bay Area Governments (AMBAG) Regional Growth Forecast (AMBAG, June 2018), the population of Santa Cruz County is estimated to increase by 9% over the next 20 years (2020 to 2040), compared to only 2% for Scotts Valley. Although the current growth rate of Santa Cruz County can be expected to fluctuate and probably slow to some degree, it can be assumed, based on AMBAGs forecast, that the population of the County has the potential to grow from approximately 281,147 to 306,881 (25,734), as compared to 12,145 to 12,418 (273) for Scotts Valley.

Cumulative impacts must be discussed when they are significant. Only significant cumulative effects are analyzed in this EIR, which include:

- Air Quality
- Greenhouse Gas Emissions
- Public Services & Utilities (Groundwater)
- Transportation (VMT)

Project Alternatives Considered

Two land use alternatives to the General Plan have been evaluated in the environmental review. These alternatives included a "No Project Alternative" and a "Lower Intensity Alternative."

Based on the alternatives analysis contained within the Alternatives Analysis section of this EIR, the environmental review concludes that the Lower Intensity Alternative would be the "environmentally superior alternative." CEQA requires the identification of such an alternative as a component of the alternatives analysis.

Growth-Inducing Effects

Section 15126.2(d) of the CEQA Guidelines provides the following guidance regarding growth-inducing impacts: a project is identified as growth inducing if it "could foster economic or population growth, or the construction of additional housing, either directly or indirectly, in the surrounding environment." Potential growth inducing components of the project would relate to labor requirements for construction, as well as conversion of land uses, generally from vacant and underdeveloped/underutilized land to residential and commercial uses. Given the nature of gradual land development over time that has been the predominant pattern for more than 20 years in Scotts Valley, employment would be unlikely to induce significant growth in the Planning Area.

Significant Irreversible Commitment of Resources

Section 15126.2(c) of the CEQA Guidelines defines an irreversible impact as an impact that uses nonrenewable resources during the initial and continued phases of the project. Irreversible impacts can also result from permanent loss of habitat, damage caused by environmental accidents associated with project construction, or operational resource use.

Build-out of the project would commit nonrenewable resources during project construction and ongoing utility services during project operations. During project operations, oil, gas, and other nonrenewable resources would be consumed. Therefore, an irreversible commitment of nonrenewable resources would occur as a result of long-term project operations. Compliance with all applicable building codes, policies and goals, and the mitigation measures identified in this EIR would ensure that all natural resources are conserved to the maximum extent possible.

Areas of Controversy

Pursuant to CEQA Guidelines Section 15132(b)(2), areas of controversy and issues to be resolved that are known to the City or were raised during the scoping process for the EIR include the following comments from public agencies:

- CA Department of Fish & Wildlife submitted a letter (8/11/2020) requesting the CEQA document address issues associated with special-status plant, fish, and wildlife species including all rare, threatened, or endangered species.

- CA Department of Transportation (Caltrans) submitted a letter (8/11/2020) regarding the using vehicle miles travelled (VMT) as the basis for the transportation analysis, encouraging the use of Transportation Demand Management (TDM) strategies, and General Plan consistency with the Caltrans Highway 17 Access Management Plan.
- CA Native Heritage Commission submitted a letter (7/20/202) regarding CEQA compliance requirements with AB 52 and SB 18, as well as compliance with any other applicable laws.

Issues to be Resolved

Section 15123(b)(3) of the CEQA Guidelines requires the summary section of an EIR to identify any "issues to be resolved including the choice among alternatives and how to mitigate significant effects."

The following major issues would be resolved by the City of Scotts Valley in its decision process:

- Determine whether the EIR adequately describes the environmental impacts of the project;
- Choose among alternatives;
- Determine whether the recommended mitigation measures should be adopted or modified; and
- Determine whether additional mitigation measures need to be applied to the project.

INTRODUCTION

This chapter of the General Plan comprises the environmental review of the project and, combined with several other elements of the General Plan, serves as the Draft Environmental Impact Report (DEIR). Pursuant to the CEQA Guidelines Section 15166, the EIR is included as part of the General Plan and no separate EIR is required.

Purpose

The City of Scotts Valley has prepared this EIR to provide the public, responsible agencies, and trustee agencies with information about the potential environmental effects of the General Plan (the project). As described in CEQA Guidelines Section 15121(a), an EIR is a public information document that assesses potential environmental effects of the proposed project and identifies mitigation measures and alternatives to the proposed project that could reduce or avoid adverse environmental impacts. Public agencies are charged with the duty to consider and minimize environmental impacts of proposed development where feasible and have an obligation to balance a variety of public objectives, including environmental, economic and social factors.

CEQA requires the preparation of an EIR prior to approval of any "project" that may have a significant effect on the environment. For the purposes of CEQA, the term "project" refers to the whole of an action, which has the potential to result in a direct physical change or a reasonably foreseeable indirect physical change in the environment (CEQA Guidelines Section 15378[a]).

Project Background

Incorporated in 1966, Scotts Valley's current (2020) population is 12,073. Scotts Valley consists predominantly of single-family neighborhoods constructed in the 1950's and 60's, 70's with typical lot sizes of 7,000-10,000 square feet. The remaining dwelling units consist of multiple-family residences at a density between 5-20 dwelling units per acre (du/ac).

The City's previous General Plan was last updated in 1994. Per the City's General Plan Land Use designations, the City includes residential, commercial, industrial, open space, and civic (government) uses. A large majority (72%) of Scotts Valley is designated residential, followed by commercial and industrial. As discussed in the Land Use Element, commercial and industrial land makes up a small portion of the City (about11%). Uses include retail, office, warehouse/light industrial, and research & development. Most of these uses are located along Scotts Valley Drive and Mount Hermon Road. Other uses include open space (14%), and public (4%).

Scope and Organization

Sections 15122 through 15132 of the CEQA Guidelines identify the content requirements for a Draft EIR, namely:

- A description of the environmental setting,
- An environmental impact analysis,
- Mitigation measures,
- Alternatives,
- Cumulative impacts,
- Significant irreversible environmental changes, and
- Growth-inducing impacts.

The environmental issues addressed in this EIR were established through the preparation of environmental documentation, technical reports, NOP responses, agency consultation, and review of the project. Accordingly, the City has determined the scope for this EIR.

This document is a "program EIR" as defined by CEQA Guidelines Section 15168 and has been prepared to contemplate a series of future actions (implementation and future development of land within the City's Planning Area). These actions are related: 1) geographically; and 2) in connection with the goals, policies and actions as described in the General Plan.

This Draft EIR is organized in the following manner:

Project Description

The Introduction of the General Plan provides an overview of the General Plan Community Goals and Vision, a summary of projected growth and subsequent actions to follow General Plan adoption. The Land Use Element provides details regarding city-wide planning boundaries, land uses, densities, projected growth and land use goals, policies and actions. These two chapters provide the information necessary that serves as the Project Description for this EIR.

Environmental Setting

Each element of the General Plan contains a review of the existing conditions and current setting in the City of Scotts Valley. Supporting technical analysis was prepared for the General Plan to provide additional information as it relates to Transportation and Noise.

Applicable Regulations, Plans and Standards

This section describes the relevant CEQA regulatory requirements that apply to the project.

Impacts and Mitigation Measures

This section includes a description of the potential environmental impacts of the project and associated mitigation measures. Wherever possible, this EIR references specific General Plan goals, policies and actions that serve to mitigate the impacts of General Plan buildout. The General Plan was prepared with environmental factors in mind and is intended to be "self-mitigating" to the extent possible.

Alternatives to the Project

CEQA Guidelines Section 15126.6 requires that an EIR describe a range of reasonable alternatives to the project, which could feasibly attain the basic objectives of the project and avoid and/or lessen the environmental effects of the project. The determinations of the City of Scotts Valley concerning the feasibility, acceptance, or rejection of each and all alternatives considered in this EIR will be addressed in the City's findings, as required by CEQA.

Cumulative Impact Analysis

Cumulative impacts are analyzed within the respective resource sections, namely:

- Air Quality
- Greenhouse Gas Emissions
- Public Services & Utilities (Groundwater)
- Transportation (VMT)

Other Sections Required by CEQA

This section contains required discussions and analyses of various topical issues mandated by CEQA Guidelines Section 15126.2, including; Effects Found Not to be Significant, Irreversible Environmental Changes, Growth Inducing Impacts, and Significant and Unavoidable Environmental Effects.

Report Preparers

This section provides a list of all authors and agencies that assisted in the preparation of EIR.

Impact Terminology

This Draft EIR uses the following terminology to describe environmental effects of the proposed project:

Standards of Significance: A set of criteria used by the lead agency to determine at what level, or "threshold", an impact would be considered significant. Significance criteria used in this EIR include: the CEQA Guidelines and Statutes; factual or scientific information; regulatory

performance standards of local, state, and federal agencies; and the Goals, Objectives, and Policies of the City of Scotts Valley General Plan.

Less than Significant Impact: A less than significant impact would cause no substantial change in the environment and no mitigation is required.

Significant Impact: A significant or potentially significant impact may cause a substantial adverse change in the physical conditions of the environment. A "potentially significant impact" occurs when there is a possible impact that cannot be identified at this time (i.e., presence of cultural resources). Significant impacts are identified by the evaluation of project effects using specified standards of significance. Mitigation measures and/or project alternatives are identified to reduce project effects to the environment.

Significant Unavoidable Impact: A significant (or potentially significant) unavoidable impact would result in a substantial change in the environment for which no feasible mitigation is available to reduce the impact to a less than significant level, although mitigation may be available to lessen the degree of the impact.

Cumulative Impact: Cumulative impacts refer to two or more individual effects which, when considered together, are considerable or which compound or increase other environmental impacts.

Intended Uses of this EIR

This EIR provides a programmatic evaluation of the environmental consequences resulting from implementation of the General Plan. This document will be used by the City and other responsible agencies as a first-tier analysis when considering the environmental effects of subsequent projects within the City's Planning Area. It also provides the baseline environmental information needed by responsible agencies acting on permits relative to the projects within the Planning Area. The Project Description for the General Plan is comprised of the Introduction and Land Use Element.

AESTHETICS

Applicable Regulations, Plans, and Standards

Federal

None applicable.

State

California State Highway 17 is listed as an eligible State Scenic Highway. In 1963, the California Legislature established the State's Scenic Highway Program, intended to preserve and protect scenic highway corridors from changes that would diminish the aesthetic value of lands adjacent to highways. The state laws governing the Scenic Highway Program are found in the Streets and Highways Code, Section 260 et seq.

The State Scenic Highways program is administered by the California Department of Transportation (Caltrans). The State Scenic Highway System includes highways that are either eligible for designation as scenic highways or have been designated as such.

Local

Relevant General Plan policies associated with the protection of scenic resources, visual character, and new sources of substantial light or glare are described in the respective impacts section, below.

As described in SVMC Section 17.50.030 – Design Review Procedures, a project's design is required to go through a design review process carry out the objectives of the City's general plan and related zoning ordinances and to ensure that permits for construction would be carried out in a manner which is not detrimental to surrounding uses and is consistent with the overall planning goals of the City. Proposed projects are reviewed for a wide variety of design issues including: 1) Siting of structures on the property, 2) Materials, colors, proportion, mass and detail, 3) Signage, 4) Landscaping, 5) Parking, 6) Site access, and 7) Building height and access to sunlight.

The Mount Hermon Road Design Guidelines, the Commercial and Industrial Design Review Guidelines, and the Residential Design Handbook provide guidance regarding the protection and enhancement of aesthetic and visual resources, as applicable.

SVMC Chapter 17.56 Signs provides standards for signs to safeguard and enhance the City's visual image.

The Scotts Valley Municipal Code (SVMC) Section 17.44.080 Tree Protection Regulations regulates the removal of protected trees within the City, in part to preserve scenic beauty.

SVMC Section 17.39.110 Planned Development Plan Requirements, a lighting plan is required as part of a proposed Planned Development.

Various zoning regulations for both residential and commercial developments include required development standards to protect adjacent residential properties from adverse illumination.

Impacts of the Project

Significance Criteria

An impact of the project would be considered significant and would require mitigation if it would meet one of the following criteria

- Cause a substantial adverse effect on a scenic vista.
- Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings with a State scenic highway.
- Substantially degrade the existing visual character or quality of public views of the site and its surroundings. (Public views are those that are experienced from publicly accessible vantage point). If the project is in an urbanized area, would the project conflict with applicable zoning and other regulations governing scenic quality?
- Create a new source of substantial light or glare, which would adversely affect day or nighttime views in the area.

Summary of No and/or Beneficial Impacts

None.

Project Impacts and Mitigation Measures

Impact AES-1: Substantially alter an existing scenic vistas, resources or viewsheds. This is considered a **less than significant** impact.

While the City of Scotts Valley is largely built out, implementation of the General Plan would result in localized alteration to the existing landscape characteristics of the City.

The City of Scotts Valley is a compact urban community that is surrounded by natural barriers to outward expansion. As described in the Land Use Element, developable areas within the City limits are largely built out. As an established community, new development accommodated by the updated General Plan would be considered infill development, both on limited remaining vacant lands or intensification and/or redevelopment on underutilized parcels.

Figure OSC-5: Viewsheds and Scenic Corridors identifies prominent forested ridges, scenic road corridors along portions of Highway 17 and several redwood canyon riparian areas, and vistas (largely from higher vantage points toward the ridges, or toward the broad sweep of the valley below). Prominent ridges parallel Highway 17 on the east and Scotts Valley Drive on the west, surround the City limits north and west on Glenwood Drive, and follow the Bean Creek/Zayante divide in the southwest part of the City.

While the mapped road corridors largely remain scenic due to dense vegetation or absence of development, those areas visible from Highway 17, Scotts Valley Drive, and Mount Hermon Road should all be considered important. These areas are visually accessible in the Planning Area and therefore make up much of Scotts Valley's visual image. In the City's Planning Area, Highway 17, Graham Hill Road, and Mount Hermon Road are designated by Santa Cruz County as scenic and worthy of viewshed protection.

As described in the Open Space & Conservation Element, Goal OSC-2 and associated policies require future development to preserve and protect existing viewsheds and scenic open spaces and corridors. Policies include ridgeline protection, visual integration of new development within the natural setting, clustering development, and careful site planning to protect scenic resources.

Given the fact that the City is largely built out, and there are a number of General Plan goals and polices that protect existing viewsheds and scenic open spaces, substantial impacts to scenic vistas, resources, and viewsheds are considered **less than significant** and no mitigation is required.

Impact AES-2: Substantially degrade the existing visual character or quality of public views. This is considered a **less than significant** impact.

Implementation of the General Plan would result in localized alteration to the existing visual character within the City.

Land Use Element Goal LU-1 and associated policies require future development to maintain and enhance Scott Valley's small-town valley character and community-focused quality of life. Specific policies address design quality, compatible development, landscaping, and design guidelines.

Land Use Element Goal LU-4 and associated policies require high-quality commercial and mixed-use development within the Mount Hermon Road and Scotts Valley Drive corridors that create an active and inviting public realm.

As described in the Open Space & Conservation Element, Goal OSC-2 and associated policies require future development to incorporate appropriate site planning and design features to minimize aesthetic impacts and visually integrate with the visual character of surrounding land

uses and the overall City's "small town" character. Policies include natural setting integration, landscape screening, infill and clustering of development, street and open space planning, integrated site planning, and quality design.

Additionally, the Mount Hermon Road Design Guidelines, the Commercial and Industrial Design Review Guidelines, and the Residential Design Handbook provide guidance regarding the protection and enhancement of aesthetic and visual resources, as applicable.

Given the fact that the City is largely built out, and there are a number of relevant General Plan goals and polices, as well as City design guidelines and regulations to protect visual character, substantial impacts to visual character is considered **less than significant** and no mitigation is required.

Impacts AES-3: Create a new source of substantial light or glare, which would adversely affect day or nighttime views in the area. This is considered a **potentially significant** impact.

Daytime Glare

The main sources of daytime glare are sunlight reflecting from structures and other reflective surfaces and windows. Implementation of the General Plan could introduce new sources of daytime glare into the City and increase the amount of daytime glare associated with new development.

Policy LU-1.13 Commercial & Industrial Development – Daytime Glare requires non-residential development to minimize the use of reflective materials to minimize daytime glare. Furthermore, the City's design guidelines and design review process includes the evaluation of building materials, including minimizing the use of reflective building materials.

Given the fact that the City is largely built out, Policy LU-1.13, and the City's various design guidelines documents, substantial impacts associated with the creation of new sources of daytime glare are considered **less than significant** and no mitigation is required.

Nighttime Lighting

Implementation of the General Plan would introduce new light sources in undeveloped and underdeveloped portions of the City. New light sources would include, but not be limited to, new commercial and residential development, street lighting, parking lots, and security lighting. These new light sources would occur within the existing urban areas of the City limits where nighttime lighting already existing.

Policy LU-1.14 Commercial & Industrial Development – Lighting requires that lighting in non-residential development be controlled to the extent necessary for security, safety and identification without interfering with adjoining land uses. Lighting shall be directed away from public rights-of-way and adjacent residential land uses. Policies LU-1.9 Design Quality and LU-

1.10 Compatible Development, requires future development to enhance the visual character of the community. Furthermore, future development projects are subject to design review, which includes an assessment of exterior lighting.

Chapter 17.44.020 – Commercial and Industrial Performance Standards (7) requires that no direct or sky-reflected glare, whether from floodlights or from high-temperature processes such as combustion or welding or otherwise, shall emanate from any establishment or use so as to be visible at a distance of 500 feet from said establishment or use.

Given the fact that the City is largely built out, implementation of General Plan policies, the City's various design guidelines documents, design review, and City regulations, substantial impacts associated with the creation of new sources of nighttime light are considered **less than significant** and no mitigation is required.

AIR QUALITY

Applicable Regulations, Plans, and Standards

Federal

The federal and State governments have been empowered by the federal and State Clean Air Acts to regulate the emission of airborne pollutants and have established ambient air quality standards for the protection of public health. U.S. EPA is the federal agency designated to administer air quality regulation, while CARB is the State equivalent in California. Local control in air quality management is provided by CARB through county-level or regional (multi-county) air pollution control districts (APCDs). CARB establishes air quality standards and is responsible for control of mobile emission sources, while the local APCDs are responsible for enforcing standards and regulating stationary sources. CARB has established 14 air basins statewide.

Federal Clean Air Act

U.S. EPA is charged with implementing national air quality programs. The agency's air quality mandates are drawn primarily from the federal Clean Air Act (CAA). The CAA was passed in 1963 by the U.S. Congress and has been amended several times. The 1970 CAA amendments strengthened previous legislation and laid the foundation for the regulatory scheme of the 1970s and 1980s. In 1977, Congress again added several provisions, including non-attainment requirements for areas not meeting NAAQS and the Prevention of Significant Deterioration program. The 1990 CAA amendments represent the latest in a series of federal efforts to regulate the protection of air quality in the U.S. The CAA allows states to adopt more stringent standards or to include other pollutants.

National Ambient Air Quality Standards

The federal CAA requires U.S. EPA to establish primary and secondary NAAQS for a number of criteria air pollutants. The air pollutants for which standards have been established are considered the most prevalent air pollutants that are known to be hazardous to human health. NAAQS have been established for the following pollutants: ozone (O_3), CO, SO_2, PM_{10}, $PM_{2.5}$, and lead (Pb).

Title III of the Federal CAA

As discussed above, hazardous air pollutants (HAPs) are the air contaminants identified by U.S. EPA as known or suspected to cause cancer, other serious illnesses, birth defects, or death. The federal CAA requires U.S. EPA to set standards for these pollutants and reduce emissions of controlled chemicals. Specifically, Title III of the CAA requires U.S. EPA to promulgate National Emissions Standards for Hazardous Air Pollutants (NESHAP) for certain categories of sources that emit one or more pollutants that are identified as HAPs. The federal CAA also requires U.S. EPA to set standards to control emissions of HAPs through mobile source control programs. These include programs that reformulated gasoline, national low emissions vehicle standards,

Tier 2 motor vehicle emission standards, gasoline sulfur control requirements, and heavy-duty engine standards.

HAPs tend to be localized and are found in relatively low concentrations in ambient air. However, they can result in adverse chronic health effects if exposure to low concentrations occurs for long periods. Many HAPs originate from human activities, such as fuel combustion and solvent use. Emission standards may differ between "major sources" and "area sources" of the HAPs/TACs.

Under the federal CAA, major sources are defined as stationary sources with the potential to emit more than 10 tons per year (tpy) of any one HAP or more than 25 tpy of any combination of HAPs; all other sources are considered area sources. Mobile source air toxics (MSATs) are a subset of the 188 HAPs. Of the 21 HAPs identified by U.S. EPA as MSATs, a priority list of six priority HAPs were identified that include diesel exhaust, benzene, formaldehyde, acetaldehyde, acrolein, and 1, 3-butadiene. While vehicle miles traveled in the United States are expected to increase by 45 percent over the period 2010 to 2050, a combined reduction of 91 percent in the total annual emissions for the priority MSAT is projected for the same time period.[2]

State

California Clean Air Act

The California Clean Air Act (CCAA), which was approved in 1988, requires that each local air district prepare and maintain an Air Quality Management Plan (AQMP) to achieve compliance with CAAQS. These AQMPs also serve as the basis for the preparation of the SIP for meeting federal clean air standards for the State of California. CARB administers California's air quality policy. The California Ambient Air Quality Standards (CAAQS) were established in 1969 pursuant to the Mulford-Carrell Act. In addition to the criteria pollutants, CAAQS have been established for visibility reducing particulates, hydrogen sulfide, and sulfates.

Like the EPA, CARB also designates areas within California as either attainment or nonattainment for each criteria pollutant based on whether the CAAQS have been achieved. Under the CCAA, areas are designated as nonattainment for a pollutant if air quality data shows that a state standard for the pollutant was violated at least once during the previous three calendar years. Exceedances that are affected by highly irregular or infrequent events such as

[2] Federal Highway Administration, 2016. Updated. Interim Guidance on Mobile Source Air Toxic Analysis in NEPA Documents.

wildfires, volcanoes, etc. are not considered violations of a State standard, and are not used as a basis for designating areas as nonattainment. The applicable State standards are summarized in Table ER-AQ-1: Current National and State Ambient Air Quality Standards.

California Ambient Air Quality Standards

The CCAA requires CARB to establish CAAQS. Similar to the NAAQS, CAAQS have been established for the following pollutants: ozone (O_3), CO, NO_2, SO_2, PM_{10}, $PM_{2.5}$, lead (Pb), vinyl chloride (H_2C=CHCl), hydrogen sulfide (H_2S), sulfates (SO_4^{2-}), and visibility-reducing particulates. In most cases, CAAQS are more stringent than NAAQS. The CCAA specifies that local air districts should focus particular attention on reducing the emissions from transportation and area-wide emission sources and provides districts with the authority to regulate indirect sources.

The applicable State standards are summarized in Table ER-AQ-1: Current National and State Ambient Air Quality Standards.

Table ER-AQ-1: Current National and State Ambient Air Quality Standards

Pollutant	Averaging Time	Federal Primary Standards		California Standard	
		Concentration	Attainment Status	Concentration	Attainment Status
Ozone	1-Hour	---	N/A[5]	0.09 ppm	N
	8-Hour	0.070 ppm	N[4]	0.070 ppm	N[9]
Carbon Monoxide	8-Hour	9.0 ppm	A[6]	9.0 ppm	A
	1-Hour	35.0 ppm	A	20.0 ppm	A
Nitrogen Dioxide	Annual	0.053 ppm	A	0.030 ppm	---
	1-Hour	0.10 ppm[11]	U	0.18 ppm	A
Sulfur Dioxide	Annual	0.03 ppm	A	NA	---
	24-Hour	0.14 ppm	A	0.04 ppm	A
	1-Hour	0.075 ppm	A	0.25 ppm	A
PM_{10}	Annual	NA	---	20 µg/m^3	N[7]
	24-Hour	150 µg/m^3	U	50 µg/m^3	N
$PM_{2.5}$	Annual	12 µg/m^3	N	12 µg/m^3	N[7]
	24-Hour	35 µg/m^3	U/A	NA	---

Pollutant	Averaging Time	Federal Primary Standards		California Standard	
		Concentration	Attainment Status	Concentration	Attainment Status
Sulfates	24- Hour	25 µg/m^3	A	NA	---
Lead	30-Day Average	NA	A	1.5 µg/m^3	---
	Calendar Quarter	1.5 µg/m^3	A	NA	---
	Rolling 3-Month Average	0.15 µg/m^3	---	NA	---
Hydrogen Sulfide	1 Hour	NA	---	0.03 ppm (0.15 µg/m^3)	U
Vinyl Chloride	24 Hour	NA	---	0.01 ppm (26 µg/m^3)	---
Visibility Reducing Particles[8]	8 Hour (10:00 to 18:00 PST)	---	---	---	U

A = attainment; N = nonattainment; U = unclassified; N/A = not applicable or no applicable standard; ppm = parts per million; µg/m^3 = micrograms per cubic meter; mg/m^3 = milligrams per cubic meter; – = not indicated or no information available.

1. California standards for ozone, carbon monoxide (except Lake Tahoe), sulfur dioxide (1-hour and 24-hour), nitrogen dioxide, suspended particulate matter - PM10, and visibility reducing particles are values that are not to be exceeded. The standards for sulfates, Lake Tahoe carbon monoxide, lead, hydrogen sulfide, and vinyl chloride are not to be equaled or exceeded. If the standard is for a 1-hour, 8-hour or 24-hour average (i.e., all standards except for lead and the PM_{10} annual standard), then some measurements may be excluded. In particular, measurements are excluded that CARB determines would occur less than once per year on the average. The Lake Tahoe CO standard is 6.0 ppm, a level one-half the national standard and two-thirds the state standard.
2. National standards shown are the "primary standards" designed to protect public health. National standards other than for ozone, particulates and those based on annual averages are not to be exceeded more than once a year. The 1-hour ozone standard is attained if, during the most recent three-year period, the average number of days per year with maximum hourly concentrations above the standard is equal to or less than one. The 8-hour ozone standard is attained when the 3-year average of the 4th highest daily concentrations is 0.070 ppm (70 ppb) or less. The 24-hour PM_{10} standard is attained when the 3-year average of the 99th percentile of monitored concentrations is less than 150 µg/m^3. The 24-hour $PM_{2.5}$ standard is attained when the 3-year average of 98th percentiles is less than 35 µg/m^3. Except for the national particulate standards, annual standards are met if the annual average falls below the standard at every site. The national annual particulate standard for PM10 is met if the 3-year average falls below the standard at every site. The annual $PM_{2.5}$ standard is met if the 3-year average of annual averages spatially-averaged across officially designed clusters of sites falls below the standard.
3. National air quality standards are set by the EPA at levels determined to be protective of public health with an adequate margin of safety.
4. On October 1, 2015, the national 8-hour ozone primary and secondary standards were lowered from 0.075 to 0.070 ppm. An area will meet the standard if the fourth-highest maximum daily 8-hour ozone concentration per year, averaged over three years, is equal to or less than 0.070 ppm. EPA will make recommendations on attainment designations by October 1, 2016, and issue final designations October 1, 2017. Nonattainment areas will have until 2020 to late 2037 to meet the health standard, with attainment dates varying based on the ozone level in the area.
5. The national 1-hour ozone standard was revoked by U.S. EPA on June 15, 2005.
6. In April 1998, the Bay Area was redesignated to attainment for the national 8-hour carbon monoxide standard.
7. In June 2002, CARB established new annual standards for $PM_{2.5}$ and PM_{10}.
8. Statewide VRP Standard (except Lake Tahoe Air Basin): Particles in sufficient amount to produce an extinction coefficient of 0.23 per kilometer when the relative humidity is less than 70 percent. This standard is intended to limit the frequency and severity of visibility impairment due to regional haze and is equivalent to a 10-mile nominal visual range.

Pollutant	Averaging Time	Federal Primary Standards		California Standard	
		Concentration	Attainment Status	Concentration	Attainment Status

9. The 8-hour CA ozone standard was approved by the Air Resources Board on April 28, 2005 and became effective on May 17, 2006.
10. On January 9, 2013, EPA issued a final rule to determine that the Bay Area attains the 24-hour $PM_{2.5}$ national standard. This EPA rule suspends key SIP requirements as long as monitoring data continues to show that the Bay Area attains the standard. Despite this EPA action, the Bay Area will continue to be designated as "nonattainment" for the national 24-hour $PM_{2.5}$ standard until such time as the Air District submits a "redesignation request" and a "maintenance plan" to EPA, and EPA approves the proposed redesignation.
11. To attain this standard, the 3-year average of the 98th percentile of the daily maximum 1-hour average at each monitor within an area must not exceed 0.100ppm (effective January 22, 2010). The US Environmental Protection Agency (EPA) expects to make a designation for the Bay Area by the end of 2017.
12. On June 2, 2010, the U.S. EPA established a new 1-hour SO_2 standard, effective August 23, 2010, which is based on the 3-year average of the annual 99th percentile of 1-hour daily maximum concentrations. The existing 0.030 ppm annual and 0.14 ppm 24-hour SO_2 NAAQS however must continue to be used until one year following U.S. EPA initial designations of the new 1-hour SO_2 NAAQS.
13. CARB has identified lead and vinyl chloride as 'toxic air contaminants' with no threshold level of exposure below which there are no adverse health effects determined.
14. National lead standard, rolling 3-month average: final rule signed October 15, 2008. Final designations effective December 31, 2011.
15. In December 2012, EPA strengthened the annual $PM_{2.5}$ National Ambient Air Quality Standards (NAAQS) from 15.0 to 12.0 micrograms per cubic meter ($\mu g/m^3$). In December 2014, EPA issued final area designations for the 2012 primary annual $PM_{2.5}$ NAAQS. Areas designated "unclassifiable/attainment" must continue to take steps to prevent their air quality from deteriorating to unhealthy levels. The effective date of this standard is April 15, 2015.

Tanner Air Toxics Act and Air Toxics Hot Spots Information and Assessment Act

TACs, referred to as HAPS by the federal CAA, in California are primarily regulated through the Tanner Air Toxics Act (AB 1807) and the Air Toxics Hot Spots Information and Assessment Act of 1987 (AB 2588) (Hot Spots Act). As discussed above, HAPs/TACs are a broad class of compounds known to cause morbidity or mortality (cancer risk). HAPs/TACs are found in ambient air, especially in urban areas, and are caused by industry, agriculture, fuel combustion, and commercial operations (e.g., dry cleaners). Because chronic exposure can result in adverse health effects, TACs are regulated at the regional, State and federal levels.

AB 1807 sets forth a formal procedure for CARB to designate substances as TACs. Research, public participation, and scientific peer review are necessary before CARB can designate a substance as a TAC. To date, CARB has identified more than 21 TACs and adopted U.S. EPA's list of HAPs as TACs. In 1998, DPM was added to CARB's list of TACs. Once a TAC is identified, CARB adopts an Airborne Toxic Control Measure for sources that emit that particular TAC. If a safe threshold exists at which no toxic effect occurs from a substance, the control measure must reduce exposure below that threshold. If no safe threshold exists, the measure must incorporate Best Available Control Technology (BACT) to minimize emissions.

The Hot Spots Act requires for existing facilities that emit toxic substances above a specified level to prepare a toxic emissions inventory and a risk assessment if the emissions are significant, notify the public of significant risk levels, and prepare and implement risk reduction

measures.

Diesel Exhaust and Diesel Particulate Matter

Diesel exhaust is the predominant TAC in urban air and is estimated to represent about two-thirds of the cancer risk from TACs (based on the statewide average). According to CARB, diesel exhaust is a complex mixture of gases, vapors, and fine particles. This mixture makes the evaluation of health effects of diesel exhaust a complex scientific issue. Some chemicals in diesel exhaust, such as benzene and formaldehyde, have been previously identified as TACs by CARB, and are listed as carcinogens either under State Proposition 65 or under the Federal Hazardous Air Pollutants programs.

CARB reports that recent air pollution studies have shown an association between diesel exhaust and other cancer-causing toxic air contaminants emitted from vehicles and the overall cancer risk from TACs in California.

Particulate matter emitted from diesel-fueled engines (DPM) was found to compose much of that risk. CARB has adopted and implemented a number of regulations for stationary and mobile sources to reduce emissions of DPM. Several of these regulatory programs affect medium and heavy-duty diesel trucks that represent the bulk of DPM emissions from California highways. These regulations include the solid waste collection vehicle (SWCV) rule, in-use public and utility fleets, and the heavy-duty diesel truck and bus regulations. In 2011, CARB approved the latest regulation to reduce emissions of DPM and nitrogen oxides from existing on-road heavy-duty diesel fueled vehicles.

The regulation requires affected vehicles to meet specific performance requirements between 2012 and 2023, with all affected diesel vehicles required to have 2010 model-year engines or the equivalent by 2023. These requirements are phased in over the compliance period and depend on the model year of the vehicle. With implementation of CARB's Risk Reduction Plan, DPM concentrations are expected to be reduced by 85 percent in 2020 from the estimated year-2000 level.[3] As emissions are reduced, risks associated with exposure to emissions also are expected to be reduced.

[3] CARB. 2000. Risk Reduction Plan to Reduce Particulate Matter Emissions from Diesel-Fueled Engines and Vehicles. https://www.arb.ca.gov/diesel/documents/rrpFinal.pdf

CARB Air Quality and Land Use Handbook

In April 2005, CARB released the final version of its *Air Quality and Land Use Handbook: A Community Health Perspective*. This guidance document is intended to encourage local land use agencies to consider the risks from air pollution before they approve the siting of sensitive land uses (e.g., residences) near sources of air pollution, particularly sources of TACs (e.g., freeway and high traffic roads, commercial distribution centers, rail yards, ports, refineries, dry cleaners, gasoline stations and industrial facilities).

These advisory recommendations include general setbacks or buffers from air pollution sources. Unlike industrial or stationary sources of air pollution, however, the siting of new sensitive land use does not require air quality permits or approval by air districts, and as noted above, the CARB handbook provides guidance only, rather than binding regulations.

CAPCOA Health Risk Assessments for Proposed Land Use Projects

The California Air Pollution Control Officer's Association (CAPCOA) is a consortium of air district managers throughout California that provide guidance material to address air quality issues in the State. As a follow up to CARB's 2005 *Air Quality and Land Use Handbook*, CAPCOA prepared the *Health Risk Assessments for Proposed Land Use Projects*. This guidance document was released to ensure that the health risk of projects be identified, assessed, and avoid or mitigated, if feasible, through the CEQA process. The CAPCOA guidance document provides recommended methodologies for evaluating health risk impacts for development projects.

Regional

Monterey Bay Air Resources Board (MBARD)

MBARD regulates air quality in NCCAB and is responsible for attainment planning related to criteria air pollutants, as well as for district rule development and enforcement. The district also reviews air quality analyses prepared for CEQA assessments and published the *CEQA Air Quality Guidelines* document (last revised February 2016) for use in evaluation of air quality impacts.

The purpose of these guidelines is to assist in the review and evaluation of air quality impacts from projects that are subject to CEQA. These guidelines are an advisory document intended to provide lead agencies, consultants, and project proponents with uniform procedures for assessing potential air quality impacts and preparing the air quality section of environmental documents. These guidelines are also intended to help these entities anticipate areas of concern from MBARD in its role as a CEQA lead, commenting and/or responsible agency for air quality.

Air Quality Management Plan for the Monterey Bay Region

In accordance with CCAA, MBARD has developed the *2012 Air Quality Management Plan for the Monterey Bay Region* (2012 AQMP). The 2012 AQMP is a transitional plan shifting focus of

MBARD's efforts from achieving the 1-hour component of the State ozone AAQS to achieving the 8-hour ozone requirement. The plan includes an updated air quality trends analysis, which reflects both the 1- and 8-hour standards, as well as an updated emission inventory, which includes the latest information on stationary, area and mobile emission sources.

In March 2017, MBARD adopted the *2012-2015 Triennial Plan Revision*, which assesses and updates elements of the 2012 AQMP, including the air quality trends analysis, emission inventory, and mobile source programs. The 2017 AQMP Revision only addresses attainment of the State ozone standard. In 2012, EPA designated the NCCAB as in attainment of the current national 8-hour ozone standard of 0.075 ppm[4].

The following MBARD rules would limit emissions of air pollutants from construction and operation of residential development pursuant to the project:

- *Rule 400 (Visible Emissions)* – Discharge of visible air pollutant emissions into the atmosphere from any emission source for a period or periods aggregating more than 3minutes in any 1 hour, as observed using an appropriate test method, is prohibited.
- *Rule 402 (Nuisances)* - No person shall discharge from any source whatsoever such quantities of air contaminants or other materials which cause injury, detriment, nuisance, or annoyance to any considerable number of persons or to the public; or which endanger the comfort, repose, health, or safety of any such persons or the public; or which cause, or have a natural tendency to cause, injury or damage to business or property.
- *Rule 425 (Use of Cutback Asphalt)* – The use of cutback asphalt (asphalt cement that has been blended with petroleum solvents) is restricted.
- *Rule 426 (Architectural Coatings)* – This rule limits the emissions of ROGs from the use of architectural coatings.

[4] On October 1, 2015, U.S. EPA adopted a new 8-hour ozone standard of 0.070 ppm. However, U.S. EPA has not yet reviewed recent NCCAB emissions to determine attainment with the current 0.070 ppm standard. Therefore, this attainment status is based upon U.S. EPA's prior 0.075 ppm standard.

Impacts of the Project

Significance Criteria

The following significance criteria for air quality were derived from MBARD's 2008 CEQA Air Quality Guidelines (MBARD, 2008) and are summarized in Table ER-AQ-2: MBARD Significance Thresholds for Construction and Operational Emissions.

Table ER-AQ-2: MBARD Significance Thresholds for Construction and Operational Emissions

Criteria Air Pollutants and Precursors (Regional)	Construction-Related Average Daily Emissions (pounds/day)	Operational-Related Average Daily Emission (pounds/day)
Fugitive Particulate Matter (PM_{10})[1]	82	82[2]
VOC	--	137
Nitrogen Oxides (NO_X), as NO_2	--	137
Local CO	--	LOS at intersection/road segment degrades from D or better to E or F or V/C ratio at intersection/road segment at LOS E or F increases by 0.05 or more or delay at intersection at LOS E or F increases by 10 seconds or more or reserve capacity at unsignalized intersection at LOS E or F decreases by 50 or more. 550[3]
Sulfur Oxides (SO_x), as SO_2	--	150

[1] Examples: 1) Construction site with minimal earthmoving exceeding 8.1 acres per day, 2) Construction site with earthmoving (grading, excavation) exceeding 2.2 acres per day.
[2] The District's 82 lb./day operational phase threshold of significance applies only to onsite emissions and project-related exceedances along unpaved roads. These impacts are generally less than significant. On large development projects, almost all travel is on paved roads (0%) unpaved), and entrained road dust from vehicular travel can exceed the significance threshold. Please contact the Air District to discuss estimating emissions from vehicular travel on paved roads. District approved dispersion modeling can be used to refute (or validate) a determination of significance if modeling shows that emissions would not cause or substantially contribute to an exceedance of State and national AAQS.
[3] Modeling should be undertaken to determine if the project would cause or substantially contribute (550 lb./day) to exceedance of CO AAQS. If not, the project would not have a significant impact.
Source: MBARD, 2008.

Short-term construction emission thresholds, as stated in the MBARD 2008 *CEQA Air Quality Guidelines*, involve identifying the level of construction activity that could result in significant temporary impacts if not mitigated. Construction activities (e.g., excavation, grading, on-site vehicles) that directly exceed MBARD criterion for PM_{10} would have a significant impact on local air quality when they are located nearby and upwind of sensitive receptors (MBARD, 2008). Regarding ozone, construction projects using typical equipment that temporarily emits ozone precursors are accommodated in the emission inventories of State and federally required air

quality management plans and would not have a significant impact on ozone concentrations (MBARD, 2008).

If construction-related activities exceed the PM_{10} threshold of 82 pounds, the project would be characterized as contributing substantially to existing violations of CAAQS for PM_{10}. In addition to the tabulated thresholds, a project may also have significant adverse impacts on air quality if the project individually or cumulatively results in any of the following:

- Conflict with or obstruct implementation of applicable MBARD air quality management plans, polices, or regulations.
- 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.
- Exposure of sensitive receptors to substantial pollutant concentrations.
- Result in other emissions (such as those leading to odors adversely affecting a substantial number of people.

The criteria for assessing cumulative impacts on localized air quality (i.e., CO, PM_{10}) are identical to those for individual project operation. The criteria for determining a project's cumulative impact on regional ozone levels depends on consistency with the applicable air quality management plan. Consistency with the MBARD Air Quality Management Plan (AQMP) does not mean that a project would not have a significant project-specific adverse air quality impact. However, inconsistency with the MBARD AQMP is considered a significant cumulative adverse air quality impact.

MBARD guidelines state that odor impacts would be significant if the project would result in the emission of substantial concentrations of pollutants that produce objectionable odors, causing injury, nuisance, or annoyance to a considerable number of persons, or endangering the comfort, health, or safety of the public. If construction or operation of the project would emit pollutants associated with odors in substantial amounts, the analysis should assess the impact on existing or reasonably foreseeable sensitive receptors.

A project would conflict with or obstruct implementation of the 2008 MBARD AQMP and *2012 Triennial Plan Revision* (2012 AQMP Revision) if it is inconsistent with the plan's growth assumptions, in terms of population, employment, or regional growth in VMT. These population forecasts were developed, in part, using data obtained from local jurisdictions regarding projected land uses and population projections identified in community plans. Projects that result in an increase in population that is inconsistent with local community plans would be considered inconsistent with MBARD's AQMP.

Summary of No and/or Beneficial Impacts

Exposure to Odorous Emissions

The occurrence and severity of odor impacts depends on numerous factors, including the nature, frequency, and intensity of the source; wind speed and direction; and the sensitivity of the receptors. While offensive odors rarely cause physical harm, they can still be unpleasant, leading to considerable distress among the public and often generating citizen complaints to local governments and regulatory agencies. Projects with the potential to frequently expose members of the public to objectionable odors would be deemed to violate the MBARD standards.

MBARD enforces permit and nuisance rules to control odorous emissions from stationary sources. For instance, MBARD Rule 402 (Nuisances) prohibits the discharge of air contaminants or other materials that cause injury, detriment, nuisance, or annoyance to any considerable numbers of persons. Given these regulations, and the fact that there are no odorous emissions existing or proposed, there would be **no impact**.

Project Impacts and Mitigation Measures

Impact AQ-1: Conflict with or obstruct implementation of applicable MBARD air quality management plans, polices, or regulations. This is considered a **potentially significant** impact.

The MBARD's 2008 CEQA Air Quality Guidelines provides criteria for determining cumulative impacts and consistency. The CEQA Air Quality Guidelines note that a project which is inconsistent with an Air Quality Plan would have a significant cumulative impact on regional air quality. As discussed above, the project is consistent with the Air Quality Management Plan for the Monterey Bay Region. In addition, the project's construction and operation emissions would not exceed MBARD thresholds as noted below. The NCCAB is currently in non-attainment for State ozone and PM_{10} standards which represents an existing cumulatively significant impact within the NCCAB. Ozone precursors include reactive organic gases (ROG) and NO_X. The project would not exceed quantitative thresholds for either of these ozone precursors. Similarly, PM_{10} thresholds also would not be exceeded for construction or operation of the project. Therefore, the project would not make a considerable contribution to this existing, cumulatively significant impact. Impacts would be **less than significant,** and no mitigation is required.

Impact AQ-2: Future construction activities would generate dust and exhaust emissions of criteria pollutants and toxic air contaminants. This is considered a **potentially significant** impact.

Construction Impacts

Construction emissions produced during future grading activities are considered short-term; however, still have the potential to significantly impact air quality. Construction emissions would include the generation of fugitive dust, on-site generation of construction equipment exhaust emissions, and the off-site generation of mobile source emissions related to construction vehicle and worker vehicle trips.

Fugitive dust emissions that may have a substantial, temporary impact on local air quality. In addition, fugitive dust may be a nuisance to those living and working in the project site vicinity. Fugitive dust emissions are associated with land clearing, ground excavation, cut-and-fill operations, demolition, and truck travel on unpaved roadways. Dust emissions also vary substantially from day to day, depending on the level of activity, the specific operations, and weather conditions.

Fugitive dust from grading/demolition and construction on the project site would be short-term. Dust larger than ten microns generated by such activities usually becomes more of a local nuisance than a serious health problem. Of particular health concern is the amount of PM_{10} generated as a part of fugitive dust emissions.

Particulate Matter

MBARD CEQA Guidelines state that construction activities (e.g., excavation, grading, on-site vehicles) that emit 82 pounds per day or more of PM_{10} would have a significant impact on local air quality when they are located nearby and upwind of sensitive receptors. Based on this emissions threshold, construction activity occurring on more than 2.2 acres per day may result in significant PM_{10} emissions (MBARD, 2015).

Emissions from individual development construction sites would be short term and temporary but would occur through build-out of the General Plan. At any given times, several construction projects may be under way, which may result in substantial construction related emissions.

Policy SN-4.18 Minimize Direct and Indirect Emissions of Air Contaminants requires that all future development control dust and particulate matter by implementing the MBARB fugitive dust control measures.

Policy SN-4.19 Dust Control Monitor requires that consistent with Monterey Bay Area Resources Board guidelines, new developments that result any ground disturbance greater than 2.2 acres per day shall require the contractor(s) or builder(s) to designate a person or persons to monitor the fugitive dust emissions.

Policy SN-4.20 Low VOC Paint requires that new developments shall require by contract specifications that the interior and exterior architectural coatings (paint and primer including parking lot paint) products have a volatile organic compound (VOC) (i.e., ROG) content of 10 g/L or less.

Policy SN-4.21 Tier 4 Emissions requires that prior to issuance of grading permits, new developments shall prepare and submit documentation to the City of Scotts Valley that demonstrates that all off-road diesel-powered equipment meet the California Air Resources Board's Tier 4 Final off-road emissions standards.

Implementation of Policy SN-4.18 through 21 would ensure that construction emissions associated with implementation of the General Plan would be **less than significant**.

Operation Impacts

Planned future development would have associated long-term stationary and vehicular emissions.

Stationary Source Emissions

Stationary source emissions would be generated from future planned development associated with buildout of the General Plan due to an increased demand for electrical energy, which is generated from power plants utilizing fossil fuels. Electric power generating plants are located in the Basin, and their emissions contribute to the total regional pollutant burden. The primary use of natural gas would be for combustion to produce space heating, water heating and other miscellaneous heating or air conditioning.

Mobile and Area Source Emissions

Area Source Emissions

Area source emissions are generally a function of land use (e.g., number of single-family residential units, commercial area), activity (e.g., fuel use per residential unit, commercial business), and emission factor (e.g., mass of pollutant emitted per fuel usage). These include the following:

- Natural gas fuel combustion. This source includes natural gas combustion for water and space heating.
- Hearth fuel combustion. This source includes wood stoves, wood fireplaces, and natural gas-fired stoves.
- Landscape fuel combustion. This source includes exhaust and evaporative emissions from landscaping equipment including lawnmowers, rototillers, shredders/grinders, trimmers, chain saws, and hedge trimmers, used in residential and commercial applications.

- Consumer products. This source category comprises a wide range of products including air fresheners, automotive products, household cleaners, and personal care products.
- Architectural coatings. This source includes ROG emissions resulting from the evaporation of solvents contained in paints, varnishes, primers, and other surface coatings, from residential and commercial structures.

Mobile Source Emissions

Mobile source emissions may include but would not be limited to the following: running exhaust emissions of ROG, CO, carbon dioxide (CO_2), NO_X, and PM_{10}, including PM_{10} from tire and brake wear.

The amount of mobile source emissions associated with future planned development associated with buildout of the General Plan is based on land use designations (e.g., number of single-family residential units; square footage of various educational, recreational, retail, commercial, and industrial uses), trip rates (i.e., number of vehicle trips per day), assumptions regarding the vehicle fleet (e.g., analysis year, vehicle type and technology class), trip lengths (i.e., miles traveled per trip), and pollutant emission factors (i.e., mass of pollutant emitted per mile traveled).

As described in Transportation section below, future planned development associated with buildout of the General Plan would result in additional daily trips per day. This would result in both area and mobile emissions.

The operational emissions associated with future planned development associated with buildout of the General Plan, which include both area and mobile emissions, would occur incrementally over the next 20 plus years. Given the fact that Scotts Valley is largely built out and future development would occur on the few remaining vacant parcels or as infill development, individual projects are not anticipated to exceed MBARD significance threshold for daily emissions and would be evaluated against operational phase emissions presented in Table ER-AQ-2: MBARD Significance Thresholds for Construction and Operational Emissions. Cumulative impacts of all projects are addressed in Impact AQ-2, below.

As required by MBARB, approval of future projects would prohibit the use of wood-burning fireplaces and require the use of low-emitting architectural coatings to further reduce air quality impacts.

Therefore, impacts of dust, criteria air pollutants, and toxic air contaminants generated by long-term operation of future planned development associated with buildout of the General Plan would be **less than significant** and no mitigation is required.

Impact AQ-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. This is considered a **potentially significant** impact.

Individual development projects typically have emissions attributed to the project that are evaluated against operational phase emissions presented in Table ER-AQ-2: MBARD Significance Thresholds for Construction and Operational Emissions. General Plans however establish the development for a City over an extended period of time and are used directly in development of the Air Quality Management Plan (AQMP), which provides the framework by which the region can meet the state ambient air quality standard for ozone. The emission inventory forecasts developed for the AQMP are based on emissions from motor vehicle exhaust; stationary sources such as industrial processes and stationary fuel combustion; and areawide sources such as solvent evaporation from architectural coatings, consumer products, and prescribed burns.

The AQMP forecasted emissions inventory assumed a population size based on the Association of Monterey Bay Area Governments (AMBAG) population projections. Emission sources related to population size include those from motor vehicle usage, energy consumption, consumer products, as well as industrial and commercial activities. The AQMP, through its emission inventory, provides a framework for the region to meet the State Implementation Plan (SIP) goals of meeting state and federal Ambient Air Quality Standards.

As recommended by the MBARD, the evaluation of whether or not General Plan implementation would lead to significant air quality emissions should be based on whether the population forecasts described in the General Plan are consistent with the population forecasts used in the AQMP. If the population forecasts described in the General Plan are above the population forecasts described in the AQMP, then the General Plan is considered inconsistent with the AQMP and would result in significant cumulative air pollutant emissions. The consistency analysis is performed by AMBAG, because AMBAG develops population forecasts that are used in the AQMP.

The most recent AMBAG 2018 Population, Housing Unit, and Employment Forecasts project population growth in five-year increments to the year 2040. The 2040 population forecast for the City of Scotts Valley by AMBAG is 12,418 persons. Since the General Plan assumes a population buildout of 15,400 (see Table LU-1: General Plan Buildout Summary), the General Plan would be inconsistent with the AQMP. This inconsistency in population forecasts is considered to result in a cumulatively considerable significant air quality impact.

Action SN-4.2 would require the City to work cooperatively with the MBARB and AMBAG to reduce significant emissions, and to the extent feasible, to meet Federal and State air quality standards for all pollutants. This action would also require the City to participate in future amendments and updates of the Air Quality AQMP for the Monterey Bay Region to ensure that

new measures can be practically enforced in the region. However, due to the projected population growth, regional emissions would remain significant, and the General Plan would likely remain inconsistent with the AQMP. No further mitigation is feasible to reduce this impact. Therefore, this impact would remain **significant and unavoidable**.

Impact AQ-4: Expose receptors to substantial pollutant concentrations. This is considered a **potentially significant** impact.

Sensitive land uses are defined as facilities or land uses that include members of the population that are particularly sensitive to the effects of air pollutants, such as children, the elderly, and people with illnesses. Examples of these sensitive receptors are residences, schools, hospitals, and daycare centers.

Construction-Related Diesel Particulate Matter

Future project construction would generate diesel particulate matter (DPM) emissions from the use of off-road diesel equipment required for grading and excavation, paving, and other construction activities. For construction activity, DPM is the primary toxic air contaminant of concern. On-road diesel-powered haul trucks traveling to and from the construction area to deliver materials and equipment are less of a concern because they would not stay on the site for long durations. Diesel exhaust from construction equipment poses a health risk to nearby sensitive receptors.

The amount to which the receptors are exposed (a function of concentration and duration of exposure) is the primary factor used to determine health risk (i.e., potential exposure to TAC emission levels that exceed applicable standards). On-road diesel-powered haul trucks traveling to and from a construction site to deliver materials and equipment are less of a concern because they would not stay for long durations.

Health-related risks associated with diesel-exhaust emissions are primarily linked to long-term exposure and the associated risk of contracting cancer. The use of diesel-powered construction equipment would be episodic and would occur in various phases throughout a project site. Additionally, construction activities would be limited to idling for no more than five minutes (Policy SN-4.18) and would be required to use (at a minimum) Tier 4 equipment (Policy SN-4.21), which would further reduce nearby sensitive receptors' exposure to temporary and variable DPM emissions. Furthermore, even during periods of greater construction activity, emissions of DPM would be generated from different locations rather than in a single location because different types of construction activities (e.g., site preparation and building construction) would not occur at the same place at the same time.

California Office of Environmental Health Hazard Assessment has not identified short-term health effects from DPM. Construction is temporary and would be transient throughout the site (i.e., move from location to location) and would not generate emissions in a fixed location for extended periods of time. Construction activities would be subject to and would comply with

California regulations limiting the idling of heavy-duty construction equipment to no more than five minutes to further reduce nearby sensitive receptors' exposure to temporary and variable DPM emissions. For these reasons, DPM generated by future construction activities would not expose sensitive receptors to substantial amounts of air toxics. Therefore, impacts associated with substantial pollutant concentrations associated with construction activities would be **less than significant** and no mitigation is required.

Carbon Monoxide Hotspots

Local air quality is a major concern along roadways. CO is a primary pollutant, and unlike ozone, is directly emitted from a variety of sources. For this reason, CO concentrations are usually indicative of the local air quality generated by a roadway network and are used as an indicator of its impacts upon the local air quality. Areas of vehicle congestion have the potential to create "pockets" of CO called "hot spots." These pockets have the potential to exceed the 1-hour CAAQS of 20 parts per million (ppm) and/or the 8-hour CAAQS of 9 ppm.

To identify CO hotspots, MBARD criterion recommends performing a CO hotspot analysis when:

- Intersections or road segments that operate at LOS D or better that would operate at LOS E or F with the project's traffic,
- Intersections or road segments that operate at LOS E or F where the volume-to-capacity (V/C) ratio would increase 0.05 or more with the project's traffic,
- Intersections that operate at LOS E or F where delay would increase by 10 seconds or more with the project's traffic,
- Unsignalized intersections which operate at LOS E or F where the reserve capacity would decrease by 50 or more with the project's traffic. This criterion is based on the turning movement with the worst reserve capacity, or
- Project would generate substantial heavy duty truck traffic or generate substantial traffic along urban street canyons or near a major stationary source of CO.

As described in the Transportation section below, future planned development and implementation of recommended transportation improvements would not result in an intersection cumulative LOS increase at any of the study intersections and the overall intersection capacity utilization (ICU) would not exceed MBARD criterion. Therefore, impacts related to carbon monoxide would be **less than significant** and no mitigation is required.

Impact AQ-5: Result in other emissions (such as those leading to odors) adversely affecting a substantial number of people. This is considered a **less than significant** impact.

Construction

Construction activities associated with future planned development may generate detectable odors from heavy-duty equipment (i.e., diesel exhaust), as well as from architectural coatings and asphalt off-gassing. Odors generated from the referenced sources are common in the man-made environment and are not known to be substantially offensive to adjacent receptors. Any construction-related odors would be short-term in nature and cease upon project completion. As a result, impacts to existing adjacent land uses from construction-related odors would be short-term in duration and therefore would be **less than significant**, and no mitigation is required.

Operational

The occurrence and severity of odor impacts depends on numerous factors, including the nature, frequency, and intensity of the source; wind speed and direction; and the sensitivity of the receptors. While offensive odors rarely cause physical harm, they can still be unpleasant, leading to considerable distress among the public and often generating citizen complaints to local governments and regulatory agencies. Future planned development associated with buildout of the General Plan has the potential to frequently expose members of the public to objectionable odors and potentially violate MBARD standards.

MBARD enforces permit and nuisance rules to control odorous emissions from stationary sources. For instance, MBARD Rule 402 (Nuisances) prohibits the discharge of air contaminants or other materials that cause injury, detriment, nuisance, or annoyance to any considerable numbers of persons.

Future planned development associated with buildout of the General Plan would include uses consistent with surrounding area and would be required to comply with MBARD Rules regarding operational emissions. Therefore, impacts would be **less than significant**, and no mitigation is required.

BIOLOGICAL RESOURCES

Applicable Regulations, Plans, and Standards

Federal

Federal Endangered Species Act

The Federal Endangered Species Act (ESA) provisions protect federally listed threatened and endangered species and their habitats from unlawful take and ensure that federal actions do not jeopardize the continued existence of a listed species or result in the destruction or adverse modification of designated critical habitat. Under the ESA, "take" is defined as "to harass, harm, pursue, hunt, shoot, wound, kill, trap, capture, or collect, or to attempt to engage in any of the specifically enumerated conduct." The U.S. Fish & Wildlife Service's (USFWS) regulations define harm to mean "an act which actually kills or injures wildlife." Such an act "may include significant habitat modification or degradation where it actually kills or injures wildlife by significantly impairing essential behavioral patterns, including breeding, feeding or sheltering" (50 CFR § 17.3).

Critical habitat is defined in Section 3(5)(A) of the ESA as "(i) the specific areas within the geographical area occupied by the species on which are found those physical or biological features (I) essential to the conservation of the species, and (II) which may require special management considerations or protection; and (ii) specific areas outside the geographical area occupied by the species upon a determination by the Secretary of Commerce or the Secretary of the Interior (Secretary) that such areas are essential for the conservation of the species." The effects analyses for designated critical habitat must consider the role of the critical habitat in both the continued survival and the eventual recovery (i.e., the conservation) of the species in question, consistent with the recent Ninth Circuit judicial opinion, Gifford Pinchot Task Force v. United States Fish and Wildlife Service. Activities that may result in "take" of individuals are regulated by the USFWS. The USFWS produced an updated list of candidate species December 6, 2007 (72 FR 69034). Candidate species are not afforded any legal protection under ESA; however, candidate species typically receive special attention from Federal and State agencies during the environmental review process.

Migratory Bird Treaty Act

Raptors (e.g., eagles, hawks, and owls) and their nests are protected under both Federal and State regulations. The Federal Migratory Bird Treaty Act (MBTA) prohibits killing, possessing, or trading in migratory birds except in accordance with regulations prescribed by the Secretary. This act encompasses whole birds, parts of birds, and bird nests and eggs.

Regulated Habitats

Areas meeting the regulatory definition of "Waters of the U.S." (Jurisdictional Waters) are subject to the jurisdiction of the U.S. Army Corps of Engineers (USACE) under provisions of Section 404 of the Clean Water Act (1972) and Section 10 of the Rivers and Harbors Act (1899). These waters may include all waters used, or potentially used, for interstate commerce, including all waters subject to the ebb and flow of the tide, all interstate waters, all other waters (intrastate lakes, rivers, streams, mudflats, sandflats, playa lakes, natural ponds, etc.), all impoundments of waters otherwise defined as "Waters of the U.S.," tributaries of waters otherwise defined as "Waters of the U.S.," the territorial seas, and wetlands (termed Special Aquatic Sites) adjacent to "Waters of the U.S." (33 CFR, Part 328, Section 328.3).

Construction activities within jurisdictional waters are regulated by the USACE. The placement of fill into such waters must comply with permit requirements of the USACE. No USACE permit would be effective in the absence of State water quality certification pursuant to Section 401 of the Clean Water Act. As a part of the permit process, the USACE works directly with the USFWS to assess potential project impacts on biological resources.

State

California Endangered Species Act

Provisions of California Endangered Species Act (CESA) protect State-listed Threatened and Endangered species. CDFW regulates activities that may result in "take" of individuals ("take" means "hunt, pursue, catch, capture, or kill, or attempt to hunt, pursue, catch, capture, or kill"). Habitat degradation or modification is not expressly included in the definition of "take" under the California Fish and Wildlife Code. Additionally, the California Fish and Wildlife Code contains lists of vertebrate species designated as "fully protected" (California Fish & Game Code §§ 3511 [birds], 4700 [mammals], 5050 [reptiles and amphibians], 5515 [fish]). Such species may not be taken or possessed, without an exemption issued by CDFW.

In addition to federal and State-listed species, the CDFW also has produced a list of Species of Special Concern to serve as a "watch list." Species on this list are of limited distribution or the extent of their habitats has been reduced substantially, such that threat to their populations may be imminent. Species of Special Concern may receive special attention during environmental review under CEQA, but they do not have statutory protection.

Birds of prey are protected in California under the State Fish and Wildlife Code. Section 3503.5 states it is "unlawful to take, possess, or destroy any birds of prey (in the order Falconiformes or Strigiformes) or to take, possess, or destroy the nest or eggs of any such bird except as otherwise provided by this Code or any regulation adopted pursuant thereto." Construction-related disturbance during the breeding season could result in the incidental loss of fertile eggs or nestlings or otherwise lead to nest abandonment. Disturbance that causes nest abandonment and/or loss of reproductive effort is considered "take" by the CDFW. Under

Sections 3503 and 3503.5 of the State Fish and Wildlife Code, activities that would result in the taking, possessing, or destroying of any birds-of-prey, taking or possessing of any migratory nongame bird as designated in the Migratory Bird Treaty Act, or the taking, possessing, or needlessly destroying of the nest or eggs of any raptors or non-game birds protected by the Migratory Bird Treaty Act, or the taking of any non-game bird pursuant to Fish and Wildlife Code Section 3800 are prohibited. Proposed revisions to Sections 3503 and 3503.5 to clarify the regulations and make them more consistent with the MBTA were posted on August 14, 2015, by the CDFW; one of the revisions removes language regarding nest abandonment caused by projects, to be consistent with MBTA and because it is difficult to determine reasons for nest abandonment at any one site (CDFW 2015).

Regulated Habitats

The State Water Resources Control Board is the State agency (together with the Regional Water Quality Control Boards [RWQCB]) charged with implementing water quality certification in California. The project falls under the jurisdiction of the Central Coast Region of the RWQCB.

The CDFW potentially extends the definition of stream to include “intermittent and ephemeral streams, rivers, creeks, dry washes, sloughs, blue-line streams (USGS), and watercourses with subsurface flows. Canals, aqueducts, irrigation ditches, and other means of water conveyance can also be considered streams if they support aquatic life, riparian vegetation, or stream-dependent terrestrial wildlife” (CDFW, 1994). Such areas of the proposed project were determined using methodology described in A Field Guide to Lake and Streambed Alteration Agreements, Sections 1600-1607 (CDFW, 1994).

Activities that result in the diversion or obstruction of the natural flow of a stream; or which substantially change its bed, channel, or bank; or which utilize any materials (including vegetation) from the streambed, may require that the project applicant enter into a Streambed Alteration Agreement with the CDFW.

Local

Santa Cruz Sandhills Conservation and Management Plan

The Sandhills Conservation and Management Plan: A Strategy for Preserving Native Biodiversity in the Santa Cruz Sandhills (2004) provides a comprehensive strategy for the maintenance of native biodiversity in the Santa Cruz Sandhills.

Where Santa Cruz Sandhill habitat is located on private land, development is restricted according to the guidelines as described in the *Interim-Programmatic Habitat Conservation Plan (IPHCP) for the Endangered Mount Hermon June Beetle and Ben Lomond Spineflower* (2011).

Within the City limits, these areas are located in three IPHCP “Project Units”, namely the Scotts Valley East Unit (3.2 acres), Scotts Valley West Unit (109 acres) and the Whispering Pines Unit

(242 acres within the City and 131 additional units in Santa Cruz County [373 acres total]). While these areas are largely built out, any new development is limited to small, residential projects and must adhere to the following requirements: (1) Require a County or City discretionary or building permit that involves ground disturbance; (2) Be residential in nature; (3) Be within 1 of 10 identified "Project Units;" (4) Be located within a parcel that is less than or equal to 1.5 acres; (5) involve no more than 15,000 square feet of development activity and associated ground disturbance on a single parcel; and (6) incorporate the minimization measures described in Section 5.2 of the IPHCP.

Interim-Programmatic Habitat Conservation Plan

The *Interim Programmatic Habitat Conservation Plan for the Endangered Mount Hermon June Beetle and Ben Lomond Spineflower* (IPHCP) was prepared because numerous private landowners in the City of Scotts Valley and the County of Santa Cruz expressed interest in applying for a permit from USFWS for incidental take of the federally endangered MHJB. The landowners have projects on sites likely to be occupied by both MHJB and Ben Lomond spineflower. USFWS has recommended that the City and County together apply for incidental take permits and develop a regional programmatic HCP for the sandhills. The HCP would streamline local, State, and federal permitting processes. The HCP is still under preparation.

Consequently, USFWS, the City, and the County developed the IPHCP for MHJB and Ben Lomond spineflower for small development projects in areas with existing, dense residential development. The 2011 IPHCP was to be in effect for five years following the issuance of the requested incidental take permits. The IPHCP is only applicable to parcels currently zoned for residential use by the County or City, which are less than or equal to 1.5 acres in size, and that would result in development not exceeding 15,000 square feet (0.34 acres).

Scotts Valley Tree Protection Regulations

The City of Scotts Valley Zoning Ordinance Section 17.44.080 regulates the removal of protected trees. Section 17.44.080 includes tree protection regulations. Protected trees are defined as:

- Any tree having a main stem or trunk at least 8 inches or greater diameter at breast height (DBH) (25 inches in circumference), located in a hillside residential zone where the slope within 20 feet of where the tree is located exceeds 20 percent;
- Any single-trunk oak tree with a main stem or trunk at least 8 inches DBH (25-inch circumference), or any multi-trunk oak tree with an individual trunk over 4 inches DBH (12-inch circumference);
- Any street tree (defined as any tree within five feet of a public or private street or right of way), regardless of size;
- Any single-trunk tree with a 13-inch or greater DBH (40-inch circumference);

- Any multi-trunk tree with any trunk greater than or equal to 8-inch DBH (25-inch circumference);
- Any tree, regardless of size, required to be planted or preserved as part of a permit approved by the Planning Department, Planning Commission or City Council, or required as a replacement tree for a removed tree; or
- Any Heritage Tree, defined as a tree identified, because of unique quality and/or size, as among the most significant and noteworthy in the City and formally designated by the City Council.

Future projects that would involve removal of protected trees are required to obtain a Tree Removal Permit, which involves submittal of an application and an arborist report to verify the reasons for removal or to determine alternatives to removal. Removal of protected trees other than Heritage Trees may be granted by ministerial approval. Remove of Heritage Trees, which are identified in the City of Scotts Valley Municipal Code 17.44.080 - Tree Protection Regulations, regulate the removal of protected trees within the city.

Other Applicable Regulations, Plans, and Standards

CA Native Plant Society

The mission of the CNPS Rare Plant Program is to develop current, accurate information on the distribution, ecology, and conservation status of California's rare and endangered plants, and to use this information to promote science-based plant conservation in California. Once a species has been identified as being of potential conservation concern, it is put through an extensive review process. Once a species has gone through the review process, information on all aspects of the species (listing status, habitat, distribution, threats, etc.) are entered into the online CNPS Inventory. The program currently recognizes more than 2,300 plant taxa (species, subspecies and varieties) as rare or endangered in California (CNPS List, 2015).

Vascular plants listed as rare or endangered by the CNPS, but which might not have designated status under State endangered species legislation, are defined as follows:

- List 1A – Plants considered by the CNPS to be extinct in California
- List 1B – Plants rare, threatened, or endangered in California and elsewhere
- List 2 – Plants rare, threatened, or endangered in California, but more numerous elsewhere
- List 3 – Plants about which we need more information – a review list
- List 4 – Plants of limited distribution – a watch list

In addition to the list designations above, the CNPS adds a Threat Rank as an extension added onto the CNPS List and designates the level of endangerment by a 1 to 3 ranking, with 1 being the most endangered and 3 being the least endangered and are described as follows:

- 0.1 – Seriously threatened in California (high degree/immediacy of threat)
- 0.2 – Fairly threatened in California (moderate degree/immediacy of threat)
- 0.3 – Not very threatened in California (low degree/immediacy of threats or no current threats known

Impacts of the Project

Significance Criteria

An impact of the project would be considered significant and would require mitigation if it would meet one of the following criteria:

- Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by the California Department of Fish and Wildlife or US Fish and Wildlife Service;
- Have a substantial adverse effect, either directly or through habitat modifications on; or substantially reduce the number or restrict the range of any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service;
- Have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means;
- 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;
- Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance;
- Conflict with the provisions of an adopted Habitat Conservation Plan (HCP), Natural Community Conservation Plan (NCCP), or other approved local, regional, or state habitat conservation plan.

Analysis Methodology

A number of environmental documents have been prepared for projects in and around Scotts Valley over the past several years. The combined database resulting from these publicly available documents provides a sufficient representation of the habitat types and biological resources present in the Scotts Valley area. As a programmatic document, this EIR summarizes those potential resources.

Summary of No and/or Beneficial Impacts

None identified.

Project Impacts and Mitigation Measures

Impact BIO-1: Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by the California Department of Fish and Wildlife or US Fish and Wildlife Service. This is considered a **potentially significant** impact.

As described in the Open Space & Conservation Element, there are three habitat communities in the Scotts Valley Planning Area: 1) Riparian Woodland, 2) Ponderosa Pine, and 3) Zayante/Santa Cruz Sandhills. These habitat communities support a variety of special-status plants and animals that do or could potentially occur.

Previous development projects within the Planning Area have been the subject of environmental studies that have included site-specific biological resource surveys. The findings of these surveys and the results of the various data base searches have been consistent with regard to the potential occurrence of special-status wildlife species in the Scotts Valley Planning Area.

The Open Space & Conservation Element contains a number of policies designed to protect candidate, sensitive, rare, and/or special-status plant and animal species. In particular:

Policy OSC-1.1 Regional Collaboration – Biological Resources requires the City to continue to participate in regional, state, and federal programs that protect biological resources in Scotts Valley and the region.

Policy OSC-1.6 Natural Diversity requires the City to promote the protection and preservation of native species, habitat, and vegetation types and overall natural diversity in Scotts Valley.

Policy OSC-1.7 Environmentally Sensitive Areas requires the City to preserve and protect environmentally sensitive areas in Scotts Valley.

Policy OSC-1.15 Project Biological Resources Impacts requires the City's environmental review process be used to determine potential impacts to biological resources of project proposals.

Ensure that new development avoids, minimizes, and/or mitigates impacts to biological resources and sensitive habitat.

Policy OSC-1.16 Biological Survey requires that new development proposed within areas of native plants, or rare or endangered wildlife habitat shall prepare a site-specific survey which identifies the location and type of species present. Any such development is required to mitigate any potential impacts to such species.

Policy OSC-1.14 Native Plant Communities requires that new development proposed in, or adjacent to, areas containing native plant communities shall be carefully planned and provide for their conservation and maintenance.

Implementation of these policies in the General Plan, and implementation of existing federal, state, and local regulations, would ensure that individual projects are required to analyze and mitigate for site-specific biological resources pursuant to current state and federal protocols for protected species. Implementation of these policies and programs would mitigate impacts to these resources to a **less than significant** level and no mitigation is required.

Impact BIO-2: Have a substantial adverse effect on federally protected wetlands. This is considered a **potentially significant** impact.

Isolated wetlands, particularly those associated with riparian corridors and low-lying undeveloped areas, are located throughout the Planning Area. Future planned development associated with buildout of the General Plan could have a potential impact on protected wetlands. However, the Open Space & Conservation Element contains a number of policies designed to protect wetlands. These include:

Policy OSC-1.8 Riparian Corridors requires that riparian corridors be maintained and protected consistent with federal, State and local regulations. Degraded corridors shall be restored or improved in association with development of frontage properties. Require landscaping for new developments along creeks or in wetlands to be native riparian plant species.

Policy OSC-1.9 Creek Protection requires the City to maintain creek beds, riparian corridors, water courses, and associate vegetation in their natural state to assist in groundwater percolation and prevent erosion and downstream sedimentation.

Policy OSC-1.10 Creek and Wetland Setbacks requires setbacks and implementation of standards and guidelines for development and improvements within the City and adjacent to creeks and wetlands as set forth in the City's Stormwater Management Program.

Policy OSC-1.12 Wetland Protection requires that all future development protect and restore the biological productivity and quality of wetlands, where feasible.

Policy OSC-1.17 Wetland Habitat requires new development to protect and preserve wetland habitats that meet any of the following conditions: 1) Wetlands that contribute to the habitat quality and value of undeveloped lands established or expected to be established in perpetuity for conservation purposes; 2) Wetlands contiguous to riparian or stream corridors or other permanently protect lands; 3) Wetlands located within or contiguous to other high value natural areas.

Policy OSC-1.18 Wetland Study requires all future development applications to submit a detailed biological study where an initial site inventory indicates the presence or potential for wetland species or indicators. The study shall contain a delineation of all wetland areas on the project site based on the definitions contained in Section 13577(b) of Title 14 of the California Code of Regulations.

Implementation of these policies in the General Plan, and implementation of existing federal, state, and local regulations, would ensure that individual projects are required to analyze and mitigate for site-specific impacts to protected wetlands. Implementation of these policies and programs would mitigate impacts to these resources to a **less than significant** level and no mitigation is required.

Impact BIO-3: Interfere substantially with the movement of any native resident or migratory fish or wildlife species or wildlife corridors, or wildlife nursery sites. This is considered a **potentially significant** impact.

Wildlife movement corridors can vary from narrow specific paths a few feet wide used by certain species to move from breeding areas to forage areas, to major corridors for population dispersal and migration with spans of hundreds of miles and at the scale of mountain ranges and valleys. Depending on the organism and its needs, movement corridors can either be continuous or discontinuous patches of suitable habitat. For a fish migrating upstream, the habitat needs to be relatively continuous, whereas highly mobile species, such as birds and large mammals, can adequately move through discontinuous habitat.

When habitat linkages are too small or narrow, they may collapse ecologically due to encroachment or edge effects. An example is a corridor intended for deer movement that is so narrow that adjacent residential lighting is too bright for deer to tolerate crossing open pools of light. For small mammals, such as rodents and reptiles, habitat linkages need to be sufficiently wide to decrease the predatory effects of domestic dogs and cats associated with suburban development. In general, the larger and wider a link is, the better it functions for the movement of animals and genetic exchange between major areas of open space. Preserving expanses of open space that are connected may enable species utilizing this site as a thoroughfare or a residence to persist.

In developed urban areas within the Planning Area, there are few locations that could potentially allow movement of large mammals and would require movement across barriers such as roads, fences, and areas of night lighting. As shown in Figure OSC-3: Riparian Woodlands, wildlife movement could occur along the riparian corridors, including those associated with Been Creek and Carbonera Creek, and their tributaries.

As described in the Open Space & Conservation Element contains a number of policies designed to address wildlife within riparian corridors. These include:

Policy OSC-1.8 Riparian Corridors requires that riparian corridors be maintained and protected consistent with federal, State and local regulations. Degraded corridors shall be restored or improved in association with development of frontage properties. Require landscaping for new developments along creeks or in wetlands to be native riparian plant species.

Policy OSC-1.9 Creek Protection requires the City to maintain creek beds, riparian corridors, water courses, and associate vegetation in their natural state to assist in groundwater percolation and prevent erosion and downstream sedimentation.

Policy OSC-1.10 Creek and Wetland Setbacks requires setbacks and implementation of standards and guidelines for development and improvements within the City and adjacent to creeks and wetlands as set forth in the City's Stormwater Management Program.

Implementation of these policies in the General Plan, and implementation of existing federal, state, and local regulations, would ensure that individual projects are required to analyze and mitigate for site-specific impacts to wildlife corridors. Implementation of these policies and programs would mitigate impacts to these resources to a **less than significant** level and no mitigation is required.

Impact BIO-4: Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinances. This is considered a **less than significant** impact.

Future planned development associated with buildout of the General Plan could have a potential impact on the removal of trees, including native trees such as Coast live oak and Ponderosa pine. In addition, project construction may require grading within the dripline of native trees slated for retention and trimming to provide road clearances. Both grading and tree trimming activities may adversely affect tree health and vigor.

The City of Scotts Valley Zoning Ordinance Section 17.44.080 Tree Protection Regulation regulates the protection and removal of protected trees. Applicants for future development associated with buildout of the General Plan that would involve removal of protected trees are required to obtain a Tree Removal Permit, which involves submittal of an application and an arborist report to verify the reasons for removal or to determine alternatives to removal.

Removal of protected trees other than Heritage Trees may be granted by ministerial approval. Remove of Heritage Trees, which are identified in the City of Scotts Valley Heritage Tree Inventory (Ordinance Exhibit A), requires authorization by the Planning Commission, either at project approval or at a separate public hearing held thereafter.

Implementation of the City's Tree Protection Regulations would ensure that individual projects are required to analyze and mitigate for site-specific impacts to tree preservation policy or ordinances. Implementation of these policies and programs would mitigate impacts to these resources to a **less than significant** level and no mitigation is required.

Impact BIO-5: Conflict with the provisions of an adopted Habitat Conservation Plan (HCP) or Natural Communities Conservation Plan (NCCP). This is considered a **potentially significant** impact.

As described in the Open Space & Conservation Element, there are three designated conservation areas within the Planning Area that are managed to preserve their habitat and plant and animal species: 1) Santa Cruz Sandhills, 2) Glenwood Preserve, and 3) Polo Ranch. Habitat. Conservation plans that provide long-term management and monitoring of biological resources for the Santa Cruz Sandhills and Glenwood Preserve have been adopted by the City of Scotts Valley. 100 acres open space in the 40-lot Polo Ranch subdivision is protected per the entitlement conditions of approval, is owned by the homeowner association, and is managed by an open space manager.

In addition to these conservation plans, the Open Space & Conservation Element contains a number of policies and actions designed to protect conservation areas. These include:

Policy OSC-1.3 Regional Sandhills Habitat Conservation Plan requires the City to continue to collaborate with the County of Santa Cruz and the U.S. Fish & Wildlife Service to maintain the habitat conservation plan (HCP) for the Sandhills Habitat area.

Action OSC-1.2 Santa Cruz Sandhills HCP requires the City to work with relevant agencies to finalize and implement an HCP for the Sandhills area habitat in the Planning Area. In the interim, continue to support use of the Interim Programmatic Habitat Conservation Plan (IPHCP) as mitigation for loss of sandhills habitat in conjunction with new development.

Action OSC-1.3 Glenwood Open Space Preserve Access requires the City to seek opportunities (e.g., grants) to expand the amount of publicly accessible trails within the Glenwood Open Space Preserve and properly manage and mitigate neighborhood impacts at trail access points, where possible.

Implementation the respective conservation plans, as well as the policies and actions described above (as well as other General Plan biological resources protection polices and actions) would ensure continued implementation and monitoring of the City's conservation areas and impacts

to these resources would be reduced to a **less than significant** level and no mitigation is required.

CULTURAL & TRIBAL RESOURCES

Applicable Regulations, Plans, and Standards

Federal

National Historic Preservation Act

The National Historic Preservation Act (NHPA) of 1966, as amended, sets forth a national policy and procedures regarding historic properties and resources, defined as districts, sites, buildings, structures, and objects included in or eligible for the National Register of Historic Places (NRHP or National Register) and any artifacts, records, and materials remains related to such properties or resources (16 U.S.C. § 470w). Prior to commencement, the Project must comply with Section 106 of NHPA. Section 106 requires federal agencies to take into account the effects of their undertakings on properties that may be eligible for listing or are listed in the National Register and to allow the Advisory Council on Historic Preservation the opportunity to comment on those undertakings, following regulations issued by the Advisory Council on Historic Preservation (See 36 CFR § 60.4 and 36 CFR part 800).

Executive Order 11593 (May 13, 1971), 36 Code of Federal Regulations, Section 8921 as incorporated into Title 7, United States Code

Executive Order 11593, Protection of the Cultural Environment, orders the protection and enhancement of the cultural environment through providing leadership, establishing State offices of historic preservation, and developing criteria for assessing resource values.

American Indian Religious Freedom Act and Native American Graves and Repatriation Act

The American Indian Religious Freedom Act establishes that it is the nation's policy to protect and preserve for American Indians their inherent right of freedom to believe, express, and exercise their traditional religions, including access to sites, use and possession of sacred objects, and the freedom to worship through ceremonials and traditional rites. Additionally, Native American remains are protected by the Native American Graves and Repatriation Act of 1990.

State

California Environmental Quality Act (CEQA)

The California Environmental Quality Act (CEQA) requires that for public or private projects financed or approved by public agencies, the effects of the projects on historical resources and unique archeological resources must be addressed (PRC §§ 21083.2; 21084.1; Title 14 CCR §15064.5).

Historical resources are defined as buildings, sites, structures, objects, or districts that have been determined to be eligible for listing in the CRHR, those resources included in a local register of historical resources as defined in section 5020.1(k) of the Public Resources Code, or any object, building, structure, site, area, place, record or manuscript which a lead agency determines, based on substantial evidence, to be historically significant in the architectural, engineering, scientific, economic, agricultural, educational, social, political, military or cultural annals of California. PRC § 21084.1; 14 CCR § 15064.5.

A unique archeological resource means an archeological artifact, object or site about which it can be clearly demonstrated that, without merely adding to the current body of knowledge, there is a high probability that it: (1) contains information needed to answer important scientific research questions and that there is a demonstrable public interest in that information; (2) has a special and particular quality such as being the oldest of its type or the best available example of its type; or (3) is directly associated with a scientifically recognized important prehistoric or historic event or person. See PRC § 21083.2(g); 14 CCR § 15064.5.

Assembly Bill 52

Section 21080.3.1(b) of the California Public Resources Code (AB 52) requires a lead agency formally notify a California Native American tribe that is traditionally and culturally affiliated within the geographic area of the discretionary project when formally requested. As of this writing, no California Native American tribes traditionally and culturally affiliated with the Santa Cruz County region have formally requested a consultation with the City of Scotts Valley (as Lead Agency under CEQA) regarding Tribal Cultural Resources.

Public Resources Code Section 5024.1

Cultural resources in California are protected by California Public Resources Code (PRC) Section 5024.1 which established the California Register of Historical Resources (CRHR). Properties that meet one of the following criteria are eligible for listing in the CRHR:

- Criterion 1: Association with events that have made a significant contribution to the broad patterns of local or regional history or the cultural heritage of California or the United States;
- Criterion 2: Association with the lives of persons important to local, California, or national history;
- Criterion 3: Embodying the distinctive characteristics of a type, period, region, or method of construction, or representing the work of a master, or possessing high artistic values; or
- Criterion 4: Has yielded, or has the potential to yield, information important to the prehistory or history of the local area, California, or the nation.

The CRHR interprets the integrity of a cultural resource as its physical authenticity. An historic cultural resource must retain its historic character or appearance and thus be recognizable as an historic resource. Integrity is evaluated by examining the subject's location, design, setting, materials, workmanship, feeling, and association. If the subject has retained these qualities, it may be said to have integrity. It is possible that a cultural resource may not retain sufficient integrity to be listed in the NRHP yet still be eligible for listing in the CRHR. If a cultural resource retains the potential to convey significant historical/scientific data, it may be said to retain sufficient integrity for potential listing in the CRHR. Most significant Native American prehistoric sites are eligible due to their age, scientific potential, and/or burial remains. Properties listed in the National Register are automatically eligible for listing in the California Register.

Title 14, Penal Code, Section 622.5

According to Penal Code Section 622.5, anyone (except the owner of the item at issue) who willfully damages or destroys an item of archaeological or historic interest or value is guilty of a misdemeanor.

Human Remains

Public Resources Code 5097.98 (b) and (e)

Public Resources Code 5097.98 (b) and (e) require a landowner on whose property Native American human remains are found to limit further development activity in the vicinity until he/she confers with the Native American Heritage Commission (NAHC)-identified Most Likely Descendants (MLDs) to consider treatment options. In the absence of MLDs or of a treatment acceptable to all parties, the landowner is required to reenter the remains elsewhere on the property in a location not subject to further disturbance.

California Health and Safety Code, Section 7050.5

This code makes it a misdemeanor to disturb or remove human remains found outside a cemetery. This code also requires a project owner to halt construction if human remains are discovered and to contact the county coroner.

Public Resources Code Section 5097.5

California Public Resources Code Section 5097.5 prohibits excavation or removal of any "vertebrate paleontological site…or any other archaeological, paleontological or historical feature, situated on public lands, except with express permission of the public agency having jurisdiction over such lands." Public lands are defined to include lands owned by or under the jurisdiction of the state or any city, County, district, authority or public corporation, or any agency thereof. Section 5097.5 states that any unauthorized disturbance or removal of archaeological, historical, or paleontological materials or sites located on public lands is a misdemeanor.

California Historical Building Code, California Code of Regulations, Title 24, Part 8

The California Historical Building Code, defined in Sections 18950 to 18961 of Division 13, Part 2.7 of the Health and Safety Code, provides regulations and standards for the rehabilitation, preservation, restoration (including related reconstruction) or relocation of historical buildings or structures deemed by any level of government as having importance to the history, architecture, or culture of an area.

Local

Scotts Valley Cultural Preservation Ordinance

Section 17.44.130 – Cultural Resource Protection requires the City to protect the interest of the public by providing for the identification, protection, enhancement, perpetuation and use of archaeological resources and sites within the City that reflect special elements of the City's prehistoric and historic archaeological heritage. The Ordinance requires the City to:

- Integrate the preservation of archaeological resources and the extraction of relevant data from such resources into public and private land-management and development processes;
- Develop and maintain a cultural resource conservation and protection environment now and in the future and take all actions necessary to protect and enhance the cultural resource heritage of the City;
- Ensure that the long-term protection of the cultural resource heritage shall guide public decision;
- Require consideration of protection of cultural resources as well as economic and technical factors and long-term benefits and costs in addition to short-term benefits and costs; and consider alternatives to proposed actions affecting the cultural resource heritage of the City in land-use management and development activities.

A Cultural Resource Alteration Permit shall be required for relocation, removal, alteration or demolition of any recorded cultural resource, designated cultural resource site or area which has been identified in any preliminary or comprehensive cultural resource report as containing a potentially significant cultural resource.

The Ordinance also describes specific procedures that must be followed in the event cultural resources (e.g., bones or other human remains, or artifacts clearly associated with a human interment) are discovered.

Scotts Valley Historic Landmark Preservation

Section 17.44.140 – Historic Landmark Preservation requires the protection, enhancement, perpetuation and use of all City-designated historic landmarks. An Historic Landmark Alteration

or Demolition Permit is required prior to the relocation of a designated historic landmark or for any alteration to a designated historic landmark that involves change in design, replacement of construction material or change in external appearance, or for any reconstruction thereof.

Impacts of the Project

Significance Criteria

An impact of the Project would be considered significant and would require mitigation if it would meet one of the following criteria:

- Cause a substantial adverse change in the significance of a historical resource pursuant to § 15064.5?
- Cause a substantial adverse change in the significance of an archaeological resource pursuant to § 15064.5?
- Disturb any human remains, including those interred outside of dedicated cemeteries?

Would the project cause a substantial adverse change in the significance of a tribal cultural resource, defined in Public Resources Code section 21074 as either a site, feature, place, cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California Native American tribe, and that is:

- Listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in Public Resources Code section 5020.1(k), or
- A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code Section 5024.1. In applying the criteria set forth in subdivision (c) of Public Resource Code Section 5024.1, the lead agency shall consider the significance of the resource to a California Native American tribe.

California Register of Historical Resources

In order to be determined eligible for listing in the California Register of Historical Resources (CRHR), a property must be significant at the local, State, or national level under one or more of the following four criteria as defined in Public Resources Code 5024.1 and CEQA Guideline 15064.5(a).

- It is associated with events or patterns of events that have made a significant contribution to the broad patterns of the history and cultural heritage of California and the United States.

- It is associated with the lives of persons important to the nation or to California's past.
- It embodies the distinctive characteristics of a type, period, region, or method of construction, or represents the work of an important creative individual, or possesses high artistic values.
- It has yielded, or may be likely to yield, information important to the prehistory or history of the state and the nation.

In addition to meeting one or more of the above criteria, a significant property must also retain integrity. Properties eligible for listing in the CRHR must retain enough of their historic character to convey the reason(s) for their significance. Integrity is judged in relation to location, design, setting, materials, workmanship, feeling, and association.

Analysis Methodology

For cultural resources, impact assessment is based on a comparison of known resource locations with the placement of ground disturbing project activities that have the potential to remove, relocate, damage, or destroy the physical evidence of past cultural activities. If such ground disturbance overlaps recorded site locations, then a direct impact may occur. Historical buildings and structures may be directly impacted if the nearby setting and context is modified substantially, even if the building or structure itself is not physically affected. Indirect impacts may occur if activities occur near, but not directly on, known cultural resources.

Summary of No and/or Beneficial Impacts

None.

Project Impacts and Mitigation Measures

Impact CUL-1: Cause a substantial adverse change in the significance of a historical or archaeological resource pursuant to § 15064.5? This considered a **potentially significant** impact.

As described in the Open Space & Conservation Element, in 1990, in cooperation with the Scotts Valley Historical Society (SVHS), the City completed a survey of all potential historic structures within the City limits. At present, the only historic structure in the City is the Scott House, which is located in MacDorsa Park, next to the Scotts Valley Civic Center. Over time, additional historic structures may be identified consistent with Section 17.44.140 – Historic Landmark Preservation of the Scotts Valley Municipal Code. Should future development have a potential impact on a designated landmark, or property that becomes suitable for landmark designation, the landmark would be subject to protection consistent with Section 17.44.140.

The City maintains a map that identifies designated areas of high and moderate archaeological sensitivity. This map is kept confidential to avoid potential impacts to know or unknown

archaeological site. Consistent with Section 17.44.130 – Cultural Resource Protection, all future development would be subject to City review to protect the interest of the public by providing for the identification, protection, enhancement, perpetuation and use of archaeological resources and sites within the City that reflect special elements of the City's prehistoric and historic archaeological heritage.

Furthermore, the Open Space & Conservation Element contains Goal OSC-4 and related policies designed to protect historic and archeological resources. In particular:

Policy OSC-4.5 Protect Archaeological Resources requires that the City use the environmental review process to determine potential impacts to archaeological resources of project proposals. The City's archaeological sensitivity zone map shall be used, along with other appropriate data, to evaluate whether archaeological resources are threatened by new development.

Policy OSC-4.6 Development on Known Archeological Resources requires all new development located on a parcel(s) containing an existing or former historic structure shall require an archaeological field reconnaissance report prior to project consideration by the decision-making body.

Policy OSC-4.7 Historic Structure Destruction prohibits the destruction of designated historical resources without a prior public hearing and consideration given to preservation alternatives.

Furthermore, the City would be required to consult with local tribal groups as part of the CEQA process for any future development, consist with SB 18.

Implementation of the above goal and policies, as well as enforcement of the respective City's Municipal Code provisions and State requirements described above, would effectively mitigate potential cultural and historic resource impacts to **less than significant** and no mitigation is required.

Impact CUL-2: Disturb any human remains, including those interred outside of dedicated cemeteries? This considered a **potentially significant** impact.

Pursuant to Section 7050.5 of the Health and Safety Code, if human remains are discovered as part of a future development project, there shall be no further excavation or disturbance of the discovery site, or any nearby area reasonably suspected to overlie adjacent human remains until the project applicant has complied with the provisions of State CEQA Guidelines Section 15064.5(e).

In general, these provisions require that the County Coroner be notified immediately. If the remains are found to be Native American, the County Coroner is required to notify the Native American Heritage Commission within 24 hours. The most likely descendant of the deceased Native American is notified by the Commission and given the chance to make recommendations

for the remains. If the Commission is unable to identify the most likely descendent, or if no recommendations are made within 24 hours, remains may be reinterred with appropriate dignity elsewhere on the property in a location not subject to further subsurface disturbance. If recommendations are made and not accepted, the Native American Heritage Commission will mediate the problem.

With implementation of existing regulations, the impact would be **less than significant,** and no mitigation is required.

GEOLOGY & SOILS

Applicable Regulations, Plans, and Standards

State

Alquist-Priolo Earthquake Fault Zoning Act

The Alquist-Priolo Earthquake Fault Zoning Act was passed in 1972 to mitigate the hazard of surface faulting to structures for human occupancy. The Alquist-Priolo Earthquake Fault Zoning Act's main purpose is to prevent the construction of buildings used for human occupancy on the surface trace of active faults. The Act only addresses the hazard of surface fault rupture and is not directed toward other earthquake hazards. The law requires the State Geologist to establish regulatory zones (known as Earthquake Fault Zones) around the surface traces of active faults and to issue appropriate maps. The maps are distributed to all affected cities, counties, and state agencies for their use in planning and controlling new or renewed construction. Local agencies must regulate most development projects within the zones. Projects include all land divisions and most structures for human occupancy. Single-family wood-frame and steel-frame dwellings up to two stories not part of a development of four units or more are exempt. However, local agencies can be more restrictive than state law requires.

Before a project can be permitted, cities and counties must require a geologic investigation to demonstrate that future development would not be constructed across active faults. An evaluation and written report of a specific site must be prepared by a licensed geologist. If an active fault is found, a structure for human occupancy cannot be placed over the trace of the fault and must be set back from the fault (generally 50 feet) (California Geologic Survey 2007).

Seismic Hazards Mapping Act

The Seismic Hazards Mapping Act (SHMA) of 1990 (Public Resources Code, Chapter 7.8, Section 2690-2699.6) directs the Department of Conservation, California Geological Survey to identify and map areas prone to earthquake hazards of liquefaction, earthquake-induced landslides and amplified ground shaking. The purpose of the SHMA is to reduce the threat to public safety and to minimize the loss of life and property by identifying and mitigating these seismic hazards. The SHMA was passed by the legislature following the 1989 Loma Prieta earthquake. The Seismic Hazards Mapping Act addresses geo-seismic hazards, other than surface faulting, and applies to public buildings and most private buildings intended for human occupancy.

Uniform Building Code

The Uniform Building Code (UBC) was first enacted by the International Conference of Building Officials (ICBO) on October 18-21, 1927. Revised editions of this code are published

approximately every three years. The UBC includes provisions associated with engineering design and building requirements.

California Building Code

The California Building Code (CBC) requires, among other things, seismically resistant construction and foundation and soil investigations prior to construction. The CBC also establishes grading requirements that apply to excavation and fill activities and requires the implementation of erosion control measures. The County is responsible for enforcing the CBC in the case of the proposed Project.

The CBC is based on the International Building Code, which is published by the International Code Council (ICC). The scope of this code as used by the CBC covers major aspects of construction and design of structures and buildings, except for one-and two-family dwellings, efficiency dwelling units, and townhomes up to three stories in height (which are covered by the California Residential Code). The International Building Code contains provisions for structural engineering design and addresses the design and installation of structures and building systems through requirements that emphasize performance. The International Building Code includes codes governing structural as well as fire- and life-safety provisions covering seismic, wind, accessibility, egress, occupancy, and roofs.

Local

Scotts Valley Municipal Code

Title 15 Buildings and Construction of the Scotts Valley Municipal Code “sets forth rules, regulations and minimum standards to control excavation, grading, erosion, and sediment; requires control of all existing and potential conditions of accelerated erosion...” The grading ordinance states that “No person shall cause or allow the persistence of a condition on any site that could cause accelerated erosion.”

Per Section 15.06 Excavation, Grading, Erosion and Sediment Control Regulations, a permit is required for grading activities, and approval of the permit “shall require the abatement of any existing human-induced or accelerated erosion problems on the property.” The ordinance sets forth design standards for cuts and fills, including limits on slopes and heights, provisions for stockpiles, vegetative protection, ground preparation for fills, requirements for the use of keys, and requirements for compaction (among others). The ordinance also includes standards for cut and fill setbacks, for drainage and terraces, and for erosion and sediment control. Sections 15.06.090 and 15.06.100 require approval from the Planning Commission for any cut or fill slopes steeper than 3:1, and City Council approval for any cuts and/or fills in excess of 40 feet vertical height.

Impacts of the Project

Significance Criteria

An impact of the proposed Project would be considered significant and would require mitigation if it would meet one of the following criteria:

- Directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury, or death involving:
    - Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42
    - Strong seismic ground shaking?
    - Seismic-related ground failure, including liquefaction?
    - Landslides?
- Result in substantial soil erosion or the loss of topsoil?
- 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?
- Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial direct or indirect risks to life or property?
- Have soils incapable of adequately supporting the use of septic tanks or alternative wastewater disposal systems where sewers are not available for the disposal of wastewater?
- Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?

Analysis Methodology

The evaluation of geology, soils and geologic hazards located within the proposed Planning Area was based on the Health & Safety Element Background & Context section, and a review of previous geotechnical reports prepared for individual projects in Scotts Valley.

Summary of No and/or Beneficial Impacts

Extraction of Mineral Resources

There are no active mines, quarries, or known mapped oil or gas fields within the Planning Area. Therefore, there would be no impact.

Project Impacts and Mitigation Measures

Impact GEO-1: Cause substantial adverse effects due to rupture of a known earthquake fault, landslides, or strong seismic ground shaking, expansive soils, lateral spreading, subsidence, liquefaction or collapse? This considered a **potentially significant** impact.

Relevant areas of known or suspected geologic hazards, as shown in Figure SN-3: Fault Zones, Figure SN-4: Liquefaction Potential and Figure SN-5: Landslide Deposits of the Safety & Noise Element, indicate that subsurface soil conditions in some locations of the Planning Area could be susceptible to geologic and soil impacts.

Lateral Spreading and Liquefaction

Lateral spreading of the ground surface can occur where liquefaction occurs in areas of sloping ground or at a creekbank or riverbank. Liquefaction is a process whereby ground shaking causes saturated granular soils to become liquid-like. This type of phenomenon occurs when saturated rocks are vibrated, which increases the pore pressure and separates the grains.

Subsidence

Subsidence is the sudden sinking or gradual downward settling and compaction of soil and other surface material with little or no horizontal motion. Subsidence may be caused by a variety of human and natural activities, including earthquakes.

Landform alteration impacts that may result from future development within the Planning Area include grading for the construction of roads, building pads, parking areas and other permanent improvements. These improvements would result in alterations to soils from physical development and construction equipment.

A seismic or geologic (soils) event is considered likely during the useful life of any structures planned in the future. This can potentially jeopardize public safety, including safety both to structures and people within the project area. Besides the direct physical damage to structures caused by the ground shaking, marginally stable landslides, slopes, and inadequately compacted fill material could move and cause additional damage. Gas, water, and electrical lines can be ruptured during the ground shaking or broken during movement of earth caused by the earthquake, which can jeopardize public safety.

Goal SN-3 and associated policies of the Safety & Noise Element are designed to protect human life and prosperity and to minimize injury, economic damage, and social dislocation resulting from disasters related to geologic and seismic events. In particular, Policy SN-3.10 Geotechnical Evaluations requires future development in a geologic hazard area, development shall be approved only after a geotechnical evaluation is completed by a registered geologist as part of the environmental review process.

Furthermore, as part of any future application submitted to the City of Scotts Valley, the project applicant would be required to submit plans that are in compliance with the latest California Building Code (CBC) standards, consistent with Title 15 – Buildings and Construction of the Scotts Valley Municipal Code.

Prior to approval of any entitlements for a specific project, City staff is required to review project plans and verify that the CBC seismic requirements are printed on the plans. The City also requires that CBC standards are met prior to issuance of Building Permits. Building inspectors conduct site inspections to assure that construction occurs consistent with approved plans.

Implementation of the above goal and policies, as well as enforcement of the respective City's Municipal Code provisions and State requirements described above, would effectively mitigate potential seismic impacts to a **less than significant** level and no mitigation is required.

Impact GEO-2: Result in substantial soil erosion or the loss of topsoil? This considered a **potentially significant** impact.

Some future development associated with buildout of the General Plan would involve the removal of landscape vegetation and grading activities associated with the construction of buildings, infrastructure, and roads. The loosening and exposure of soil makes it susceptible to erosion by rainfall and wind. Future development would also increase the amount of impervious surfaces, which may affect the natural drainage pattern. During unusually high rainfall over a short duration, excessive erosion may occur. Soil particles may be carried by stormwater to receiving water bodies, such as Camp Evers Creek and Carbonera Creek, resulting in sedimentation. The effects of increased sediment loading could include increased turbidity and reduced light penetration.

Policy SN-2.4 Flood Control Facilities requires future construction or expansion of existing flood control facilities to protect individual properties shall be permitted only when it can be determined that such measures do not substantially increase the flood or erosion hazards to other properties.

In addition, to comply with the NPDES requirements for construction, future development involving construction on sites that are one acre or more are required to prepare and implement a Stormwater Pollution Prevention Plan (SWPPP) that specifies how the discharger would protect water quality during construction activities. These measures include, but not be limited to; design and construction of cut and fill slopes in a manner that would minimize erosion, protection of exposed slope areas, control of surface water flows over exposed soils, use of wetting or sealing agents or sedimentation ponds, limiting soil excavation in high winds, construction of beams and runoff diversion ditches, and use of sediment traps, such as hay bales. (Also see Hydrology & Water Quality section, below.)

Implementation of the above policy, as well as enforcement of the respective City's Municipal Code provisions and State requirements including acquisition of the NPDES General Permit for construction activities, would effectively mitigate potential soil erosion impacts associated with future development to a **less than significant** level and no mitigation is required.

Impact GEO-3: Have soils incapable of adequately supporting the use of septic tanks or alternative wastewater disposal systems for the disposal of wastewater? This is considered a **less than significant** impact.

Development within the City limits would largely involve disposal of wastewater through the City's existing sanitary sewer system and therefore there would be no impacts.

In areas not served by the City's existing sanitary sewer system, development would be limited to very low-density residential development, predominantly located outside of the City limits in Santa Cruz County.

Where septic service is required for future development, projects would be subject to Chapter 13.08 Sewage Disposal System Regulation of the City's Municipal Code. This chapter is intended as a temporary solution to the existing sewage problems within the City as it is the City's intention to require all residents of the City to hook up to the City's sewer system when the capacity to do so is available. Where permitted, an individual sewage disposal system shall be provided for a building(s) designed for human habitation. Requirements for permitting and constructing sewage disposal systems are described in Chapter 13.08. Construction, or major repair of an individual sewage disposal system shall be made by a contractor with a C-42 Contracting License, or an equivalent certificate issued by the Department of Professional and Vocational Standards.

Compliance with the respective City's Municipal Code provisions would effectively mitigate potential associated with septic tanks or alternative wastewater disposal system associated with future development to a **less than significant** level and no mitigation is required.

Impact GEO-4: Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature? This is considered a potentially significant impact.

Future development could result in the discovery and disturbance of previously unknown or undiscovered paleontological resources. As described in Impact CUL-1, should evidence of paleontological resources be encountered during grading and construction, adherence to City, State, and federal historic preservation laws, regulations, and codes related to archaeological and paleontological resources would ensure the adequate protection of paleontological resources.

Compliance with the respective City, State, and federal regulations would effectively mitigate potential impacts to paleontological resources associated with future development to a **less than significant** level and no mitigation is required.

GREENHOUSE GAS EMISSIONS

Applicable Regulations, Plans, and Standards

Federal

To date, national standards have not been established for nationwide GHG reduction targets, nor have any regulations or legislation been enacted specifically to address climate change and GHG emissions reduction at the project level. Various efforts have been promulgated at the federal level to improve fuel economy and energy efficiency to address climate change and its associated effects.

U.S. Environmental Protection Agency Endangerment Finding

The U.S. Environmental Protection Agency's (EPA) authority to regulate GHG emissions stems from the U.S. Supreme Court decision in Massachusetts v. EPA (2007). The Supreme Court ruled that GHGs meet the definition of air pollutants under the existing Federal Clean Air Act (FCAA) and must be regulated if these gases could be reasonably anticipated to endanger public health or welfare. Responding to the Court's ruling, the EPA finalized an endangerment finding in December 2009. Based on scientific evidence, it found that six GHGs (CO_2, CH_4, N_2O, HFCs, PFCs, and SF_6) constitute a threat to public health and welfare. Thus, it is the Supreme Court's interpretation of the existing FCAA and the EPA's assessment of the scientific evidence that form the basis for the EPA's regulatory actions.

Clean Power Plan and New Source Performance Standards for Electric Generating Units

On October 23, 2015, the EPA published a final rule (effective December 22, 2015) establishing the carbon pollution emission guidelines for existing stationary sources: electric utility generating units (80 Federal Register [FR] 64510–64660), also known as the Clean Power Plan (CPP). These guidelines prescribe how states must develop plans to reduce GHG emissions from existing fossil-fuel-fired electric generating units. The guidelines establish CO_2 emission performance rates representing the best system of emission reduction for two subcategories of existing fossil-fuel-fired electric generating units: one fossil-fuel-fired electric utility steam-generating unit and two stationary combustion turbines. Concurrently, the EPA published a final rule (effective October 23, 2015) establishing standards of performance for GHG emissions from new, modified, and reconstructed stationary sources: electric utility generating units (80 FR 64661–65120). The rule prescribes CO_2 emission standards for newly constructed, modified, and reconstructed affected fossil-fuel-fired electric utility generating units. The U.S. Supreme Court stayed implementation of the CPP pending resolution of several lawsuits. Additionally, in March 2017, the federal government directed the EPA Administrator to review the CPP to determine whether it is consistent with current executive policies concerning GHG emissions,

State

The California Air Resources Board (CARB) is responsible for the coordination and oversight of State and local air pollution control programs in California. Various statewide and local initiatives to reduce California's contribution to GHG emissions have raised awareness about climate change and its potential for severe long-term adverse environmental, social, and economic effects.

The State of California legislature has enacted a series of bills that constitute the most aggressive program to reduce GHGs of any state in the nation. Some legislation, such as the landmark AB 32 California Global Warming Solutions Act of 2006, was specifically enacted to address GHG emissions. Other legislation, such as Title 24 building efficiency standards and Title 20 appliance energy standards, were originally adopted for other purposes such as energy and water conservation, but also provide GHG reductions. This section describes the major legislation related to GHG emissions reduction.

Assembly Bill 32 (California Global Warming Solutions Act of 2006)

AB 32 instructs the CARB to develop and enforce regulations for the reporting and verification of statewide GHG emissions. AB 32 also directed CARB to set a GHG emissions limit based on 1990 levels, to be achieved by 2020. It set a timeline for adopting a scoping plan for achieving GHG reductions in a technologically and economically feasible manner.

Senate Bill 32 (California Global Warming Solutions Act of 2006: Emissions Limit

Signed into law in September 2016, SB 32 codifies the 2030 GHG reduction target in Executive Order B-30-15 (40 percent below 1990 levels by 2030). The bill authorizes CARB to adopt an interim GHG emissions level target to be achieved by 2030. CARB also must adopt rules and regulations in an open public process to achieve the maximum, technologically feasible, and cost-effective GHG reductions.

With SB 32, the Legislature passed companion legislation, AB 197, which provides additional direction for developing the Scoping Plan. On December 14, 2017, CARB adopted a second update to the Scoping Plan (CARB, 2017b). The 2017 Scoping Plan details how the State will reduce GHG emissions to meet the 2030 target set by Executive Order B-30-15 and codified by SB 32. Other objectives listed in the 2017 Scoping Plan are to provide direct GHG emissions reductions; support climate investment in disadvantaged communities; and support the Clean Power Plan and other Federal actions.

SB 375 (The Sustainable Communities and Climate Protection Act of 2008)

Signed into law on September 30, 2008, SB 375 provides a process to coordinate land use planning, regional transportation plans, and funding priorities to help California meet the GHG reduction goals established by AB 32. SB 375 requires metropolitan planning organizations to include sustainable community strategies in their regional transportation plans for reducing

GHG emissions, aligns planning for transportation and housing, and creates specified incentives for the implementation of the strategies. The applicable sustainable community strategy in the Bay Area is Plan Bay Area 2040.

AB 1493 (Pavley Regulations and Fuel Efficiency Standards)

AB 1493, enacted on July 22, 2002, required CARB to develop and adopt regulations that reduce GHGs emitted by passenger vehicles and light duty trucks. Implementation of the regulation was delayed by lawsuits filed by automakers and by the EPA's denial of an implementation waiver. The EPA subsequently granted the requested waiver in 2009, which was upheld by the by the U.S. District Court for the District of Columbia in 2011. The regulations establish one set of emission standards for model years 2009–2016 and a second set of emissions standards for model years 2017 to 2025. By 2025, when all rules will be fully implemented, new automobiles will emit 34 percent fewer CO_2e emissions and 75 percent fewer smog-forming emissions.

SB 1368 (Emission Performance Standards)

SB 1368 is the companion bill of AB 32, which directs the California Public Utilities Commission (CPUC) to adopt a performance standard for GHG emissions for the future power purchases of California utilities. SB 1368 limits carbon emissions associated with electrical energy consumed in California by forbidding procurement arrangements for energy longer than 5 years from resources that exceed the emissions of a relatively clean, combined cycle natural gas power plant. The new law effectively prevents California's utilities from investing in, otherwise financially supporting, or purchasing power from new coal plants located in or out of the state. The CPUC adopted the regulations required by SB 1368 on August 29, 2007. The regulations implementing SB 1368 establish a standard for baseload generation owned by, or under long-term contract to publicly owned utilities, for 1,100 pounds of CO_2 per megawatt-hour.

SB 1078 and SBX1-2 (Renewable Electricity Standards)

SB 1078 required California to generate 20 percent of its electricity from renewable energy by 2017. This goal was accelerated with SB 107, which changed the due date to 2010 instead of 2017. On November 17, 2008, Executive Order S-14-08 established a Renewable Portfolio Standard target for California requiring that all retail sellers of electricity serve 33 percent of their load with renewable energy by 2020. Executive Order S-21-09 also directed CARB to adopt a regulation by July 31, 2010, requiring the state's load serving entities to meet a 33 percent renewable energy target by 2020. CARB approved the Renewable Electricity Standard on September 23, 2010, by Resolution 10-23. SB X1-2 codified the 33 percent by 2020 goal.

SB 350 (Clean Energy and Pollution Reduction Act of 2015)

Signed into law on October 7, 2015, SB 350 implements the goals of Executive Order B-30-15. The objectives of SB 350 are to increase the procurement of electricity from renewable sources from 33 percent to 50 percent (with interim targets of 40 percent by 2024, and 45 percent by 2027) and to double the energy efficiency savings in electricity and natural gas end uses of

retail customers through energy efficiency and conservation. SB 350 also reorganizes the Independent System Operator to develop more regional electricity transmission markets and improve accessibility in these markets, which will facilitate the growth of renewable energy markets in the western United States.

SB 150 (Regional Transportation Plans)

Signed on October 10, 2017, SB 150 aligns local and regional GHG reduction targets with State targets (i.e., 40 percent below their 1990 levels by 2030). SB 150 creates a process to include communities in discussions on how to monitor their regions' progress on meeting these goals. The bill also requires the CARB to regularly report on that progress, as well as on the successes and the challenges regions experience associated with achieving their targets. SB 150 provides for accounting of climate change efforts and GHG reductions and identify effective reduction strategies.

SB 100 (California Renewables Portfolio Standard Program: Emissions of Greenhouse Gases)

Signed into Law in September 2018, SB 100 increased California's renewable electricity portfolio from 50 to 60 percent by 2030. SB 100 also established a further goal to have an electric grid that is entirely powered by clean energy by 2045.

Executive Orders Related to GHG Emissions

California's Executive Branch has taken several actions to reduce GHGs using executive orders. Although not regulatory, they set the state's tone and guide the actions of state agencies.

Executive Order S-3-05

Executive Order S-3-05 was issued on June 1, 2005, which established the following GHG emissions reduction targets:

- By 2010, reduce greenhouse gas emissions to 2000 levels.
- By 2020, reduce greenhouse gas emissions to 1990 levels.
- By 2050, reduce greenhouse gas emissions to 80 percent below 1990 levels.

The 2050 reduction goal represents what some scientists believe is necessary to reach levels that will stabilize the climate. The 2020 goal was established to be a mid-term target. Because this is an executive order, the goals are not legally enforceable for local governments or the private sector.

Executive Order S-01-07

Issued on January 18, 2007, Executive Order S-01-07 mandates that a statewide goal shall be established to reduce the carbon intensity of California's transportation fuels by at least 10 percent by 2020. The executive order established a Low Carbon Fuel Standard (LCFS) and

directed the Secretary for Environmental Protection to coordinate the actions of the California Energy Commission, CARB, the University of California, and other agencies to develop and propose protocols for measuring the "life-cycle carbon intensity" of transportation fuels. CARB adopted the LCFS on April 23, 2009.

Executive Order S-13-08

Issued on November 14, 2008, Executive Order S-13-08 facilitated the California Natural Resources Agency development of the 2009 California Climate Adaptation Strategy. Objectives include analyzing risks of climate change in California, identifying and exploring strategies to adapt to climate change, and specifying a direction for future research.

Executive Order S-14-08

Issued on November 17, 2008, Executive Order S-14-08 expands the state's Renewable Energy Standard to 33 percent renewable power by 2020. Additionally, Executive Order S-21-09 (signed on September 15, 2009) directs CARB to adopt regulations requiring 33 percent of electricity sold in the state come from renewable energy by 2020. CARB adopted the Renewable Electricity Standard on September 23, 2010, which requires 33 percent renewable energy by 2020 for most publicly owned electricity retailers.

Executive Order S-21-09

Issued on July 17, 2009, Executive Order S-21-09 directs CARB to adopt regulations to increase California's RPS to 33 percent by 2020. This builds upon SB 1078 (2002), which established the California RPS program, requiring 20 percent renewable energy by 2017, and SB 107 (2006), which advanced the 20 percent deadline to 2010, a goal which was expanded to 33 percent by 2020 in the 2005 Energy Action Plan II.

Executive Order B-30-15

Issued on April 29, 2015, Executive Order B-30-15 established a California GHG reduction target of 40 percent below 1990 levels by 2030 and directs CARB to update the Climate Change Scoping Plan to express the 2030 target in terms of million metric tons of CO_2e ($MMTCO_2e$). The 2030 target acts as an interim goal on the way to achieving reductions of 80 percent below 1990 levels by 2050, a goal set by Executive Order S-3-05. The executive order also requires the state's climate adaptation plan to be updated every three years and for the state to continue its climate change research program, among other provisions. With the enactment of SB 32 in 2016, the Legislature codified the goal of reducing GHG emissions by 2030 to 40 percent below 1990 levels.

Executive Order B-55-18

Issued on September 10, 2018, Executive Order B-55-18 establishes a goal to achieve carbon neutrality as soon as possible, and no later than 2045, and achieve and maintain net negative emissions thereafter. This goal is in addition to the existing statewide targets of reducing GHG emissions. The executive order requires CARB to work with relevant state agencies to develop a

framework for implementing this goal. It also requires CARB to update the Scoping Plan to identify and recommend measures to achieve carbon neutrality. The executive order also requires state agencies to develop sequestration targets in the Natural and Working Lands Climate Change Implementation Plan.

California Regulations and Building Codes

California has a long history of adopting regulations to improve energy efficiency in new and remodeled buildings. These regulations have kept California's energy consumption relatively flat, even with rapid population growth.

Title 20 Appliance Efficiency Regulations

The appliance efficiency regulations (California Code of Regulations [CCR] Title 20, Sections 1601-1608) include standards for new appliances. Twenty-three categories of appliances are included in the scope of these regulations. These standards include minimum levels of operating efficiency, and other cost-effective measures, to promote the use of energy- and water-efficient appliances.

Title 24 Building Energy Efficiency Standards

California's Energy Efficiency Standards for Residential and Nonresidential Buildings (CCR Title 24, Part 6) was first adopted in 1978 in response to a legislative mandate to reduce California's energy consumption. The standards are updated periodically to allow consideration and possible incorporation of new energy efficient technologies and methods. Energy efficient buildings require less electricity; therefore, increased energy efficiency reduces fossil fuel consumption and decreases GHG emissions. The 2016 Building Energy Efficiency Standards approved on January 19, 2016, went into effect on January 1, 2017. The 2019 Building Energy Efficiency Standards were adopted on May 9, 2018, and will take effect on January 1, 2020. Under the 2019 standards, residential dwellings will be required to use approximately 53 percent less energy and nonresidential buildings will be required to use approximately 30 percent less energy than buildings under the 2016 standards.

Title 24 California Green Building Standards Code

The California Green Building Standards Code (CCR Title 24, Part 11 code) commonly referred to as CALGreen, is a statewide mandatory construction code developed and adopted by the California Building Standards Commission and the Department of Housing and Community Development. The CALGreen standards require new residential and nonresidential buildings to comply with mandatory measures under the topics of planning and design, energy efficiency, water efficiency/conservation, material conservation and resource efficiency, and environmental quality. CALGreen also provides voluntary tiers and measures that local governments may adopt that encourage or require additional measures in the five green building topics. The most recent update to the 2016 CALGreen Code, went into effect January 1, 2017. Updates to the 2016 CALGreen Code will take effect on January 1, 2020 (2019 CALGreen).

The 2019 CALGreen standards will continue to improve upon the existing standards for new construction of, and additions and alterations to, residential and nonresidential buildings. The new 2019 CALGreen standards require residential buildings are required to be solar ready through solar panels (refer to Section 110.10 in the 2019 Building Energy Efficiency Standards for more details).

Impacts of the Project

Significance Criteria

An impact of the project would be considered significant and would require mitigation if it would meet one of the following criteria:

- Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment.
- Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases.

Determining significance follows available guidelines from State or local air quality management agencies, where available. However, there is no legally adopted threshold to guide City of Scotts Valley decision-makers in determining what emission levels constitute a significant amount. Rules and policies being developed by CARB are used here, although they are evolving in response to the serious threat of climate change effects and subsequent legislation.

MBARD does not yet recommend any method or threshold for determining significance of climate change impacts or greenhouse gas emissions from a project and its operation. Nonetheless, GHG emissions caused by any project subject to CEQA must be described for a lead agency to determine the significance of impacts. The 2010 State CEQA Guidelines (Section 15064.4) provide the following direction for the assessment and mitigation of GHG emissions:

- A lead agency should make a good-faith effort, based to the extent possible on scientific and factual data, to describe, calculate or estimate the amount of greenhouse gas emissions resulting from a project.
- A lead agency should consider the extent to which the project may increase or reduce greenhouse gas emissions as compared to the existing environmental setting.
- A lead agency should consider the extent to which the project complies with regulations or requirements adopted to implement a statewide, regional, or local plan for the reduction or mitigation of GHG emissions.

In the absence of quantitative significance thresholds in CEQA guidance, this analysis turns to other programs. For example, the CARB Mandatory Reporting program requirements are triggered for sources of GHG emissions exceeding 2,500 $MTCO_2e$) per year. AB 32 requires California agencies to take actions that will reduce GHG emissions by 2020 to the levels of 1990, and then substantially further reduce emissions by 2050.

The MBARD drafted potential quantitative thresholds for projects undergoing CEQA review in February 2014. The draft thresholds include an annual threshold of 10,000 metric tons for stationary sources and a tiered approach for land use projects, whereby one of the following is applied: a bright-line (numeric) threshold of 2,000 metric tons annually; or compliance with an adopted climate action plan. Although MBARD has adopted a GHG threshold for stationary source projects that rely on operational processes and equipment that are subject to MBARD permitting requirements, land use projects do not have a formally adopted policy recommending any specific threshold.

Analysis Methodology

For CEQA analyses, project related GHG impacts can be categorized as either direct or indirect. Direct emissions refer to those emitted by stationary sources at the project site or caused by project activity on-site, and these emissions are normally within control of the project sponsor or applicant. Indirect emissions include those emissions that are not within the direct control of the project sponsor or applicant, but may occur as a result of the project, such as the motor vehicle emissions induced by the project. Indirect emissions include emissions from any off-site facilities used for project support as a result of the construction or operation of a project, and these emissions are likely to occur outside the control of the project far off-site or even outside of California.

The effects of the project are also considered based on whether the project implements reduction strategies identified in AB 32, the Governor's Executive Order S-14-08, or other strategies to help reduce GHGs to the level proposed by the Governor. If so, it could reasonably follow that the project would not result in a significant contribution to the cumulative impact of global climate change.

GHG emissions contribute, on a cumulative basis, to the significant adverse environmental impacts of global climate change. The analysis of GHG emissions impacts is, by its nature, a cumulative impact analysis, as no one project can influence climate by its own GHG emissions added to the environmental baseline. It is the combined contribution of all GHG sources globally that results in increased concentrations of GHGs that have climate change potential. Also, unlike other air pollutants, there is no local or regional existing environmental setting of GHG concentrations to use as a baseline for environmental effects, as the greenhouse effects of GHGs take place in the upper atmosphere and GHG emissions, regardless of where initially emitted, disperse and mix in the atmosphere globally.

That the GHG emissions of past, present and future projects are resulting in cumulative impacts globally is recognized in the CEQA statute and the CEQA Guidelines. As noted above, per CEQA Guidelines Section 15064.4 the question then becomes whether the emissions of a project (in this case implementation of a citywide General Plan) would make a cumulatively considerable contribution to the acknowledged cumulative effects of global greenhouse gas emissions.

Summary of No and/or Beneficial Impacts

None.

Project Impacts and Mitigation Measures

Impact GHG-1: Generate cumulative greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment. This is considered a **potentially significant** impact.

The City's greenhouse gas reduction strategies are included as General Plan principles, goals and policies that are designed to help the City sustain its natural resources, grow efficiently, and meet state legal requirements for greenhouse gas (GHG) emissions reduction.

The State of California has developed various policies, programs and regulations aimed at achieving the State's emissions reduction goals under AB 32. Many of these statewide actions will result in emissions reductions at the local level. Pavley I (California Clean Car Standards) and the Low Carbon Fuel Standard were considered when the original emissions estimates were made.

On the local level, future growth would be accommodated through infill development resulting in new greenhouse gas emissions. Multiple aspects of the General Plan have greenhouse gas implications, including land use, housing, transportation, water usage, and solid waste generation and recycling.

No one project (including implementation of the City's General Plan over an approximately 25-year period) can influence climate to the extent it can be traced as a cause and effect of the individual project, especially to the local or regional environment. Global emissions, annually and cumulatively, would not be substantially different considering the GHG emissions from Scotts Valley due to implementation of the General Plan.

While emissions from a city the size of Scotts Valley may be relatively small compared to cumulative emissions globally, it is recognized that efforts are needed at the local level all over the world to reduce community contributions to GHG emissions and global climate effects. The State of California has adopted a Climate Change Scoping Plan that considers that California's population and employment will grow at the same time emissions statewide are targeted to be reduced. It identifies measures to reduce greenhouse gas emissions from the transportation,

energy, agriculture, water, waste and other sectors and these reductions, as well as population and employment growth, would not be spread evenly across the state.

As described in the Open Space & Conservation Element, Goal OSC-5 and associated policies require integrated air quality, land use and transportation planning and promote the increased use of renewable energy sources to reduce the emission of criteria pollutants and greenhouse gases from mobile sources; and to promote building techniques that increase energy efficiency. Relevant policies include:

Policy OSC-5.4 Renewable Energy Strategies encourages the implementation of energy strategies to increase the local use and production of renewable energy.

Policy OSC-5.6 Reduce Automobile Pollution requires the City to promote the implementation of circulation system improvements that can reduce local consumption of fossil fuels.

Policy OSC-5.7 Concentration of Higher-Density Land Uses encourages the City concentrate commercial, mixed-use, and high-density residential development along transit corridors, at major intersections, and near activity centers that can be served efficiently by public transit and alternative transportation modes.

Policy OSC-5.9 Reduction in GHG Emissions encourages reduction in greenhouse gas emissions, including alternatives to use of gas-powered vehicles. Such alternatives include public transit, alternatively fueled vehicles, bicycle and pedestrian routes, and bicycle- and pedestrian-friendly development design.

Policy OSC-5.21 Energy-Efficient Design Features encourages new development to incorporate energy-efficient design features for HVAC, lighting systems, and insulation that exceed Title 24 standards.

Given the size of Scotts Valley and the relatively low amount of future development activity (which is essentially unchanged from the previous 1994 General Plan), the magnitude of the increase in annual emissions from Scotts Valley are not anticipated to interfere with the State of California in meeting their future long-term for GHG emissions as long as Scotts Valley grows in an efficient manner, which is well within the assumptions for regional (AMBAG) and statewide growth.

Given the fact that the City is largely built out, and there are a number of relevant General Plan goals and polices that would help reduce greenhouse gas emissions, implementation of the General Plan would not exceed the criteria for a making a cumulatively considerable contribution to cumulative greenhouse gas emissions impacts and global climate change, and cumulative impacts would be **less than significant,** and no mitigation is required.

Impact GHG-2: Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases. This is considered a **potentially significant** impact.

As described in the Open Space & Conservation and Safety & Noise Elements, there are a number of polices that require the City work with relevant local, state, and federal agencies to implementing air quality management plans which are designed in part to reduce greenhouse gas emissions. Relevant policies include:

Policy OSC-5.1 Maintain and Improve Air Quality encourages cooperation with regional agencies – including the Monterey Bay Air Resources Board (MBARD), the Santa Cruz County Regional Transportation Commission (SCCRTC), and the Association of Monterey Bay Area Governments (AMBAG) in developing and implementing air quality management plans.

Policy OSC-5.2 State and Regional Collaboration encourages participation in regional, state, and federal efforts addressing renewable energy sources, energy efficiency, greenhouse gas emissions, and reduced consumption of natural resources.

Policy OSC-5.3 Renewable Energy Research and Education requires the City to support State and federal legislation promoting research and education on renewable energy and other technologies.

Action SN-4.2 Coordination with the Monterey Bay Air Resources Board requires the City to work with the Monterey Bay Air Resources Board, the Association of Monterey Bay Area Governments (AMBAG) and, to the extent feasible, meet federal and State air quality standards for all pollutants; and to ensure that new measures can be practically enforced in the region, participate in future amendments and updates of the Air Quality Management Plan (AQMP) for the Monterey Bay Region.

Given the fact that the City is largely built out, and there are a number of relevant General Plan polices that require the City to work in cooperation with relevant agencies regarding plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases, implementation of the General Plan would not exceed the criteria for a making a cumulatively considerable contribution to cumulative greenhouse gas emissions impacts and global climate change, and cumulative impacts would be **less than significant** and no mitigation is required.

HAZARDS & HAZARDOUS MATERIALS

Applicable Regulations, Plans, and Standards

Definition of Hazardous Materials

A material is considered hazardous if it appears on a list of hazardous materials prepared by a federal, state, or local agency, or if it has characteristics defined as hazardous by such an agency. A hazardous material is defined in Title 22 of the California Code of Regulations (CCR) as:

> *"…a substance or combination of substances which, because of its quantity, concentration, or physical, chemical or infectious characteristics, may either (1) cause, or significantly contribute to, an increase in mortality or an increase in serious irreversible, or incapacitating reversible, illness; or (2) pose a substantial present or potential hazard to human health or environment when improperly treated, stored, transported or disposed of or otherwise managed (California Code of Regulations, Title 22, Section 66260.10)."*

Chemical and physical properties cause a substance to be considered hazardous, including the properties of toxicity, ignitability, corrosivity, and reactivity. These terms are defined in the CCR, Title 22, Sections 66261.20-66261.24. Factors that influence the health effects of exposure to hazardous material include the dose to which the person is exposed, the frequency of exposure, the exposure pathway, and individual susceptibility.

Federal Regulations

Federal Toxic Substances Control Act

Congress enacted the Toxic Substances Control Act (TSCA) in 1976, to become effective January 1, 1977. The act authorizes EPA to secure information on all new and existing chemical substances and to control any of these substances determined to cause an unreasonable risk to public health or the environment. TSCA also includes requirements for the storage, use, and disposal of PCB containing materials.

Clean Water Act/SPCC Rule

The Clean Water Act (CWA) (33 U.S.C. Section 1251 et seq., formerly the Federal Water Pollution Control Act of 1972), was enacted with the intent of restoring and maintaining the chemical, physical, and biological integrity of the waters of the United States. The CWA requires states to set standards to protect, maintain, and restore water quality through the regulation of point source and certain non-point source discharges to surface water. Those discharges are regulated by the National Pollutant Discharge Elimination System (NPDES) permit process (CWA Section 402). In California, NPDES permitting authority is delegated to, and administered by, the

nine Regional Water Quality Control Boards (RWQCBs). The proposed project is within the jurisdiction of the Central Coast RWQCB.

Section 402 of the Clean Water Act authorizes the California State Water Resources Control Board (SWRCB) to issue NPDES General Construction Storm Water Permit (Water Quality Order 99-08-DWQ), referred to as the "General Construction Permit." Construction activities can comply with and be covered under the General Construction Permit provided that they:

- Develop and implement a Storm Water Pollution Prevention Plan (SWPPP) which specifies Best Management Practices (BMPs) that would prevent all construction pollutants from contacting stormwater and with the intent of keeping all products of erosion from moving off-site into receiving waters;
- Eliminate or reduce non-stormwater discharges to storm sewer systems and other waters of the nation; and
- Perform inspections of all BMPs.

- Projects that disturb one or more acres are required to obtain NPDES coverage under the Construction General Permits.

Hazardous Materials Release Response Plans and Inventory Act of 1985

The California Health and Safety Code, Division 20, Chapter 6.95, known as the Hazardous Materials Release Response Plans and Inventory Act or the Business Plan Act, requires businesses using hazardous materials to prepare a plan that describes their facilities, inventories, emergency response plans, and training programs.

Hazardous Waste Control Act

The Hazardous Waste Control Act (HWCA) created the State hazardous waste management program, which is similar to but more stringent than the federal RCRA program. HWCA is implemented by regulations contained in Title 26 of the CCR, which describes the following required aspects for the proper management of hazardous waste: identification and classification; generation and transportation; design and permitting of recycling, treatment, storage, and disposal facilities; treatment standards; operation of facilities and staff training; and closure of facilities and liability requirements.

Department of Toxic Substance Control (DTSC)

DTSC is a department of Cal EPA and is the primary agency in California that regulates hazardous waste, cleans up existing contamination, and looks for ways to reduce the hazardous waste produced in California. DTSC regulates hazardous waste in California primarily under the authority of the federal RCRA and the California Health and Safety Code (primarily Division 20, Chapters 6.5 through 10.6, and Title 22, Division 4.5). Other laws that affect hazardous waste

are specific to handling, storage, transportation, disposal, treatment, reduction, cleanup, and emergency planning. Government Code §65962.5 (commonly referred to as the Cortese List) includes DTSC-listed hazardous waste facilities and sites, California Department of Health Services (DHS) lists of contaminated drinking water wells, sites listed by the SWRCB as having UST leaks and which have had a discharge of hazardous wastes or materials into the water or groundwater, and lists from local regulatory agencies of sites that have had a known migration of hazardous waste/material.

Regional Water Quality Control Board

The RWQCB enforces laws and regulations governing releases of hazardous substances and petroleum pursuant to pursuant to Division 20, Chapters 6.7, 6.75, and 6.8 of the California Health and Safety Code (Sections 25100, 25200 and 25300 et seq.), and the Porter Cologne Water Quality Control Act (Division 7, Section 13100 et seq. of the California Water Code) and CCR Title 23. In particular, the RWQCB focuses on all petroleum releases and those hazardous substance releases that may impact groundwater or surface water.

California Office of Emergency Services (OES)

To protect the public health and safety and the environment, the California OES is responsible for establishing and managing statewide standards for business and area plans relating to the handling and release, or threatened release, of hazardous materials. Basic information on hazardous materials handled, used, stored, or disposed of (including location, type, quantity, and the health risks) needs to be available to firefighters, public safety officers, and regulatory agencies. This information must be included in business plans to prevent or mitigate the damage to the health and safety of persons and the environment from the release or threatened release of these materials into the workplace and environment.

These regulations are covered under Chapter 6.95 of the California Health and Safety Code Article 1– Hazardous Materials Release Response and Inventory Program (Sections 25500 to 25520) and Article 2– Hazardous Materials Management (Sections 25531 to 25543.3). CCR Title 19, Public Safety, Division 2, Office of Emergency Services, Chapter 4–Hazardous Material Release Reporting, Inventory, and Response Plans, Article 4 (Minimum Standards for Business Plans) establishes minimum statewide standards for Hazardous Materials Business Plans (HMBPs).

Occupational Safety and Health Administration (OSHA)

OSHA's mission is to ensure the safety and health of workers by setting and enforcing standards; providing training, outreach, and education; establishing partnerships; and encouraging continual improvement in workplace safety and health. OSHA standards are listed in Title 29 CFR Part 1910.

State Regulations

California Health and Safety Code

Santa Cruz County is currently responsible for implementing Chapter 6.95 of Division 20 of the California Health and Safety Code (Section 25500 et seq.), relating to hazardous materials release response plans and inventory.

California Water Code

California Water Code Section 231 requires the California Department of Water Resources (DWR) to develop well standards to protect California's ground water quality. DWR Bulletin 74-90 (Supplement to Bulletin 74-81), California Well Standards, Water Wells, Monitoring Wells, Cathodic Protection Wells, June 1991, contains the minimum requirements for constructing, altering, maintaining, and destroying these types of wells. The standards apply to all water well drillers in California and the local agencies that enforce the standards.

Local Regulations

City of Scotts Valley Emergency Operations Plan (2015)

The City of Scotts Valley Emergency Operations Plan addresses the City's responsibilities in emergencies associated with natural disaster, human-caused emergencies and technological incidents. It provides a framework for coordination of response and recovery efforts within the City in coordination with local, State, and federal agencies. The Plan establishes an emergency organization to direct and control operations during a period of emergency by assigning responsibilities to specific personnel. The plan is an extension of the California Emergency Plan and is revised periodically as conditions warrant. The Plan meets the requirements of The State's policies on Emergency Response and Planning, the Standardized Emergency Management System (SEMS) Operational Area response and defines the primary and support roles of City personnel and departments in post-incident damage assessment and After-Action reporting requirements.

Santa Cruz County Hazardous Materials Program

The Santa Cruz County Health Environmental Health Division manages and regulates the storage, use and disposal of hazardous wastes through the Hazardous Materials Program. This Program provides measures for hazardous waste on-site treatment, spill prevention control and countermeasures for aboveground and underground storage tanks, site mitigation and risk management and prevention.

Impacts of the Project

Significance Criteria

An impact of the project would be considered significant and would require mitigation if it would meet one of the following criteria:

- Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials.
- 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.
- Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school.
- 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, create a significant hazard to the public or the environment.
- 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, result in a safety hazard for people residing or working in the project area.
- 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.
- Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan.
- 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. *(Addressed in the Wildfire analysis below)*.

Analysis Methodology

This analysis of hazards, human health and risk of upset included the review of existing documentation, including applicable local, state, and federal regulations.

Summary of No and/or Beneficial Impacts

The Planning Areas is not located within two miles of a public airport or public use airport, or within the vicinity of a private airstrip and therefore there would be no impacts.

Project Impacts and Mitigation Measures

Impact HAZ-1: Implementation of the General Plan may result in the discovery of known and unknown hazardous material contamination in areas proposed for development under the General Plan. This is considered a **potentially significant** impact.

Implementation of the General Plan may result in known and unknown hazardous materials being discovered or encountered at specific project sites. Historically, much of the land outside the City limits but within the Planning Area is forest land and contains dispersed rural residential development. In addition, urban land uses (e.g., commercial and industrial uses) also can result in hazardous materials contamination. It is common on rural residential and industrial parcels to find sheds and vehicle repair areas with evidence of stored or spilled fluids, pesticides/herbicides and other chemicals.

There are a number of electrical transformers throughout the Planning Area that may contain polychlorinated biphenyls (PCBs). PCB transformers may be located within the existing City limits and outlying areas. There are no known leaking PCB transformers in the existing City limits that pose a threat to human health or safety. However, the City and PG&E must comply with federal and state EPA regulations regarding the maintenance, storage, operation, or disposal of PCB-containing equipment.

Until 1980, numerous types of building materials, such as roofing paper, shingles, drywall, drywall texturing, linoleum, and mastic, contained considerable amounts of asbestos. Many of the existing structures in the Planning Area were built prior to 1980, and therefore may have friable asbestos containing materials (ACMs). Many of these buildings may be demolished and/or removed due to development associated with the General Plan. Based on the age of the structures, removal or disturbance of these structures may result in the airborne release of asbestos from ACMs.

In 1978, EPA regulations were adopted prohibiting the use of lead in paints and other construction materials. There are several buildings and structures located in the Planning Area that were constructed prior to 1978. Therefore, it is likely that many of the older structures contain lead-based paint materials. Implementation of the General Plan may include the demolition and removal of some of these structures.

Scotts Valley Dry Cleaners

As described in the Revised Remedy Optimization Report by Arcadis (June 2015), beginning in 1999, the presence of PCE was detected migrating from the Scotts Valley Dry Cleaners (SVDC), located north of Mount Hermon Road within the Town Center Specific Plan area. A release resulting in PCE and TCE impacts to groundwater at the SVDC occurred sometime after 1985. PCE has been detected in groundwater up to a concentration of 29,000 µg/L.

Groundwater remediation has focused on the groundwater beneath the SVDC. Several remedial technologies have been employed for shallow soil and groundwater including soil vapor extraction, air sparge, carbohydrate solution injection, high vacuum dual phase extraction, groundwater extraction, and permanganate injection, resulting in improvements in perched groundwater quality.

On-going comprehensive groundwater monitoring and sampling, including wells at the SVDC, is being carried out to support the delineation of the extent of the PCE plume. Additionally, pump and operating equipment has been installed to capture the SVDC PCE plume in wells with concentrations above clean-up standards.

As described in the Safety & Noise Element, Goal SN-4 and associated policies seek to protect human life and prosperity and to minimize injury, economic damage, and social dislocation resulting from disasters related to hazardous materials. Relevant policies include:

Policy SN-4.9 Hazardous Material Program requires the City to continue to administer through the County Comprehensive Hazardous Materials Program, pursuant to Chapter 6.95 of the California Health and Safety Code.

Policy SN-4.12 Site Assessments requires site assessments for hazardous and toxic soil contamination prior to approving development project applications.

Implementation of the above goal and policies, as well as enforcement of the local, State and federal regulations described above, would effectively mitigate potential hazards and hazardous materials impacts to a **less than significant** level and no mitigation is required.

Impact HAZ-2: Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan. This is considered a **less than significant** impact.

Implementation of the General Plan would not conflict with the City of Scotts Valley Emergency Operations Plan nor other emergency plans as prepared by relevant agencies including the Scotts Valley Fire District and Santa Cruz County. As described in the Safety & Noise Element, the General Plan requires the City to coordinate emergency operations on a local and regional basis. In particular:

Policy SN-4.1 County Coordination requires the City to coordinate with the Santa Cruz County Department of Environmental Health Services on enforcement of State and local statutes and regulations pertaining to hazardous materials and waste storage, use, and disposal.

Policy SN-4.2 Storage and Handling Hazardous Materials requires the City, in coordination with the County Department of Environmental Health Services, to control the use storage and handling of hazardous materials. It also requires that the control of hazardous materials waste

and disposal of hazardous materials shall be consistent with Santa Cruz County Hazardous Materials Program, and state requirements.

Implementation of the above policies, as well as enforcement of the local, State and federal regulations described above, would ensure that the City is consistent with local and state emergency plans. Therefore, impacts would be **less than significant,** and no mitigation is required.

HYDROLOGY & WATER QUALITY

Applicable Regulations, Plans, and Standards

Federal

Clean Water Act

The Clean Water Act (CWA) (33 U.S.C. Section 1251 et seq.), formerly the Federal Water Pollution Control Act of 1972, was enacted with the intent of restoring and maintaining the chemical, physical, and biological integrity of the waters of the United States. The CWA establishes the basic structure for regulating discharges of pollutants into the waters of the United States (U.S.) and has given the U.S. Environmental Protection Agency (U.S. EPA) the authority to implement pollution control programs. The CWA requires states to set standards to protect, maintain, and restore water quality through the regulation of point source and certain non-point source discharges to surface water. Those discharges are regulated by the National Pollutant Discharge Elimination System (NPDES) permit process (CWA Section 402). In California, NPDES permitting authority is delegated to, and administered by, the nine Regional Water Quality Control Boards (RWQCBs). The proposed project is within the jurisdiction of the Central Coast RWQCB.

Section 402 of the Clean Water Act authorizes the California State Water Resources Control Board (SWRCB) to issue NPDES General Construction Storm Water Permit (Water Quality Order 99-08-DWQ), referred to as the "General Construction Permit." Construction activities can comply with and be covered under the General Construction Permit if they:

- Develop and implement a Storm Water Pollution Prevention Plan (SWPPP) which specifies Best Management Practices (BMPs) that would prevent all construction pollutants from contacting storm water and with the intent of keeping all products of erosion from moving off-site into receiving waters.
- Eliminate or reduce non-storm water discharges to storm sewer systems and other waters of the nation.
- Perform inspections of all BMPs.

Section 401 of the CWA requires that any activity—including river or stream crossing during road, pipeline, or transmission line construction—that may result in discharges into a State waterbody be certified by the RWQCB. This certification ensures that the proposed activity does not violate State and/or federal water quality standards. The limits of non-tidal waters extend to the Ordinary High-Water Mark (OHWM), which is defined as the line on the shore established by the fluctuation of water and indicated by physical characteristics, such as natural line impressed on the bank, changes in the character of the soil, and presence of debris. The

U.S. Army Corps of Engineers (USACE) may issue either individual, site-specific permits or general, nationwide permits for discharge into US waters.

Section 404 of the CWA requires a permit for construction activities involving placement of any kind of fill material into waters of the U.S. or wetlands. A Water Quality Certification pursuant to Section 401 of the CWA is required for Section 404 permit actions. If applicable, construction would also require a request for Water Quality Certification (or waiver thereof) from the RWQCB.

When an application for a Section 404 permit is made, the applicant must show it has:

- Taken steps to avoid impacts to wetlands or waters of the U.S. where practicable;
- Minimized unavoidable impacts on waters of the U.S. and wetlands; and
- Provided mitigation for unavoidable impacts.

Section 303(d) of the CWA (CWA, 33 USC 1250, et seq., at 1313(d)) requires states to identify "impaired" water bodies as those which do not meet water quality standards. States are required to compile this information in a list and submit the list to U.S. EPA for review and approval. An affected waterbody, and associated pollutant or stressor, is then prioritized in a list of impaired water bodies known as the 303(d) List. The CWA further requires the development of a Total Maximum Daily Load (TMDL) for each listing.

National Flood Insurance Program (NFIP)

The NFIP, implemented by the Congress of the United States in 1968, enables participating communities to purchase flood insurance. Flood insurance rates are set according to flood-prone status of property as indicated by FIRMs developed by the FEMA. FIRMs identify the estimated limits of the 100-year floodplain for mapped watercourses, among other flood hazards. As a condition of participation in the NFIP, communities must adopt regulations for floodplain development intended to reduce flood damage for new development through such measures as flood proofing, elevation on fill, or floodplain avoidance.

State

Senate Bill (SB) 610

SB 610 was passed on January 1, 2002, amending California state law to require detailed analysis of water supply availability for large development projects. An SB 610 Water Supply Assessment (WSA) must be prepared if the following three conditions are met: 1) the proposed project is subject to CEQA under Water Code Section 10910; 2) the proposed project meets criteria to be defined as a "Project" under Water Code Section 10912; and 3) the applicable water agency's current Urban Water Management Plan (UWMP) does not account for the

water supply demand associated with the proposed project. A proposed project would meet the definition of "Project" per Water Code Section 10912 if it is:

- A proposed residential development of more than 500 dwelling units;
- A proposed shopping center or business establishment employing more than 1,000 persons or having more than 500,000 square feet of floor space;
- A proposed commercial office building employing more than 1,000 persons or having more than 250,000 square feet of floor space;
- A proposed hotel or motel, or both, having more than 500 rooms;
- A proposed industrial, manufacturing, or processing plant, or industrial park planned to house more than 1,000 persons, occupying more than 40 acres of land, or having more than 650,000 square feet of floor area;
- A mixed-use project that includes one or more of the projects specified in this subdivision; or
- A project that would demand an amount of water equivalent to, or greater than, the amount of water required by a 500-dwelling unit project (DWR, 2003).

Porter-Cologne Water Quality Control Act

SWRCB regulates water quality through the Porter-Cologne Water Quality Act of 1969, which contains a complete framework for the regulation of waste discharges to both surface waters and groundwater of the state. On the regional level, the proposed project falls under the jurisdiction of the Central Coast RWQCB, Region 3, which is responsible for the implementation of state and federal water quality protection statutes, regulations and guidelines.

California Department of Fish & Wildlife Code

Section 1602 of the California Department of Fish & Wildlife (CDFW) Code protects the natural flow, bed, channel, and bank of any river, stream, or lake designated by the CDFW in which there is, at any time, any existing fish or wildlife resources, or benefit for the resources. Section 1602 applies to all perennial, intermittent, and ephemeral rivers, streams, and lakes in the state, and requires any person, state or local governmental agency, or public utility to notify the CDFW before beginning any activity that will:

- Substantially divert or obstruct the natural flow of any river, stream or lake;
- Substantially change or use any material from the bed, channel, or bank of, any river, stream, or lake; or
- Deposit or dispose of debris, waste, or other material containing crumbled, flaked, or ground pavement where it may pass into any river, stream, or lake.

A Streambed Alteration Agreement is required prior to any construction if CDFW determines that a project could substantially adversely affect an existing fish and wildlife resource. The Agreement includes measures to protect fish and wildlife resources while conducting the project. CDFW must comply with CEQA before it may issue a final Agreement; therefore, CDFW must wait for the lead agency to fully comply with CEQA before it finalizes the Agreement.

California Water Code §13050-§13260

California Water Code §13050. California Water Code §13050(e) defines "waters of the state" as "any surface water or groundwater, including saline waters, within the boundaries of the state." California Water Code §13260 requires that any person discharging waste, or proposing to discharge waste, within any region that could affect the quality of the waters of the State, other than into a community sewer system, must submit a report of waste discharge to the applicable RWQCB.

Central Coast RWQCB Post-Construction Stormwater Management Requirements

In July 2013, the Central Coast Regional Water Quality Control Board (RWQCB) adopted Order R3-2013-0032, which requires new and more stringent Post-Construction Requirements (PCRs) for proposed development projects. The PCRs mandate that development projects use Low Impact Development (LID) features and facilities to detain, retain, and treat site runoff. LID incorporates and conserves on-site natural features, together with constructed hydrologic controls to more closely mimic pre-development hydrology and watershed processes. Projects that receive their first discretionary approval after March 6, 2014, are subject to the PCRs if they create or replace 2,500 sf or more of impervious area.

The PCR tiers range from Tier 1 to Tier 4, with requirements strengthened for each additional tier. Tier 4 projects have the most stringent requirements. For these projects which create or replace 22,500 sf or more of impervious surface, post-development peak flows discharged from the project site must not exceed pre-project peak flows for the 2-year through 10-year storm events. This requirement is in addition to other requirements for Tier 1-3 projects.

Impacts of the Project

Significance Criteria

An impact of a project would be considered significant and would require mitigation if it would meet one of the following criteria.

- Violate any water quality standards or waste discharge requirements, create any substantial new sources of polluted runoff, or otherwise degrade surface water or groundwater quality.

- Substantially decrease groundwater supplies or interfere substantially with groundwater recharge, such that the project may impede sustainable groundwater management of the basin.
- Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river or through the addition of impervious surfaces, in a manner which would
    - Result in substantial erosion or siltation on- or offsite.
    - Substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or offsite.
    - Create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff.
    - Impede or redirect flood flows
- In flood hazard, tsunami, or seiche zones, risk release of pollutants due to project inundation.
- Conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan.

Analysis Methodology

The programmatic hydrology and water quality analysis is based on the City of Scotts General Plan and Zoning Code; published information and technical reports regarding local and regional hydrology, climate, and geology; and letters received from Responsible Agencies during the Notice of Preparation review period.

Summary of No and/or Beneficial Impacts

The Planning Area is not subject to inundation by seiche, tsunami, or mudflow. Therefore, these thresholds are not evaluated further as there would be no impact.

Project Impacts and Mitigation Measures

Impact HYD-1: Contribute to the depletion of local groundwater supplies or interfere with groundwater recharge causing a cumulatively considerable impact. This is considered a **potentially significant** impact.

The project could substantially deplete local and regional (cumulative) groundwater supplies or interfere with groundwater recharge if it:

- Caused the groundwater basin to be in overdraft;

- Caused substantial and permanent groundwater level drawdowns;
- Negatively affected the quality of the groundwater; or
- Substantially reduced the natural recharge of the basin through reduction of stream flows or reduction of infiltration.

Groundwater Demand

As described in the Open Space & Conservation Element and shown in Figure OSC-2: Watersheds, the Santa Margarita Groundwater Basin (SMGB) is a primary water supply source for Scotts Valley. Two public water agencies, the Scotts Valley Water District (SVWD or District) and the San Lorenzo Valley Water District (SLVWD) serve the Scotts Valley area.

The SLVWD's boundaries comprise approximately 60 square miles and 190 miles of pipeline. The District currently provides service to approximately 7,900 residential, commercial, and institutional connections. The District relies on both surface water and groundwater resources, including nine currently active stream diversions, one groundwater spring, and eight active groundwater wells. The District owns, operates, and maintains two water systems from separate water sources. These sources are derived solely from rainfall within the San Lorenzo River watershed.

The SVWD in partnership with other local agencies has actively managed groundwater in the area since the early 1980s in an effort to increase water supply reliability and to protect local water supply sources. In June of 2017 SVWD, SLVWD and the County of Santa Cruz formed the Santa Margarita Groundwater Agency (SMGWA), which is responsible for ensuring the sustainable groundwater management in the SBGB. The SMGMA is currently preparing a Groundwater Sustainability Plan to manage the long-term supply and use of groundwater in the basin. The SVWD formally adopted its Groundwater Management Plan in 1994 under Assembly Bill 3030 (AB3030). Annual reports describing the groundwater conditions in the Scotts Valley area and the District's management programs have been prepared since 1994.

As described in the most recent annual report (SVWD 2020), District groundwater pumping continues to be substantially less than historical pumping. Groundwater pumped by SVWD in Water Year (WY) 2019 was 1,215 acre-feet, which is similar to the previous three year's pumping. The District's groundwater pumping is now just under 885 acre-feet less than the historical maximum pumping from 1997. In WY2020, approximately 64% of SVWD's groundwater production was from the Lompico aquifer and 36% was from the Butano aquifer. The District has no wells pumping from the Santa Margarita aquifer or Monterey formation.

SVWD maintains a number of ongoing activities to support the sustainable management of the groundwater resource including water use efficiency, a recycled water program, and water audit and loss control program. In WY2020, recycled water deliveries were approximately 178 acre-feet. Since WY2002, approximately 2,670 acre-feet of recycled water has been delivered

for use. Cumulative recycled water deliveries equate to banking more than twice the volume of groundwater that was pumped by SVWD in WY2020. The following discussion of groundwater conditions is summarized from the District's *Groundwater Management Plan Annual Report – WY2020*.

Santa Margarita Aquafer and Monterey Formation Groundwater Levels

The two shallowest formations in the Scotts Valley area, the Santa Margarita aquifer and Monterey Formation, have stable and increasing groundwater level trends, respectively. The District does not pump groundwater from the Santa Margarita aquifer but continues to monitor its groundwater levels. In general, the Santa Margarita aquifer in the District's service area has stable groundwater levels with temporary increases in response to wet years. For example, WY2017 was a very wet year that caused a temporary increase in groundwater levels, which has since declined slightly. The Monterey Formation is not a major aquifer in the Scotts Valley area and is pumped minimally by the District (12 acre-feet over the past three years) and has experienced an overall gradual increase in groundwater levels since WY2014. In WY2019, Monterey Formation groundwater levels in the southern portion of the District service area (at SVWD Well #9) increased almost five feet.

Lompico Aquifer Groundwater Levels

Even though the Lompico aquifer is the District's primary producing aquifer, over the past two years there has been an overall increasing trend in groundwater levels in the main pumping areas around SVWD Well #10, and Wells #11A and #11B where the 150–200-foot decline in groundwater levels historical occurred. Static groundwater levels in WY2019 rose between nine and 18 feet at these production wells. At SVWD Well #10 in the southern portion of the District's service area there has been an approximately 25-foot increase in levels over the past two years. Increases at SVWD Wells #11A and #11B in the central portion of the District's service area, have also been observed over the past year. These increases likely resulted from reduced pumping but also the cumulatively above-average rainfall since the end of the drought in WY2015. Cumulatively greater than average rainfall has recharged the Lompico aquifer particularly in the area of SVWD Well #10A where the Lompico aquifer is directly beneath the Santa Margarita aquifer.

Butano Aquifer Groundwater Levels

Despite the increase in Butano aquifer pumping in WY2019 due to the Orchard Well coming online as a replacement for SVWD Well #7A, groundwater levels within the Butano aquifer pumping center (Orchard Well and Well #3B) have only shown a very slight decline of a foot or two. However, it is difficult to measure accurately from the hydrographs due to fluctuating data measured during pumping. In the northernmost portion of the District, at the Stonewood Well located approximately two miles north of the Butano aquifer pumping center, Butano aquifer groundwater levels have increased around four feet over the past six years.

Recycled Water Use

The Recycled Water Program has issued 56 permits in total, with four new connections issued in WY2020 (Figure 9). From WY2002 through WY2020, approximately 2,670 acre-feet of recycled water has been delivered to customers (Table 2). The cumulative use of recycled water since 2002 is equivalent to 220% of the District's groundwater pumping in WY2020. Since recycled water is used in-lieu of pumped groundwater, it is assumed that an equivalent volume of groundwater remains in the SMGB and is available to support future water supply needs.

Recycled water deliveries have increased annually from the program's inception through WY2013. Since 2013, deliveries have not increased much, but have fluctuated between 160 and 199 acre-feet per year. Deliveries in WY2020 increased slightly to approximately 178 acre-feet from 174 acre-feet in WY2019.

There is a strong correlation between rainfall and recycled water deliveries, with wet years such as Water Years 2017 and 2019 having reduced recycled water demand (Figure 9 and Table 2). Other reasons for decreased demand could be due to recycled water customers replacing their landscapes or improving their irrigation practices as a consequence of the drought and associated efforts to use water more efficiently.

As shown in Table ER-HYD-1: WY2011 to WY2020 SVWD Groundwater Pumping by Aquifer and Recycled Water Usage, total water supply has been generally the same over the last 10 years.

Table ER-HYD-1: WY2011 to WY2020 SVWD Groundwater Pumping by Aquifer and Recycled Water Usage

Aquifer	Historic Maximum	2011	2012	2013	2014	2015	2016	2017	2018	2019	2020
Groundwater	2,100 (1997)	1,292	1,351	1,400	1,376	1,133	1,139	1,242	1,211	1,215	1,215
Recycled Water	200 (2013)	163	184	200	199	184	195	162	196	174	178
Total Water Supply	**2,096 (2003)**	**1,455**	**1,535**	**1,600**	**1,575**	**1,317**	**1,334**	**1,404**	**1,407**	**1,389**	**1,393**

Note: All numbers are in acre-feet per Water Year.
Source: SVWD, Scotts Valley Water District Groundwater Management Plan Annual Report - Water Year 2020.

Groundwater Recharge

In July 2013, the Central Coast Water Quality Control Board adopted Order R3-2013-0032, which requires new and more stringent Post-Construction Requirements (PCRs) for proposed development projects. The PCRs mandate that development projects use Low Impact Development (LID) features and facilities to detain, retain, and treat site runoff. LID

incorporates and conserves on-site natural features, together with constructed hydrologic controls to more closely mimic pre-development hydrology and watershed processes.

All proposed future development projects would be subject to state PCRs, requiring the implementation of LID measures in conjunction with construction and operational phases of future development. A project's Stormwater Control Plan would need to incorporate LID design elements which would allow for infiltration and replenishment of the groundwater basin.

Future Water Supply and Demand

The Joint SLVWS and SVWD's Urban Water Management Plan (UWMP, 2020) projects future water supply and demand for normal, single, and multiple dry years taking into account both ground and recycled water use. By 2040, the SVWD projects a net surplus of 177 acre-feet per year during the normal year, 164 acre-feet per year during the single, and 160 acre-feet per year during the fifth year of a multiple dry-year event.

Based upon the SVWD 2020 Urban Water Management Plan, SVWD has adequate supply to meet demand during normal, single, and multiple-dry years. The incremental increase in water demand from future growth associated with implementation of the General Plan would not exceed the capacity of the water delivery system.

Recycled Water

In Water Year 2020 (WY20) SVWD supplied a total of 178 AF of tertiary treated water to 71 connections. Recycled water demand primarily occurs in the summer months for irrigation. SVWD provides recycled water for irrigation at parks, schools, homeowners associations, landscaped medians, and businesses. The two largest SVWD recycled water customers within SVWD's service area are the City and the School District, which make up approximately 33% of the total consumption. SVWD primarily serves customers within SVWD's service area; however, it also provides recycled water to the Spring Lakes Mobile Home Park (Spring Lakes MHP), which is located withing SLVWD's service area, to fill decorative ponds. The average demand for the Spring Lakes MHP over the last three years has been approximately 48 AFY.

Recycled water demand has been relatively flat for the last 9 years and it typically fluctuates based on the precipitation amount received in any given year. There has been an increase in recycled water customers over the years; however, the total demand has not increased significantly which is likely due to recycled water customers becoming more efficient like potable water customers.

Secondary treated water from the WRF that is not treated for recycled water or provided to the Pasatiempo Golf Course Tertiary Treatment Plant is discharged to the Pacific Ocean through the Santa Cruz ocean outfall.

SVWD recognizes that recycled water continues to be an important and reliable source of supplemental supply for the region as the population increases and climate change negatively impacts the natural recharge in the watershed. SVWD has completed evaluations of existing and future recycled water demands throughout the service area and region. SVWD's unique situation where groundwater is limited, and imported water is not available indicate that recycled water is an important element of SVWD's water portfolio. The reliability of the recycled water resource of SVWD is unaffected by climactic conditions given that the source of recycled water is wastewater.

The Santa Margarita Groundwater Basin Regional Groundwater Replenishment Program Draft Facilities Planning Report (Kennedy/Jenks Consultants, 2016b) indicated that up to 286 AFY of additional recycled water demand for irrigation exists in SVWD's service area. However, much of that demand is not likely to be served due to distance from recycled water infrastructure. Based on recent trends SVWD has established a planning-level assumption that recycled water use within SVWD's service area will moderately increase through 2045.

General Plan Implementation and Groundwater Use

As described in the Open Space & Conservation Element, Goal OSC-3 and associated policies seek to preserve surface and ground water supplies, reduce stormwater runoff, and improve and water quality in the Planning Area. Relevant policies include:

Policy OSC-3.4 Storm Drainage System would seek to maintain a storm drainage system which provides optimal flood protection and maximum groundwater recharge.

Policy OSC-3.6 Project Surface and Groundwater Supplies would maintain regulatory measures to protect streams, creeks, ponds, and aquifers from pollution due to toxic substances, and erosive forces.

Policy OSC-3.7 Development Impact to Groundwater Resources would, as part of the environmental review process, and in cooperation with the applicable water districts, require developers to evaluate the impact to local water resources. Where deemed appropriate, mitigation may include construction of recharge improvements.

Policy OSC-3.13 Water Use would encourage efficient water use methods such as the use of low-flow plumbing fixtures and water-wise landscaping in new and existing residences and businesses.

Policy OSC-3.17 Project Groundwater and Water Quality Impacts would require the City to use the environmental review process to determine potential groundwater and water quality impacts of new development.

Implementation of the above policies, enforcement of the local, State, and federal regulations, and on-going sustainable water management practices as implemented by the SVWD, the

SLVWD and the SMGWA would help to ensure that depletion of local groundwater supplies or interfere with groundwater recharge are minimized. Furthermore, while future development would result in moderate increase in water demand associated with residential and commercial use, it would not exceed groundwater supply and projections as identified by the SVWD and the SLVWD. Therefore, impacts to groundwater supply and recharge would be **less than significant** and no mitigation required.

Impact HYD-2: Increase stormwater runoff due to the increase in impervious surfaces. This is a **potentially significant** impact.

The rate and amount of surface runoff is determined by multiple factors, including the amount and intensity of precipitation; amount of water that enters a watershed; and the amount of precipitation and water that infiltrates to the groundwater. Infiltration is determined by several factors, including soil type, antecedent soil moisture, rainfall intensity, the amount of impervious surfaces within a watershed, and topography. The rate of surface runoff is largely determined by topography and the intensity of rainfall over a given period of time.

Buildout of the General Plan would involve grading activities typical of development on relatively flat terrain. Implementation of the General Plan over time would result in the eventual conversion land to residential, industrial, commercial, and public uses. The conversion of this land would increase the amount of surface area impervious to water, such as pavement, roofing and walkways, and would increase runoff and alter existing drainage patterns. Grading activities may alter existing drainage patterns stormwater and lead to erosion and siltation.

In cases where a future development project would disturb more than one acre of land, the project applicant would be required to submit a Notice of Intent to the State Board and apply for coverage under the State NPDES General Permit for Construction Activities, prepare a Stormwater Pollution Prevention Plan (SWPPP), and submit it for review and approval prior to commencing construction. In addition, the proposed project could create more (or less) impervious surface area and be subject to state Tier 4 PCRs, requiring the implementation of LID measures.

The SWPPP would detail the project site-specific BMPs to control erosion and sedimentation and maintain water quality during the construction phase of the proposed project. Potential erosion control plans could include silt fences, fiber rolls, drop inlet protection and curb inlet sediment barriers, and rocked construction site entrances. The SWPPP would also contain a summary of the structural and non-structural BMPs to be implemented during the post-construction period, pursuant to the nonpoint source practices and procedures as required by the City Public Works Department. Once grading begins, the SWPPP must be kept on-site and updated as needed while construction progresses.

As described in the Open Space & Conservation Element, Goal OSC-3 and associated policies seek to minimize stormwater runoff due to the increase in impervious surfaces in the Planning Area. Relevant policies include:

Policy OSC-3.5 Drainage Channels requires new development provide dedication of easements for natural drainage channels, where appropriate.

Policy OSC-3.14 Drainage Plans requires new development to protect water infiltration, purification, and retentive functions of natural systems that exist on the site.

Policy OSC-3.15 Impervious Surfaces requires new development to minimize the amount of impervious surfaces and shall be prohibited from having post-project peak stormwater runoff discharge rates exceeding the estimated pre-project rate.

Policy OSC-3.18 Water Quality Best Management Practices requires new development to implement best management practices that reduce stormwater runoff and water quality impacts associated with the construction and operation of the project.

Given the above policies, and the fact that local and state regulations require future project-specific applicants to prepare and submit a project SWPPP for review and approval prior to construction activities occurring on the project site, as well as adhere to Tier 4 PCR requirements for operation, the impacts from stormwater runoff would be **less than significant** and no mitigation is required.

Impact HYD-3: Substantially alter drainage patterns on- or off-site that would result in the storm water transport of contaminants, pollutants, bacteria, salts, and sediment into downstream facilities. This is considered a **potentially significant** impact.

As described in the Open Space & Conservation Element, Goal OSC-3 and associated policies seek to minimize stormwater transport of contaminants and sediment into downstream facilities in the Planning Area. Relevant policies include:

Policy OSC-3.1 Regional Collaboration – Stormwater requires the City to continue to partner with and support federal, state, and local agencies in regional planning and management initiatives to promote and enhance water quality in Scotts Valley and the region.

Policy OSC-3.8 Non-Point Source Pollution requires future development to minimize, avoid, or eliminate non-point source pollution by controlling stormwater runoff, polluted dry weather runoff, and other pollution, in compliance with Scotts Valley's National Pollutant Discharge Elimination System (NPDES) Permit and Stormwater Management Plan.

Policy OSC-3.9 Best Management Practices – Stormwater requires new development, public and private, to meet or exceed state stormwater requirements and incorporate best management practices.

Policy OSC-3.12 City Property Water Quality Maintenance requires the City to design, construct, and maintain City properties in a manner that maximizes water quality protection.

Policy OSC-3.14 Drainage Plans requires new development to protect water infiltration, purification, and retentive functions of natural systems.

Policy OSC-3.16 Prevent Contaminant Settling recommends utilizing natural features supplemented by engineering designs to prevent contaminants from settling over recharge areas while allowing percolation of non-contaminated water into the aquifer.

Policy OSC-3.17 Project Groundwater and Water Quality Impacts requires using the environmental review process to determine potential groundwater and water quality impacts of new development.

Policy OSC-3.18 Water Quality Best Management Practices requires new development to implement best management practices that reduce stormwater runoff and water quality impacts associated with the construction and operation of the project.

Given these policies and City and State regulations described above, impacts that would substantially alter drainage patterns on- or off-site that would result in the storm water transport of contaminants would be **less than significant** and no mitigation is required.

LAND USE & PLANNING

Applicable Regulations, Plans, and Standards

State

California General Plan

Pursuant to California State (Government Code section 65040), each city and county in California must prepare a comprehensive, long-term general plan to guide its future. Seven elements are required by State law: land use, circulation, housing, conservation, open space, noise and safety. By statute, the housing element must be updated every seven years. The City's updated General Plan is the subject of this EIR, but does not include the Housing Element, which will be updated at the intervals prescribed by State law. Communities may also adopt area and community plans, which are part of the general plan.

Local

Local Agency Formation Commission

Pursuant to State law enacted in 1963 (Government Code Section 54773 et seq.), a Local Agency Formation Commission (LAFCO) was established in each county to promote the orderly development of local government agencies, efficient provision of services, guide development away from prime agricultural land and discourage urban sprawl. In meeting its responsibility, LAFCO is required to review and approve or disapprove, with or without amendments, wholly, partially, or conditionally, governmental boundary change proposals with regards to Spheres of Influence, annexation, detachment, reorganization and/or extending a city's water or sewer service area. In addition to the regulatory responsibilities of LAFCO referred to above, the Commission is empowered to initiate and to make studies of existing governmental agencies. Such studies shall include but not be limited to inventorying such agencies and determining their maximum service areas and service capabilities.

Pursuant to State law, LAFCO must adopt a Sphere of Influence (SOI) for each governmental agency (including special districts. A sphere of influence means a plan for the probable future physical boundaries and service area of a local governmental agency that takes into account existing and future land uses, service needs and service capacities.

General Plan

The General Plan, as amended, establishes policies for the orderly growth and development of the City of Scotts Valley. Among other purposes, the plan identifies policies necessary to protect and enhance those features and services which contribute to the quality of life of the community in which it serves.

The General Plan is a comprehensive policy plan which sets forth a series of written statements (goals, policies and objectives) defining the direction, character and composition of future land use development, and establishes guidelines (policies and actions) necessary to attain conformance with the plan.

City of Scotts Valley Municipal Code

The City regulates land development through the Municipal Code within the City limits through the permitting process. All projects proposed subsequent to adoption of the new General Plan would undergo review by the Planning Commission and City Council as appropriate, consistent with current process, including Title 17 – Zoning.

Specific Plans

As described in the Land Use Element, the Town Center, Gateway South, and Glenwood Specific Plans are located in the City limits. These Specific Plans include policies, development standards, and design guidelines that provide direction for future development in their respective areas including the type, location and intensity of uses, their design, and capacity of infrastructure.

Special Treatment Areas

As described in the Land Use Element, the Bethany Neighborhood and Gateway South Special Treatment Areas are located in the City limits and provide land use guidance and regulatory requirements regarding future development.

Habitat Conservation Areas

As described in the Open Space & Conservation Element, there are three designated conservation areas within the Planning Area that are managed to preserve their habitat and plant and animal species: the Santa Cruz Sandhills, Glenwood Preserve, and Polo Ranch.

The *Sandhills Conservation and Management Plan: A Strategy for Preserving Native Biodiversity in the Santa Cruz Sandhills* (McGraw, 2004) provides a comprehensive strategy for the maintenance of native biodiversity in the Santa Cruz Sandhills.

The *Habitat Conservation Plan and Long-Term Management Plan for the Glenwood Preserve* (approved December 2017) describes the long-term management and monitoring of these species while providing very limited passive recreation use (trails).

The Polo Ranch homeowner association owns the 100-acres of open space within the Polo Ranch subdivision. A land trust is the easement holder for the fenced protected habitat, which is managed by an open space manager.

Impacts of the Project

Significance Criteria

An impact of the project would be considered significant and would require mitigation if it would meet one of the following criteria:

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

Analysis Methodology

The evaluation of potential land use impacts is based on the updated General Plan and policy documents and the Scotts Valley Municipal Code.

Project Impacts and Mitigation Measures

Impact LU-1: Physically divide an established community. This is considered a **less than significant** impact.

The City of Scotts Valley is a compact urban community that is surrounded by natural barriers to outward expansion. As described in the Land Use Element, developable areas within the City limits are largely built out. As an established community, new development accommodated by the General Plan would be considered infill development, both on limited remaining vacant lands or intensification and/or redevelopment on underutilized parcels.

Furthermore, General Plan goals, policies and actions that limit potential expansion of the City's boundaries. In particular Goal LU-2 and associated policies require the City to maintain a well-defined valley community with boundaries defined by the planning area's natural features and environmental functions. Policy LU-2.2 requires the City to preserve open space and maintain development at the edge of the City limits compatible with surrounding Santa Cruz County land uses.

Therefore, because future development would be within an established community, impacts would be **less than significant,** and no mitigation is required.

Impact LU-2: Cause a significant environmental impact due to a conflict with any land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect. This is considered a **less than significant** impact.

As shown in Figure LU-1: General Plan Land Use Designations, apart from minor updates to reflect past City approvals, the land use designations in the City of Scotts Valley and the Planning Area would remain the same as designated under the 1994 General Plan (as amended). The General Plan development capacity provides a reference point for how and

where such growth would be accommodated, and how the City and other public agencies would accommodate such growth, particularly with respect to infrastructure requirements (e.g., roads, water, sewer), and public services (e.g., police, fire, and parks & recreation).

As shown in Table LU-1: General Plan Buildout Summary, the General Plan assumes a more moderate growth rate that is less than the previous (1994) General Plan, and more consistent with actual growth trends over the past 20 + years, as well as projections as identified by the Association of Monterey Bay Area Governments (AMBAG).

The General Plan, by its definition, includes goals, policies, and actions that establish a framework for land use designations and orderly future development consistent with the General Plan's Vision & Guiding Principles. The Scotts Valley Municipal Code provides further development standards that would be applicable to all future development applications.

Because no substantially new land use designations are proposed, and future development applications would be reviewed for consistency with this General Plan, other relevant City plans, and City and State regulations, impacts would be **less than significant,** and no mitigation is required.

NOISE & VIBRATION

Applicable Regulations, Plans, and Standards

Federal

There are no federal noise requirements or regulations applicable to local actions. However, there are federal regulations that influence the audible landscape, where federal funding is involved. The Federal Highway Administration (FHWA) requires abatement of highway traffic noise for highway projects through rules in the Code of Federal Regulations (23 CFR Part 772), and the Federal Transit Administration (FTA) and Federal Railroad Administration (FRA) each recommend thorough noise and vibration assessments through comprehensive guidelines for any mass transit or high-speed railroad projects that would pass by residential areas. For housing constructed with assistance from U.S. Department of Housing and Urban Development, minimum noise insulation standards must be achieved (24 CFR Part 51, Subpart B).

State

California Government Code §65302(f)

California Government Code Section 65302(f) requires that each city and county general plan include a "noise element" that: "shall identify and appraise noise problems in the community"; "shall recognize the guidelines established by the Office of Noise Control"; and "shall analyze and quantify, to the extent practicable, as determined by the [city or county] legislative body, current and projected noise levels for all of the following sources:

- Highways and freeways,
- Primary arterials and major local streets,
- Passenger and freight on-line railroad operations and ground rapid transit systems,
- Commercial, general aviation, heliport, helistop, and military airport operations, aircraft overflights, jet engine test stands, and all other ground facilities and maintenance functions related to airport operation,
- Local industrial plants, including, but not limited to, railroad classification yards, [and]
- Other ground stationary noise sources, including, but not limited to, military installations, identified by local agencies as contributing to the community noise environment."

The recommendations established by the Office of Planning and Research are shown in in Table SN-1: CA State Land Use Compatibility Guidelines for Community Noise Environments of the Safety & Noise Element.

"Noise contours shall be shown for all of these sources and stated in terms of community noise equivalent level (CNEL) or day-night average level (Ldn). The noise contours shall be prepared on the basis of noise monitoring or following generally accepted noise modeling techniques for the various sources identified in paragraphs (1) to (6), inclusive." These "noise contours shall be used as a guide for establishing a pattern of land uses in the land use element that minimizes the exposure of community residents to excessive noise."

Finally, "[t]he noise element shall include implementation measures and possible solutions that address existing and foreseeable noise problems, if any. The adopted noise element shall serve as a guideline for compliance with the state's noise insulation standards."

The State of California establishes minimum noise insulation performance standards for hotels, motels, dormitories, apartment houses and dwellings other than detached single-family dwellings. Interior noise levels attributable to exterior sources shall not exceed 45 db in any habitable room, measured in either the day-night average sound level (Ldn) or the community noise equivalent level (CNEL), consistent with the General Plan, although Ldn is preferred, as set forth in the California Building Code (Title 24, Chapter 12 Appendix Section 1207.11.2). The Day-Night Average Sound Level (DNL) is a descriptor established by the U.S. Environmental Protection Agency to represent a 24-hour average noise level with a penalty applied to noise occurring during the nighttime hours (10 PM - 7 AM) to account for the increased sensitivity of people during sleeping hours.

Local

City of Scotts Valley General Plan

The Safety & Noise Element contains specific goals, policies and regulations that address noise standards and guidelines. A summary of these is addressed in the impacts section below.

City of Scotts Valley Municipal Code

Section 17.44.020.C3 of the Municipal Code (SVMC) states:

> Noise. At the lot line of all uses specified in Chapters 17.20, 17.22, 17.24, 17.26 and 17.28 of this title, the maximum sound generated by any user shall not exceed 75 dbA when adjacent users are industrial or wholesale users. When adjacent to offices or retail, the sound level shall be limited to seventy dbA. When users are adjacent or contiguous to residential, park or institutional uses, the maximum sounds level shall not exceed 60 dbA. Excluded from these standards are occasional noises which are specifically exempted under Section 5.17.030.
>
> The noises exempted under Section 5.17.030 include the proper use of a siren or other alarm by a police, fire, or other authorized emergency vehicle, a stationary fire alarm operated by the Fire District, the use of emergency generators by privately owned

service facilities (up to a maximum of 75 dBA at the property line), and noise generated by City-permitted construction activities during authorized construction hours.

Impacts of the Project

Significance Criteria

An impact of the project would be considered significant and would require mitigation if it would meet one of the following criteria:

- Generation of a substantial temporary or permanent increase in ambient noise levels in the vicinity of the project in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies.
- Generation of excessive groundborne vibration or groundborne noise levels.
- For a project located within the vicinity of a private airstrip or an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working the project area to excessive noise levels.

Analysis Methodology

The noise impact analysis is based on the Safety & Noise Element, the Scotts Valley Municipal Code, and measurement of existing and modelled future predicted roadway noise levels associated with implementation of the General Plan.

Summary of No and/or Beneficial Impacts

Proximity to a Public or Private Airport

The project site is not located within the vicinity of a private airstrip or private airport and therefore there would be no impact.

Project Impacts and Mitigation Measures

Impact N-1: Generation of a substantial temporary or permanent increase in ambient noise levels in the vicinity of the project in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies. This is considered a **potentially significant** impact.

Temporary Noise Levels Due to Construction

Future development accommodated under the General Plan would result in temporary increases in ambient noise levels due to construction activities. Construction-related noise levels would vary throughout the day, depending on the type of equipment in use at any one

time and the distance to the receptors, and noise impacts from construction may vary greatly depending on the duration and complexity of the project. However, construction-related noise impacts are temporary and often of a short-term duration. Noise generated during construction could be considered a nuisance to some residents and/or employees in the proximity to such construction and may seem intolerable during construction phases with the loudest equipment/activities in operations.

Construction equipment can operate in two modes – stationary and mobile. Stationary equipment operates in one location for one or more days at a time, with either a fixed power operation (pumps, generators, compressors) or a variable noise operation (pile drivers, pavement breakers). Mobile equipment moves around the construction site with power applied in cyclic fashion (bulldozers, loaders), or to and from the site (trucks). As a result of the equipment mix for any given project, each phase has its own noise characteristics; some have higher continuous noise levels than others, some have high impact noise levels. These noise levels would decrease with distance from the construction site at a rate of approximately six dBA per doubling of distance (California Department of Transportation, November 2009).

Groundborne noise and other types of construction-related noise impacts would typically occur during initial site preparation (i.e., grading), which can create the highest levels of noise but has the shortest duration of all construction phases. High groundborne noise levels can occur during this phase by the operation of heavy-duty trucks, backhoes, and other heavy-duty construction equipment.

Noise-generating construction activity would be reduced by being restricted to daytime hours when sensitive receptors are the least sensitive to noise. The Scotts Valley Zoning Ordinance (Title 17.46.160) exempts noise sources associated with temporary construction activities, provided such activities occur between 8:00 AM and 6:00 PM Monday through Friday; 9:00 AM and 5:00 PM on Saturday; but not on Sundays or federal holidays. While construction noise levels during these hours may temporarily exceed 80 dBA, such exceedances would be temporary, and would not be expected to result in average daytime noise levels that would exceed an 8-hour Leq of 80 dBA, which is the FTA's recommended standard for adverse community reaction.

Furthermore, the Safety & Noise Element includes contains polices to reduce construction noise. Policy SN-7.15 requires the City to ensure that construction activities are managed to minimize overall noise impacts on surrounding land uses. Policy SN-7.16 requires that where appropriate, particularly when located adjacent to sensitive land uses, construction noise reduction measures to be included as part of project development plans to reduce the effects of construction noise.

Development projects are reviewed on a case-by-case basis, and typical conditions of approval include limiting the day and times of day during which construction and/or heavy construction

can be conducted, provision of notification to neighbors regarding construction schedules, and implementation of a process to receive and respond to noise complaints. These are some of the types of measures that would be implemented by the City to manage and minimize construction noise impacts per proposed General Plan policies and City noise regulations described above.

In conclusion, adoption and implementation of the General Plan would result in construction of varying sound level and duration, which could be an annoyance to adjacent residents. With implementation of the General Plan and regulations that set forth measures to minimize exposure construction noise levels, the increase in temporary noise levels from construction-related activities would be considered **less-than-significant** and no mitigation is required.

Long-term Noise Levels

Future development could result in increased vehicular noise as well as project-level construction-related noise which would primarily occur on vacant and underdeveloped infill sites. As shown in Figure SN-7: Noise Contours, future noise levels adjacent to major roadways and Highway 17 were modelled based on traffic data developed for the EIR using the Federal Highway Administration's Traffic Noise Model, which calculates the traffic noise level based on input such as traffic volume, truck percentage and travel speeds. Generally speaking, noise conditions associated with buildout of the General Plan would remain relatively unchanged as compared to existing conditions, due to the fact that traffic is the most significant on-going contributor to ambient noise levels and minor increase in traffic associated with future development would not cause a significant change in noise levels.

Although some segments would experience noise levels above 70 dBA, they are limited to areas directly adjacent to Highway 17 and the eastern side of the Mt. Hermon Road / Highway 17 intersection. Areas directly adjacent to arterials within the City (i.e., Mt. Hermon Road and Scotts Valley Drive) would experience noise levels at 65 dBA or lower, which is the typical exterior noise level at which the state-mandated interior sound level of 45 dBA could be achieved without specialized structural noise attenuation.

Some future development would be located along these arterials roadways but would not be located in areas where future noise levels would exceed noise or land use compatibility standards.

If ambient noise levels in the area of a future development project would exceed "normally acceptable" thresholds as shown in Table SN-2: Noise Increase Standards of the Safety and Noise Element, the City would require a detailed analysis of feasible noise reduction requirements. Furthermore, as needed, noise insulation features must be included in the design of such projects to reduce exterior noise levels to meet the acceptable thresholds, or, for uses with no active outdoor use areas, to ensure maintenance of acceptable interior noise levels for the proposed land use.

The Safety & Noise Element includes goals, policies and actions that set forth measures to avoid and minimize adverse impacts on noise. In particular, Goals SN-6 and SN-7 and associated policies require the City to minimize impacts associated with vehicle noise and annoying and/or harmful noise. As described in Policy SN-7.5, new developments that are conditionally acceptable or increase the day-night noise level by more than the levels shown in Table SN-2: Noise Increase Standards are required to conduct a noise study to determine that the appropriate noise attenuation design measures have been incorporated to the City's satisfaction. Policy SN-7.6 requires that new developments that are considered noise sensitive shall not be located in proximity to existing noise generating uses, unless the existing noise level can be made compatible, through mitigations, with the proposed new sensitive use. Finally, Policy SN-7.10 requires that in areas where the annual day-night noise level exceeds 60 dBA, the City shall require an acoustical engineering study for proposed new construction or renovation of structure(s) and recommend methods to reduce the interior day-night annual average noise levels to below 45 dBA for private dwellings, motels, hotels, office, and noise sensitive uses.

Denotation of a land use as "normally acceptable" implies that the highest noise level in that band is the maximum desirable for existing or conventional construction that does not incorporate any special acoustic treatment. In general, evaluation of land use that falls into the "normally acceptable" or "normally unacceptable" noise environments should include consideration of the type of noise source, the sensitivity of the noise receptor, the noise reduction likely to be provided by structures, and the degree to which the noise source may interfere with speech, sleep, or other activities characteristic of the land use. The objective of the noise compatibility guidelines is to provide the community with a means of judging the noise environment it deems to be generally acceptable. In instances where new development may be exposed to unacceptable noise levels, acoustical studies would be necessary to ensure that the building construction can meet state-required noise levels, as well as acceptable outdoor noise levels.

As described in the Safety & Noise Element, typical residential construction (i.e., light frame construction with sash windows) with closed windows and doors can result in an exterior-to-interior noise reduction of at least 20 dBA and approximately 15 dBA with windows partially open for ventilation. Buildings constructed of stucco or masonry with dual-glazed windows and solid core exterior doors can be expected to achieve an exterior to interior noise reduction of approximately 25-30 dBA. Further noise reduction could be achieved with mechanical air systems and/or other window designs for areas where the ambient noise level exceeds 65 dBA.

In conclusion, adoption and implementation of the General Plan would not directly result in new development, but future development would result increased traffic and exposure to vehicular noise. However, the General Plan includes goals and policies that set forth measures to avoid and minimize exposure to noise levels that exceed land use compatibility standards for noise exposure. With implementation of the General Plan, as well as future project-level

environmental review, exposure to noise would be considered **less than significant** and no mitigation is required.

Impact N-2: Generation of excessive groundborne vibration or groundborne noise levels. This is considered a **potentially significant** impact.

Project construction can generate varying degrees of groundborne vibration, depending on the construction procedure and the construction equipment used. Operation of construction equipment generates vibrations that spread through the ground and diminish in amplitude with distance from the source. The effect on buildings located in the vicinity of a construction site often varies depending on soil type, ground strata, and construction characteristics of the receiver building(s). The results from vibration can range from no perceptible effects at the lowest vibration levels, to low rumbling sounds and perceptible vibration at moderate levels, to slight damage at the highest levels. Groundborne vibrations from construction activities rarely reach levels that damage structures.

The Federal Transit Administration (FTA) has published standard vibration velocities for construction equipment operations. In general, the FTA architectural damage criterion for continuous vibrations (i.e., 0.2 inch/second) appears to be conservative. The types of construction vibration impact include human annoyance and building damage. Human annoyance occurs when construction vibration rises significantly above the threshold of human perception for extended periods of time. Building damage can be cosmetic or structural. Ordinary buildings that are not particularly fragile would not experience any cosmetic damage (e.g., plaster cracks) at distances beyond 30 feet. This distance can vary substantially depending on the soil composition and underground geological layer between vibration source and receiver. In addition, not all buildings respond similarly to vibration generated by construction equipment. The vibration produced by construction equipment is shown in Table ER-N-1: Typical Vibration Levels for Construction Equipment.

Table ER-N-1: Typical Vibration Levels for Construction Equipment

Equipment	Approximate peak particle velocity at 25 feet (inches/second)	Approximate peak particle velocity at 50 feet (inches/second)	Approximate peak particle velocity at 100 feet (inches/second)
Large bulldozer	0.089	0.032	0.011
Loaded trucks	0.076	0.027	0.010
Small bulldozer	0.003	0.001	0.000
Jackhammer	0.035	0.012	0.004

Notes:
1. Federal Transit Administration, *Transit Noise and Vibration Impact Assessment Guidelines*, May 2006. Table 12-2.
2. Calculated using the following formula:

$PPV_{equip} = PPV_{ref} \times (25/D)^{1.5}$

where: PPV (equip) = the peak particle velocity in inch per second of the equipment adjusted for the distance
PPV (ref) = the reference vibration level in inch per second from Table 12-2 of the FTA *Transit Noise and Vibration Impact Assessment Guidelines*
D = the distance from the equipment to the receiver

Source: Federal Transit Administration, *Transit Noise and Vibration Impact Assessment Guidelines*, May 2006.

Groundborne vibration decreases rapidly with distance. As shown in Table ER-N-1: Typical Vibration Levels for Construction Equipment, vibration velocities from typical heavy construction equipment operation range from 0.003 to 0.089 inch-per-second peak particle velocity (PPV) at 25 feet and 0.000 to 0.011 inch-per-second peak particle velocity (PPV) at 100 feet from the source of activity. At these distances, the proposed construction activities would be well below the 0.2 inch-per-second PPV significance threshold. Therefore, vibration impacts would be **less than significant,** and no mitigation is required.

POPULATION & HOUSING

Applicable Regulations, Plans, and Standards

State

California Housing Element Law

State law requires each city and county to adopt a General Plan for future growth. This plan must include a Housing Element that identifies housing needs for all economic segments and provides opportunities for housing development to meet that need. At the state level, the Department of Housing and Community Development (HCD) estimates the relative share of California's projected population growth that would occur in each county in the State, based on Department of Finance population projections and historic growth trends. Where there is a regional council of governments, HCD provides the regional housing need to the council. The council then assigns a share of the regional housing need to each of its cities and counties. The process of assigning shares provides cities and counties the opportunity to comment on the proposed allocations. HCD oversees the process to ensure that the council of governments distributes its share of the State's projected housing need.

Each city and county must update its General Plan Housing Element on a regular basis (approximately every eight [8] years). Among other things, the Housing Element must incorporate policies and identify potential sites that would accommodate a city's share of the regional housing need. Before adopting an update to its Housing Element, a city or county must submit the draft to HCD for review. HCD will advise the local jurisdiction whether its Housing Element complies with the provisions of California Housing Element Law.

Local

Association of Monterey Bay Area Governments

The Association of Monterey Bay Area Governments (AMBAG) assigns regional housing shares to the cities and counties within their region on a similar five-year schedule. At the beginning of each cycle, HCD provides population projections to the councils of governments, who then allocate shares to their cities and counties. The shares of regional need are allocated before the end of the cycle so that the cities and counties can amend their Housing Elements.

Impacts of the Project

Significance Criteria

An impact of the project would be considered significant and would require mitigation if it would meet one of the following criteria:

- Induce substantial unplanned population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure).
- Displace substantial numbers of existing people or housing, necessitating the construction of replacement housing elsewhere.

Analysis Methodology

The development capacity in the Land Use Element and the goals and policies contained in the Housing Element, along with AMBAG growth projections for Scotts Valley were used as the basis for this analysis.

Summary of No and/or Beneficial Impacts

Displace Substantial Number of Existing People or Housing

Adoption and implementation of the General Plan would not directly result in new development. As an established community, new development accommodated by the General Plan would be considered infill development, both on limited remaining vacant lands or intensification and/or redevelopment on underutilized parcels. Thus, development would be within an established community and would not displace a substantial number of existing people or housing, and therefore there would be **no impact**.

Project Impacts and Mitigation Measures

Impact POP-1: Induce substantial unplanned population growth in an area, either directly or indirectly. This is considered a **less than significant** impact.

The General Plan by its very nature is a long-term planning document that would be used by the City of Scotts Valley for orderly growth and development over the next 20 + years. Based on the General Plan's Vision Statement and Guiding Principles (see Introduction) and development capacity analysis as described in the Land Use Element, the General Plan assumes a more moderate growth rate that is less than the previous (1994) General Plan, and more consistent with actual growth trends over the past 20 + years, as well as population, housing and employment projections as identified by the Association of Monterey Bay Area Governments (AMBAG).

The development capacity analysis provides a reference point for how and where such growth would be accommodated, and how the City and other public agencies would accommodate such growth, particularly with respect to infrastructure requirements (e.g., roads, water, sewer), and public services (e.g., police, fire, and parks & recreation).

Traffic and circulation, air quality, increases in noise, and demands upon public services are the primary population-based effects. These potential impacts are addressed in the respective environmental resource sections of this chapter.

Through local planning, as demonstrated in the Land Use Element, and implementation of ordinances, regulations, fees, system upgrades, and various environmental conservation measures, the physical environmental effects from population growth would be effectively reduced to **less than significant**, and no mitigation is required.

PUBLIC SERVICES & UTILITIES

Applicable Regulations, Plans, and Standards

Federal

Clean Water Act

The Federal Water Pollution Control Act of 1972, more commonly known as the Clean Water Act (CWA), regulates the discharge of pollutants into watersheds throughout the U. S. Under the CWA, the United States Environmental Protection Agency (U.S. EPA) implements pollution control programs and sets wastewater treatment standards.

National Pollutant Discharge Elimination System

The National Pollutant Discharge Elimination System (NPDES) permit program was established pursuant to the CWA to regulate municipal and industrial discharges to surface waters of the United States. Federal NPDES permit regulations have been established for broad categories of discharges, including point-source municipal waste discharges and nonpoint-source stormwater runoff. NPDES permits generally identify effluent and receiving water limits on allowable concentrations and/or mass emissions of pollutants contained in the discharge; prohibitions on discharges not specifically allowed under the permit; and provisions that describe required actions by the discharger, including industrial pretreatment, pollution prevention, self-monitoring, and other activities.

Wastewater discharge is regulated under the NPDES permit program for direct discharges into receiving waters and by the National Pretreatment Program for indirect discharges to a sewage treatment plant.

In California, the federal requirements are administered by the State Water Resources Control Board (SWRCB), and individual NPDES permits are issued by the California Regional Water Quality Control Boards (RWQCBs).

State

Local Agency Formation Commission

Pursuant to State law (Government Code Section 54773 et seq.) a Local Agency Formation Commission (LAFCO) was established in each county to promote the orderly development of local government agencies and efficient provision of services, to guide development away from prime agricultural land and to discourage urban sprawl. Pursuant to State law, LAFCOs must adopt a Sphere of Influence (SOI) for each governmental agency (including special districts), which is the probable physical boundary and service area of a local government. LAFCO is required to review and approve or disapprove governmental boundary change proposals with

regards to spheres of influence, annexation, detachment, reorganization and/or extending services of a local agency.

The California Government Code Section 56430 requires LAFCOs to conduct Municipal Services Reviews (MSRs) that describe the municipal services provided by the agencies that are subject to LAFCO authority. MSRs are comprehensive studies designed to collect and analyze information about the governance structures and efficiencies of service providers, to estimate their ability to meet current and future service needs, and to identify opportunities for greater coordination and cooperation between providers. The Santa Cruz LAFCO completed its report in August 2005, and LAFCO approved the countywide service review in December 2007 (Resolution No. 2007-9). The review is a comprehensive overview of public services within Santa Cruz County and includes the four cities and over 80 special districts providing municipal-type services such as water, wastewater service, fire protection, police protection, recreation and parks and solid waste. Pertinent findings are provided below for each service.

Police Services

All law enforcement agencies within California are organized and operate in accordance with the applicable provisions of the California Penal Code. This code sets forth the authority, rules of conduct, and training for police officers.

Fire Protection Services

The Uniform Fire Code published by the International Fire Code Institute and the Uniform Building Code (adopted in California as the California Building Standards Code) published by the International Conference of Building Officials both prescribe performance characteristics and materials to be used to achieve acceptable levels of fire protection. Amendments to the California Building Standards effective in 2008 increased the requirements for defensible space and require more fire-resistant building materials and design than prior codes in areas identified as having severe fire hazards.

Schools

Senate Bill (SB) 50 (1998), which is funded by Proposition 1A, limits the power of cities and counties to require mitigation of developers as a condition of approving new development and provides instead for a standardized fee. SB 50 generally provides for a 50/50 state and local school facilities match. SB 50 also provides for three levels of statutory impact fees. The application level depends on whether state funding is available; whether the school district is eligible for state funding; and whether the school district meets certain additional criteria involving bonding capacity, year-round schools, and the percentage of moveable classrooms in use.

California Government Code sections 65995–65998 set forth provisions to implement SB 50. Specifically, in accordance with Section 65995(h), the payment of statutory fees is “deemed to

be full and complete mitigation of the impacts of any legislative or adjudicative act, or both, involving, but not limited to, the planning, use, or development of real property, or any change in governmental organization or reorganization…on the provision of adequate school facilities." The school district is responsible for implementing the specific methods for mitigating school impacts under the Government Code.

Pursuant to Government Code section 65995(i), "A state or local agency may not deny or refuse to approve a legislative or adjudicative act, or both, involving, but not limited to, the planning, use, or development of real property, or any change in governmental organization or reorganization as defined in Section 56021 or 56073 on the basis of a person's refusal to provide school facilities mitigation that exceeds the amounts authorized pursuant to this section or pursuant to Section 65995.5 or 65995.7, as applicable."

California Education Code Section 17620(a)(1) states that the governing board of any school district is authorized to levy a fee, charge, dedication, or other requirement against any construction within the boundaries of the district, for the purpose of funding the construction or reconstruction of school facilities.

Water Supply

Senate Bill (SB) 610 amended the Public Resources and Water Codes as they pertain to consultation with water supply agencies and water supply assessments (WSA). SB 610 requires water supply assessments (WSAs) for "projects" as defined by Water Code Section 10912 which are subject to CEQA as a 500-unit or more residential development, or a project that would increase the number of the public water system's existing service connections by 10%.

Because the proposed project does not meet the definition of a "project" as specified in the Water Code, the preparation of a WSA in compliance with SB 610 is not required.

Whereas SB 610 requires a written assessment of water supply availability, SB 221 requires lead agencies to obtain an affirmative written verification of sufficient water supply prior to approval of certain specified subdivision projects. For this purpose, water suppliers may rely on an Urban Water Management Plan (if the proposed project is accounted for within the UWMP), a Water Supply Assessment prepared for the project, or other acceptable information that constitutes "substantial evidence."

"Sufficient water supply" is defined in SB 221 as the total water supplies available during normal, single-dry and multiple-dry water years within the 20-year (or greater) projection period that are available to meet the projected demand associated with a proposed project, in addition to existing and planned future uses.

The Sustainable Groundwater Management Act of 2014 (SGMA), enacted in October 2014, applies to all groundwater basins in the state. Pursuant to SGMA, local agencies had until June

30, 2017, to form a groundwater sustainability agency. To comply with this act, three public agencies (SVWD, SLVWD and Santa Cruz County) formed the Santa Margarita Groundwater Agency through a joint power's agreement in June 2017.

The California Water Plan Update 2018 reaffirms the commitment to sustainable long-term water resource management. It provides recommended actions, funding scenarios, resource management strategies, and an investment strategy to bolster efforts by water and resource managers, planners, and decision-makers to overcome California's most pressing water resource challenges. It reaffirms State government's unique role and commitment to sustainable, equitable, long-term water resource management.

In 2018 two water conservation legislations were signed into law. SB 606 which requires an urban retail water supplier to calculate an urban water use objective no later than November 1, 2023, and by November 1 every year thereafter, and its actual urban water use by those same dates. AB 1668 require the State Water Resources Control Board, in coordination with the Department of Water Resources, to adopt long-term standards for the efficient use of water, as provided, and performance measures for commercial, industrial, and institutional water use on or before June 30, 2022.

See also Hydrology & Water Quality section above.

Wastewater

The Central Coast Regional Water Quality Control Board (RWQCB) is the local division of the SWRCB that has oversight authority over the project. SWRCB is a State department that provides a definitive program of actions designed to preserve and enhance water quality and to protect beneficial uses of water in California. NPDES permits allow RWQCB to collect information on where the waste is disposed, what type of waste is being disposed, and what entity is disposing of the waste. RWQCB is also charged with conducting inspections of permitted discharges and monitoring permit compliance.

Solid Waste

California's Integrated Waste Management Act of 1989 (AB 939) requires that cities and counties divert 50 percent of all solid waste from landfills as of January 1, 2000, through source reduction, recycling, and composting. AB 939 also establishes a goal for all California counties to provide at least 15 years of ongoing landfill capacity.

To help achieve this goal, the Act requires that each city and county prepare a Source Reduction and Recycling Element to be submitted to the Department of Resources Recycling and Recovery (CalRecycle), a department within the California Natural Resources Agency, which administers programs formerly managed by the State's Integrated Waste Management Board and Division of Recycling.

As part of CalRecycle's Zero Waste Campaign, regulations affect what common household items can be placed in the trash. Household materials—including fluorescent lamps and tubes, batteries, electronic devices and thermostats—that contain mercury are no longer permitted in the trash and must be disposed separately.

In 2007, SB 1016 amended AB 939 to establish a per capita disposal measurement system. The per capita disposal measurement system is based on a jurisdiction's reported total disposal of solid waste divided by a jurisdiction's population. CalRecycle sets a target per capita disposal rate for each jurisdiction. Each jurisdiction must submit an annual report to CalRecycle with an update of its progress in implementing diversion programs and its current per capita disposal rate.

The California Solid Waste Reuse and Recycling Access Act of 1991 requires areas in development programs to be set aside for collecting and loading recyclable materials. The Act requires CalRecycle to develop a model ordinance for adoption by any local agency relating to adequate areas for collection and loading of recyclable materials as part of development projects. Local agencies are required to adopt the model, or an ordinance of their own, governing adequate areas in development programs for collection and loading of recyclable materials.

The California Green Building Standards Code (CALGreen) came into effect for all projects beginning after January 1, 2011. Section 4.408, Construction Waste Reduction Disposal and Recycling, mandates that, in the absence of a more stringent local ordinance, a minimum of 50 percent of non-hazardous construction and demolition debris must be recycled or salvaged. The Code requires the applicant to have a waste management plan for on-site sorting of construction debris.

Senate Bill 1383

California's Short-Lived Climate Pollutant Reduction law, often called SB 1383, establishes methane reduction targets for California. SB 1383 i sets goals to reduce disposal of organic waste in landfills, including edible food. The bill's purpose is to reduce greenhouse gas emissions, such as methane, and address food insecurity in California. The law requires that, statewide, 20% of edible food that would otherwise be disposed of in the garbage or compost be recovered for human consumption by 2025.

Parks and Recreation

The Quimby Act (California Government Code §66477) was passed in 1975 and authorizes cities and counties to pass ordinances requiring developers to set aside land, donate conservation easements, or pay fees for park improvements. This provision of the State Subdivision Map Act enables cities and counties to require the dedication of land and/or payment of in-lieu fees for parks and recreation purposes as a condition of approval of a tentative map or parcel map

subdivision. AB 1600 amended the Quimby Act in 1982 to hold local governments more accountable for imposing park development fees. The AB 1600 amendment requires agencies to clearly show a reasonable relationship between the public need for the recreation facility or park land and the type of development project upon which the fee is imposed.

Cities and counties are required to show a strong direct relationship, or nexus, between the park fee exactions and the proposed project. Local ordinances must include definite standards for determining the proportion of the subdivision to be dedicated and the amount of the fee to be paid by the developer. AB 2936 was adopted as an amendment to the Quimby Act in 2002 and allows counties and cities to spend up to 10% of their Quimby Act fees to prepare master plans for park and recreation facilities.

Local

City of Scotts Valley

In addition to the General Plan, the City of Scotts Valley has prepared a number of plans that address the provision of public services and utilities. These plans are addressed in the respective elements of this General Plan. The Scotts Valley Municipal Code also includes standards and regulations that address the provision of services including but not limited to development impact fees, dedication of land for parks and recreation, subdivisions, storm drainage, building standards, and the operation and maintenance of City services.

Impacts of the Project

Significance Criteria

An impact of the project would be considered significant and would require mitigation if it would meet one of the following criteria:

- Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities or need for new or physical 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:
    - Fire protection
    - Police protection
    - Schools
    - Parks
    - Other public facilities

- Require or result in the relocation or construction of new or expanded water, wastewater treatment or storm water drainage, electric power, natural gas, or telecommunications facilities, the construction or relocation of which could cause significant environmental effects.
- Have sufficient water supplies available to serve the project and reasonably foreseeable future development during normal, dry and multiple dry years.
- 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 projected demand in addition to the provider's existing commitments.
- Generate solid waste in excess of State or local standards, or in excess of the capacity of local infrastructure, or otherwise impair the attainment of solid waste reduction goals.
- Comply with federal, state, and local statutes and regulations related to solid waste.

Analysis Methodology

The analysis of potential public services and utility impacts is based upon the review of the City of Scotts Valley and associated public service providers (e.g., Scotts Valley Water District, San Lorenzo Valley Water District, Scotts Valley Fire District), coordination with City and service providers staff, and information prepared for the respective General Plan elements.

Because the two water districts largely rely on groundwater, the impact analysis regarding water supply is addressed in the Hydrology & Water Quality section, above.

Summary of No and/or Beneficial Impacts

None.

Project Impacts and Mitigation Measures

Impact PSU-1: Introduce in a new service population result in an indirect demand for police or fire facilities. This is considered a **less than significant** impact.

As shown in Table LU-1: General Plan Buildout Summary, the General Plan assumes a more moderate growth rate that is less than the previous (1994) General Plan, and more consistent with actual growth trends over the past 20 + years, as well as population, housing and employment projections as identified by the Association of Monterey Bay Area Governments (AMBAG).

Adoption and implementation of the General Plan would not directly result in new development, but new development would result in demands for police and fire protection services. However, there are adequate police and fire protection facilities to serve the very low projected growth associated with implementation of the General Plan, and no additional

equipment or facilities would be needed to maintain acceptable response times and service levels.

New development and growth accommodated by the General Plan would not reduce response times or require new or physically altered fire protection facilities that could result in significant physical impacts. Furthermore, Goal CSF-2 and associated policies of the Community Services & Facilities Element set forth measures to provide high-quality emergency services for Scotts Valley and avoid and minimize adverse impacts on police and fire protection services.

Given the modest population increase over time and implementation of these proposed policies, indirect impacts on police and fire protection services would be **less than significant** and no mitigation is required.

Impact PSU-2: Introduce in a new service population that would result in an indirect demand for parks and recreation facilities. This is considered a **less than significant** impact.

Implementation of the General Plan would result in additional development and population growth resulting in increased demands for park and recreational facilities. Goal CSF-3 and associated policies of the Community Services & Facilities Element set forth measures to provide ample, safe, and well-maintain park and recreation facilities and programs that serve the needs of the community. In particular, Policy CSF-3.17 Provision of Park Land and Facilities and Policy CSF-3.19 Construction of Trails and Bike Paths conditions new development requiring discretionary review to provide for the orderly completion of the City's comprehensive park system, including bicycle paths and hiking and trails.

The Parks and Recreation Commission has the responsibility of preparing a Parks Master Plan to plan for the acquisition, development, and improvement of park facilities in Scotts Valley. The City's Parks Master Plan (adopted March 1996) indicates the goal of five acres of developed parks per thousand (1,000) persons. This does not include undeveloped open space and natural resource areas.

Additionally, per Chapter 16.35 – Dedication of Land for Parks and Recreational Purposes, future development projects are required to provide private and common open space on the project site and/or pay in-lieu fees for the provision of recreational resources where deficient from project site open space.

Implementation of the General Plan would not result in the substantial deterioration of existing recreational facilities or parks and would not require the construction of new facilities or parks. Therefore, indirect impacts on park and recreation facilities would be **less than significant** and no mitigation is required.

Impact PSU-3: Introduce in a new service population that would result in an indirect demand for education facilities. This is considered a **less than significant** impact.

As shown in Table LU-1: General Plan Buildout Summary, the General Plan assumes a more moderate growth rate that is less than the previous (1994) General Plan, and more consistent with actual growth trends over the past 20 + years, as well as population, housing and employment projections as identified by the Association of Monterey Bay Area Governments (AMBAG). The development capacity projects a decrease of approximately 500 households and an increase of 100 people as compared to the existing 1994 General Plan.

Goal CSF-4 and associated polices set forth measures to provide high-quality educational and training facilities and programs. In particular, Policy CSF-4.3 Adequate School Facilities encourages communication and cooperation between the City, applicants for residential development projects, and appropriate educational districts and agencies to ensure that adequate, safe school facilities and services are planned to provide a quality educational environment for anticipated growth.

Furthermore, as required by State and City requirements (Chapter 3.32 – School Facilities Dedication and Fees), future development would be required to pay applicable SB 50 school impact fees for residential and commercial development. Payment of these fees and ongoing revenues from retail sales taxes, transient occupancy taxes, and annual real estate taxes, would help fund capital and operating costs associated with additional school services.

Under the provisions of SB 50, a project's impacts on school facilities are fully mitigated via the payment of the requisite new school construction fees established pursuant to Government Code Section 65995. Therefore, this impact is considered **less than significant**, and no mitigation is required.

Impact PSU-4: Require new or expanded water system facilities, wastewater system facilities, storm drainage infrastructure, or solid waste disposal facilities. This is considered a **less than significant** impact.

Water

According to the joint San Lorenzo Valley Water District and Scotts Valley Water District's 2020 Urban Water Management Plan (UWMP), metered water demand was 1,333 afy. 2020 water demand was 1,393 afy. By 2040, the SVWD projects a net surplus of 177 acre-feet per year during the normal year, 164 acre-feet per year during the single, and 160 acre-feet per year during the fifth year of a multiple dry-year event.

The annual yield for the Scotts Valley groundwater management area of the Santa Margarita Groundwater Basin is estimated at 2,600 afy and the yield is shared among SVWD, SLVWD, and other private well pumpers. Regardless, the projected SVWD 2035 demand uses the 1994

General Plan development capacity projections which are greater than the General Plan and would not exceed the demand of projections of the SVWD.

Regarding the capacity of the SVWD treatment and distribution system, SVWD currently owns six wells that have a combined capacity of 1,995 gallons per minute (gpm), or 2.87 million gallons per day (mgd), or 3,214-acre fee per year (afy). SVWD owns and maintains approximately 60 miles of potable mains, several potable water tanks and water treatment facilities that are designed to meet significantly higher demands that occurred in 1990s and 2000s and is sufficient to meeting future demands. Additionally, SVWD owns a recycled water distribution system that is further described in the Hydrology and Water Quality section. Therefore, projected future water demand would not exceed the potable system capacity and no new infrastructure in support of the new development would be required.

Wastewater

Wastewater treatment is provided by the Scotts Valley Water Reclamation Facility, which has a remaining dry weather capacity of 0.714 mgd. Future wastewater demand would not exceed the capacity of the Reclamation Facility, and no new or expanded treatment plants would be required.

All future development associated with implementation of the General Plan would be subject the Central Coast Regional Water Quality Control Board (RWQCB) adopted Order R3-2013-0032, which requires new and more stringent storm drainage Post-Construction Requirements (PCRs) for proposed development projects. The PCRs mandate that development projects use Low Impact Development (LID) features and facilities to detain, retain, and treat site runoff. LID incorporates and conserves on-site natural features, together with constructed hydrologic controls to more closely mimic pre-development hydrology and watershed processes.

Solid Waste

The City of Scotts Valley Uses GreenWaste Recovery, a private contractor, provides weekly collection of garbage, recyclable materials, and yard trimmings for residents and businesses. Waste is transported to the Monterey Peninsula Landfill, which is operated by ReGen Monterey and is located in Marina in Monterey County. The landfill has a maximum capacity of 49,700,000 cubic yards of solid waste, with approximately 48,560,000 cubic yards of remaining capacity and is permitted to receive 3,500 tons of solid waste per day (CalRecycle, 2020). According to ReGen, the landfill has enough capacity for more than 100 years of waste disposal.

CalGREEN Section 4.408, Construction Waste Reduction Disposal and Recycling, mandates that, in the absence of a more stringent local ordinance, a minimum of 50 percent of non-hazardous construction (and demolition) debris must be recycled or salvaged. Adherence to the Building Code would reduce total waste generated by demolition and construction, and the waste would be appropriately sorted disposed at landfills with adequate capacity.

General Plan Goals and Policies

Goal CSF-1 and associated policies set forth measures to provide reliable and cost-effective water, wastewater, and solid waste management services that is sustainably managed. In particular, Policy CSF-1.4 Master Plans requires the City to conduct periodic updates to wastewater, and stormwater master plans and require all new development requiring discretionary review to be consistent with the current master plans and Policy CSF-1.5 Special District Management Plans requires the City to work cooperatively with the Scotts Valley Water District and San Lorenzo Valley Water District to update their Urban Water Management Plan and other water management related plans. Policy CSF-1.11 Wastewater Improvements requires the City to plan for necessary improvements and associated funding to ensure adequate levels of wastewater treatment are available to meet the demand of the service area.

In conclusion, the City and their affiliated service providers have adequate capacity to serve anticipated growth associated with the implementation of the General Plan. No new or expanded water or wastewater treatment facilities, storm drainage, or solid waste disposal facilities and impacts would be **less than significant,** and no mitigation is required.

TRANSPORTATION

This section evaluates the potential effects of implementing the 2040 General Plan on the circulation system including vehicle miles traveled (VMT), transit, safety, bicycle and pedestrian facilities, and emergency access.

Relative to Level of Service (LOS) analysis, Section 15064.3 was added to the State CEQA Guidelines effective December 28, 2018, as part of a comprehensive guidelines update and addresses the determination of significance for transportation impacts under CEQA. This section requires that transportation impact analysis be based on VMT instead of a congestion metric (such as LOS) and states that a project's effect on automobile delay shall not constitute a significant environmental impact. However, future development project may need to evaluate consistency with General Plan polices, in particular Policy M-3.9 Level of Service Standard, Policy M-3.10 Lower Level of Service, and Policy M-3.14 Traffic Impact Analysis, as prescribed in the City's most recent version of the *Guidelines for Preparing Traffic Impact Studies*.

Applicable Regulations, Plans, and Standards

Federal

Americans with Disabilities Act

The Americans with Disabilities Act (ADA) of 1990 prohibits discrimination toward people with disabilities and guarantees that they have equal opportunities as the rest of society to become employed, purchase goods and services, and participate in government programs and services. The ADA includes requirements pertaining to transportation infrastructure. The Department of Justice's revised regulations for Titles II and III of the ADA, known as the 2010 ADA Standards for Accessible Designs, set minimum requirements for newly designed and constructed or altered State and local government facilities, public accommodations, and commercial facilities to be readily accessible to and usable by individuals with disabilities. These standards apply to accessible walking routes, curb ramps, and other facilities.

Surface Transportation Assistance Act Routes (STAA – Federal Designation)

The Surface Transportation Assistance Act (STAA) of 1982 allows large trucks, referred to as STAA trucks that comply with maximum length and wide requirements, to operate on routes that are part of the National Network. The National Network includes the Interstate System and other designated highways that were a part of the Federal-Aid Primary System on June 1, 1991; states are encouraged, however, to allow access for STAA trucks on all highways. Highway 17 is classified as an STAA route (Terminal Access).

State

Senate Bill 743 – Transportation Impacts

Adopted in 2013, Senate Bill (SB) 743 changes how transportation impacts are evaluated under CEQA. Previously, CEQA analysis was conducted using an LOS measurement that evaluated traffic delay. As specified under SB 743 and implemented under Section 15064.3 of the State CEQA Guidelines (effective December 28, 2018), VMT is the required metric to be used for identifying CEQA impacts and mitigation. In December 2018, OPR published a Technical Advisory on Evaluating Transportation Impacts, including guidance for VMT analysis. The Office of Administrative Law approved the updated CEQA Guidelines and lead agencies were given until July 1, 2020, to implement the updated guidelines for VMT analysis.

VMT was chosen as the primary metric to better integrate land use and multimodal transportation choices, to encourage alternative transportation, promote greater efficiency, and reduce GHG emissions. The most recent technical guidance on analyzing the transportation impacts under CEQA, released by the Governor's Office of Research and Planning (OPR) in December of 2018, provides recommendations regarding assessment of VMT, thresholds of significance, and mitigation measures. OPR offered a generalized recommendation of a 15 percent reduction below existing VMT as a threshold of CEQA significance.

For the VMT analysis, OPR recommends using a trip-based assessment of VMT that captures the full extent of the vehicle trip length – even the portion that extends beyond the jurisdictional boundary (trips that extend into another county). This differs from the traditional boundary- based assessment of VMT impacts that quantifies only the length of the vehicle trips that occurs within the boundaries of a jurisdiction.

Additionally, SB 743 also amended the State congestion management program statutes lifting the sunset clause for the designation of infill opportunity zones, where CMP LOS standards would no longer apply.

Assembly Bill 1266 - Traffic Control Devices: Bicycles (2019)

Assembly Bill (AB) 1266 requires the California Department of Transportation (Caltrans) to provide guidance on the ways in which to notify bicyclists that they are allowed to traverse straight through an intersection when a right-turn-only lane requires vehicles to turn. Caltrans will be required to develop standards on lane striping, regulatory signage, and pavement markings in these scenarios.

Assembly Bill 2615 - State Highway System: Parks and Recreation: Accessibility for Bicycles and Pedestrians (2018)

AB 2615 adds Section 133 to the Streets and Highways Code, relating to State highways. Existing law gives the Department of Transportation full possession and control of all State

highways, including property within any portion of a State Park. The new section mandated by AB 1615 would require, where feasible and to the full extent possible, the Caltrans to coordinate with appropriate public agencies, including but not limited to the Department of Parks and Recreation, any federal department or agency, regional, local or public entity to develop plans and strategies to improve accessibility for bicyclists and pedestrians to federal, State, regional, and local parks connected to or adjacent to the State highway system.

California Complete Streets Act of 2008

This act requires that the circulation elements of local general plans accommodate a balanced, multimodal transportation network that meets the needs of all users of streets, roads, and highways in a manner that is suitable to the rural, suburban, or urban context of the jurisdiction. Users are defined to include motorists, pedestrians, bicyclists, children, persons with disabilities, seniors, movers of commercial goods, and riders of public transportation.

California Transportation Development Act

The Mills-Alquist-Deddeh Act (SB 325) (also known as the Transportation Development Act [TDA]) was enacted in 1971 to improve public transportation services and encourage regional transportation coordination. This law provides funding to be allocated to transit- and non-transit-related purposes that comply with regional transportation plans. The TDA provides two funding sources: 1) the Local Transportation Fund (LTF), which is derived from a ¼ cent of the general sales tax collected statewide, and 2) the State Transit Assistance fund (STA), which is derived from the statewide sales tax on diesel fuel.

Local

VMT Implementation Guidelines

The Scotts Valley VMT Implementation Guidelines identifies significance thresholds and a methodology for analyzing a land use and transportation project's potential impacts associated with Vehicle Miles Travelled (VMT). It also includes travel demand management strategies to help mitigate VMT impacts.

Measure D

Measure D was a proposed ½ cent local sales tax increase included on the November 2016 ballot in Santa Cruz County. The Measure, which focuses on transportation safety upgrades, roadway repairs, traffic relief, and transit augmentation, was approved by voters via a super majority (over 67% voting "yes").

Measure D provides steady and direct funding to Santa Cruz County and all cities within the County to improve the transportation network, including Highway 17. Transportation improvements include improvements of local streets, road maintenance, bicycle and pedestrian projects, transit, and paratransit service upgrades, as well as implementation of many other

projects and programs. These improvements are voter approved and by default law, must be implemented.

Scotts Valley Bicycle Transportation Plan (2012)

The City of Scotts Valley Bicycle Transportation Plan (BTP) assesses commuter needs, identifies funding sources and directs the future development of bicycle facilities in the City. It also seeks to carry out the Five Es used by the League of American Bicyclists to identify and rank Bicycle Friendly Communities; namely; 1) Evaluation, 2) Engineering, 3) Education, 4) Encouragement and 5) Enforcement.

It includes or expands upon the goals and objectives put forth in 2005 to improve network connectivity, address dangerous or hazardous areas, and increase education and bicycle resources. The BTP implements the policies and programs of the General Plan and is intended to aid City of Scotts Valley in prioritizing bicycle improvement projects with the goal of increasing bicycle commuting, recreation, tourism and safety.

Impacts of the Project

Significance Criteria

An impact of the project would be considered significant and would require mitigation if it would meet one of the following criteria:

- Conflict with a program, plan, ordinance, or policy addressing the circulation system, including transit, roadway, bicycle and pedestrian facilities?
- Conflict or be inconsistent with CEQA Guidelines section 15064.3, subdivision (b)? (See further clarification below)
- Substantially increase hazards due to a geometric design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?
- Result in inadequate emergency access?

For the purposes of VMT, implementation of the General Plan would have a significant transportation impact if it would result in VMT exceeding the thresholds as shown in Exhibit 5: Scotts Valley VMT Thresholds of Significance for Land Use Projects of the City's *VMT Implementation Guidelines*, which is shown below for reference.

Exhibit 5: Scotts Valley VMT Thresholds of Significance for Land Use Projects

Land Use	VMT Threshold	Basis
Residential	10.0 VMT/capita [1]	15% below the existing City's average VMT per capita.
Office	7.4 Work VMT/Employee [2]	15% below existing Santa Cruz County-wide average Work VMT per employee.
Retail	Net regional change	Using Santa Cruz County as the basis.
Industrial	11.0 Work VMT/Employee [2]	15% below existing county-wide average Work VMT per employee.
Other Employment	Work VMT/Employee [2]	15% below existing county-wide average Work VMT per employee for similar land uses.
Other Customer	Net regional change	Using Santa Cruz County as the basis.
Transportation Projects	Net increase to countywide VMT	Using Santa Cruz County as the basis.

Notes:

1. Residential VMT specifically applies to all Home-Based trips residential trips as represented in the Travel Demand Model. Refer to Appendix A for additional information.
2. Work VMT specifically applies to commute trips as represented in the Travel Demand Model. Refer to Appendix A for additional information.

Source: City of Scotts Valley VMT Implementation Guidelines (Kimley-Horn & Associates).

Analysis Methodology

The analysis methodology used in this environmental review is described in the City of Scotts Valley *VMT Implementation Guidelines* (Kimley-Horn & Associates, August 2023).

Future Project-Specific VMT Analysis

The type and size of the project would determine the most appropriate mitigation strategies for VMT impacts. The methodology for analyzing VMT impacts is described in the City's VMT Implementation Guidelines. For programmatic projects, such as general plans or specific plans, VMT mitigations should concentrate on the project's density and land use mix, site design, regional policies, and availability of transit, bicycle, and pedestrian facilities. For project-level development projects, VMT mitigations may require the preparation of a transportation demand management (TDM) program. A TDM program is a combination of strategies to reduce VMT. The TDM program is created by an applicant for their land use project based on a list of strategies agreed to with the City of Scotts Valley. A list of possible strategies is described in Appendix B of the City's *VMT Implementation Guidelines*.

Summary of No and/or Beneficial Impacts

Conflict with a Program, Plan, Ordinance, or Policy

The Mobility Element of the General Plan is, by its nature, the overall policy document that guides mobility planning for the City. Associated plans, including the City's Bicycle Transportation Plan, is consistent with the intentions of the General Plan. Therefore, there would be **no impact**.

Substantially Increase Hazards

Adoption and implementation of the General Plan would not directly result in new development. The General Plan does not include new roads or road alignments, and thus, would not create or increase hazards due to a road or intersection design. Furthermore, Goal M-4 through Goal M-7 and associated policies requires the City to provide a roadway, bicycle, and pedestrian facilities that enhances the community support safe and functional mobility. This includes Policy M-4.2 Street Standards, Policy M-4.5 Traffic Calming, Policy, M-4.11 Scotts Valley Drive and Mt. Hermon Road Corridors, Policy M-4.12 Highway 17 Corridor, Policy M-6.4 Safety, Action M-6.6 Bike Safety, Policy M-7.1 Pathways, Policy M-7.3 Accessibility for All, and Policy M-7.6 Safety. Therefore, there would be **no impact**.

Emergency Access

Adoption and implementation of the General Plan would not directly result in new development. The proposed General Plan does not include new roads or road alignments, and thus, would not restrict emergency access. Per Section 17.50.030 Design Review Procedures, all future projects would be reviewed by the City and the Scotts Valley Fire District as part of design review to ensure adequate emergency access for each proposed project. Therefore, there would be **no impact**.

Project Impacts and Mitigation Measures

Impact T-1: Exceed VMT Thresholds? This is considered a **less than significant** impact.

The Land Use Element of the General Plan would accommodate future development, particularly on vacant and underdeveloped land and within existing urban areas. These are generally within existing urban residential, comical, and/or industrial use areas.

Forecasted VMT estimated travel is shown in Table ER-T-2: Scotts Valley Daily Estimated VMT 2040 Forecast Travel, which shows the increment of VMT change associated with the growth identified in the General Plan for each land use type. Note that the established thresholds for the Office and Industrial land uses in this table are regionally based, and therefore do not distinguish between incorporated and unincorporated growth. The analysis indicates that at a programmatic level, implementation of the General Plan would meet the VMT threshold for Residential and exceed the VMT threshold for Office and Industrial uses.

Table ER-T-2: Scotts Valley Daily Estimated VMT 2040 Forecast Travel

	Residential [1]	Office [2]	Industrial [2]
VMT Threshold [3]	**10.0**	**7.4**	**11.0**
Baseline VMT Rate	11.7	10.0	15.9
2040 Scenario	10.9	9.1	14.6
2019 - 2040 Growth [4]	10.0	9.4	14.3
2040 Scenario Compared to Threshold (%)	9.6%	23.1%	32.8%
Growth Compared to Threshold (%)	0.7%	26.2%	29.8%

Note:
1. Per capita
2. Per employee
3. Retail land uses are based on net increase as compared to Santa Cruz County-wide existing VMT.
4 Per General Plan Buildout analysis.
Source: Kimley-Horn and Associates, 2021.

The General Plan includes policies and programs designed to reduce VMT to a reasonable extent. In particular, Policy M-3.1 Reduce Vehicle Miles Traveled (VMT) requires the City to work in cooperation with the Santa Cruz County Regional Transportation Commission, the Association of Monterey Bay Area Governments, and Santa Cruz County to reduce VMT. Policy M-3.18 Vehicle Miles Traveled Standards and CEQA Evaluation and Policy M-3.19 Projects with Significant Vehicle Miles Travelled Impacts requires to City to evaluate General Plan land use designation changes, zone changes, and discretionary development for their individual (i.e., project-specific) and cumulative transportation impacts based on Vehicle Miles Traveled (VMT) under the California Environmental Quality Act (CEQA) and prohibit such projects unless: 1) There are no feasible mitigation measures available that would reduce the impact to a less than significant level; and 2). The City's decision-making body, after balancing as applicable, the economic, legal, social, technological, or other benefits, including region-wide or statewide environmental benefits, of the project against its unavoidable transportation impact and any other environmental risks, determines that the benefits of the project outweigh the unavoidable adverse environmental impacts and adopt a statement of overriding considerations pursuant to CEQA.

Furthermore, the City's VMT Implementation Guidelines identifies strategies to reduce VMT through a variety of methods. These include but are not limited to:

- Facilitating the efficient use of existing transportation facilities;
- Striving to provide viable modal choices that make driving alone an option rather than a necessity;
- Supporting variable work schedules to reduce peak period VMT, and

- Providing more direct routes for pedestrians and bicyclists.

While the above referenced goals and policies, and the City's *VMT Implementation Guidelines*, identifies strategies to reduce VMT, impacts associated with implementation of the General Plan would not be reduced to less than significant due to the increased development, new roadways, and increased use of the City's and regional transportation system. While project-level impact mitigation shall be analyzed to reduce the significance of VMT-related impacts and the City VMT Implementation Guidelines will be continually improved and innovated to require VMT reduction to the extent feasible, this impact would be **significant and unavoidable**.

WILDFIRE

Applicable Regulations, Plans, and Standards

Federal

Federal Emergency Management Act (FEMA)

In March 2003, FEMA became part of the U.S. Department of Homeland Security. FEMA's continuing mission is to lead the effort to prepare the nation for all hazards and effectively manage federal response and recovery efforts following any national incident. FEMA also initiates proactive mitigation activities, trains first responders, and manages the National Flood Insurance Program and the U.S. Fire Administration.

Disaster Mitigation Act of 2000

This Act (42 United States Code [U.S.C.] Section 5121) was signed into law to amend the Robert T. Stafford Disaster Relief Act of 1988 (42 U.S.C. Section 5121-5207). Among other things, this legislation reinforces the importance of pre-disaster infrastructure mitigation planning to reduce disaster losses nationwide and is aimed primarily at the control and streamlining of the administration of federal disaster relief and programs to promote mitigation activities. Some of the major provisions of this Act include:

- Funding pre-disaster mitigation activities;
- Developing experimental multi-hazard maps to better understand risk;
- Establishing state and local government infrastructure mitigation planning requirements;
- Defining how states can assume more responsibility in managing the hazard mitigation grant program; and
- Adjusting ways in which management costs for projects are funded.

The mitigation planning provisions outlined in Section 322 of this Act establish performance-based standards for mitigation plans and require states to have a public assistance program (Advance Infrastructure Mitigation [AIM]) to develop county government plans. The consequence for counties that fail to develop an infrastructure mitigation plan is the chance of a reduced federal share of damage assistance from 75 percent to 25 percent if the damaged facility has been damaged on more than one occasion in the preceding 10-year period by the same type of event.

National Fire Plan

The National Fire Plan was a Presidential directive in 2000 as a response to severe wildfires that had burned throughout the United States. The National Fire Plan focuses on reducing fire impacts on rural communities and assurance for sufficient firefighting capacity in the future. It is a long-term investment that will help protect natural resources in addition to communities, as well as a long-term commitment based on cooperation and communication among federal agencies, states, local governments, tribes, and interested members of the public.

State

California Public Resources Code (PRC) 4290 and 4291

These regulations, which implement minimum fire safety standards related to defensible space, apply to the perimeters and access to all commercial, industrial, and residential building construction with a State Responsibility Area (SRA) [5] (approved after January 1, 1991), and within lands classified and designated as Very High Fire Hazard Severity Zone (after July 1, 2021). The person(s) who control, lease, maintain, operate, or own said building in, upon, or adjoining a mountainous area, forest-covered lands, brush-covered lands, grass-covered lands, or land that is covered with flammable materials is required to preserve a defensible space of 100 feet from the perimeter of the building.

2016 California Code of Regulations (CCR), Title 14 SRA Fire Safe Regulations

These regulations establish minimum wildfire protection standards in conjunction with building, construction and development in a State Responsibility Area. The future design and construction of structures, subdivisions and developments in a State Responsibility Area shall provide for basic emergency access and perimeter wildfire protection measures. These measures shall provide for emergency access; signing and building numbering; private water supply reserves for emergency fire use; and vegetation modification.

2016 California Fire Code, Chapter 49 Requirements for Wildland Urban Interface (WUI) Fire Areas

This code provides minimum standards to increase the ability of a building or structure to resist the intrusion of flame or burning embers being projected by a vegetation fire and contributes

[5] CalFire has a legal responsibility to provide fire protection on all SRAs. In context to this General Plan, the area located outside of the city limits but within the Planning Area are located in the SRA.

to a systematic reduction in fire losses through the use of performance and prescriptive requirements. Buildings and structures located on unincorporated land designated as SRA Moderate, High, and Very High FHSZ; and land designated as Very High FHSZ by a city or other local agency, shall maintain the required hazardous vegetation and fuel management standards.

2016 California Fire Code

CCR Title 24, Part 9 (2016 California Fire Code) contains regulations relating to construction and maintenance of buildings, the use of premises, and the management of WUI areas, among other issues. The California Fire Code is updated every three years by the California Building Standards Commission and was last updated in 2016 (adopted January 1, 2017). The Fire Code sets forth regulations regarding building standards, fire protection and notification systems, fire protection devices such as fire extinguishers and smoke alarms, high-rise building standards, and fire suppression training. It contains regulations relating to construction, maintenance, and use of buildings. Topics addressed in the code also include fire department access, fire hydrants, automatic sprinkler systems, fire alarm systems, fire and explosion hazards safety, hazardous materials storage and use, provisions intended to protect and assist fire responders, industrial processes, and many other general and specialized fire-safety requirements for new and existing buildings and the surrounding premises. Development under the Project would be subject to applicable regulations of the California Fire Code.

Title 8 California Code of Regulations Sections 1270 and 6773

In accordance with CCR, Title 8 Section 1270 “Fire Prevention” and Section 6773 “Fire Protection and Fire Equipment,” the California Occupational Safety and Health Administration (Cal-OSHA) has established minimum standards for fire suppression and emergency medical services. The standards include, but are not limited to, guidelines on the handling of highly combustible materials, fire hose sizing requirements, restrictions on the use of compressed air, access roads, and the testing, maintenance, and use of all firefighting and emergency medical equipment.

2016 California Building Standards Code

California building standards are published in the CCR, Title 24, also known as the California Building Standards Code (CBSC). The CBSC, which applies to all applications for building permits, consists of 12 parts that contain administrative regulations for the California Building Standards Commission and for all state agencies that implement or enforce building standards. Local agencies must ensure the development complies with the guidelines contained in the CBSC. Cities and counties can adopt additional building standards beyond the CBSC including the CBSC Part 2, named the California Building Code which is based upon the 2016 International Building Code, and Part 11, named the California Green Building Standards Code, also called the CalGreen Code.

California Health and Safety Code

State fire regulations are set forth in California Health and Safety Code Section 13000 et seq., and include provisions concerning building standards, fire protection and notification systems, fire protection devices, and fire suppression training, as also set forth in the 2016 CBSC and related updated codes.

Emergency Mutual Aid Agreements (EMAA)

The EMAA system is a collaborative effort between city and county emergency managers in the Office of Emergency Services (OES) in the coastal, southern, and inland regions of the state. EMAA provides service in the emergency response and recovery efforts at the Southern Regional Emergency Operations Center (REOC), local Emergency Operations Centers (EOCs), the Disaster Field Office (DFO), and community service centers. The purpose of EMAA is to support disaster operations in affected jurisdictions by providing professional emergency management personnel. In accordance with the EMAA, local and state emergency managers have responded in support of each other under a variety of plans and procedures.

California Governor's Office of Emergency Management Agency (Cal-EMA)

In 2009, the State of California passed legislation creating the Cal-EMA and authorizing it to prepare a Standardized Emergency Management System (SEMS) program (Title 19 CCR Section 2400 *et seq.*), which sets forth measures by which a jurisdiction should handle emergency disasters. Non-compliance with SEMS could result in the state withholding disaster relief from the non-complying jurisdiction in the event of an emergency disaster.

Cal-EMA serves as the lead state agency for emergency management in the state. Cal-EMA coordinates the state response to major emergencies in support of local government. The primary responsibility for emergency management resides with local government. Local jurisdictions first use their own resources and, as these are exhausted, obtain more from neighboring cities and special districts, the County in which they are located, and other counties throughout the state through the statewide mutual aid system. In California, the SEMS provides the mechanism by which local government requests assistance. Cal-EMA serves as the lead agency for mobilizing the state's resources and obtaining federal resources; it also maintains oversight of the state's mutual aid system.

AB 2911

Existing law requires a local agency to designate, by ordinance, Very High FHSZs in its jurisdiction within 120 days of receiving recommendations from the Director of Forestry and Fire Protection and exempts a local agency, as defined, from that requirement if ordinances of the local agency, adopted on or before December 31, 1992, impose standards that are equivalent to, or more restrictive than, specified state standards. Existing law authorizes a local agency, at its discretion, to exclude from specified requirements governing fire risk reduction an

area identified as a very high fire hazard severity zone by the director within the jurisdiction of the local agency, following a specified finding supported by substantial evidence that those requirements are not necessary for effective fire protection within the area (California Legislative Information, 2018).

Local

Scotts Valley Emergency Operations Plan

The Scotts Valley Emergency Operations Plan (2015) addresses the City's responsibilities in emergencies associated with natural disaster (including wildfires), human-caused emergencies and technological incidents. It provides a framework for coordination of response and recovery efforts within the City in coordination with local, State, and federal agencies. The Plan establishes an emergency organization to direct and control operations during a period of emergency by assigning responsibilities to specific personnel.

Impacts of the Project

Significance Criteria

An impact of the project would be considered significant and would require mitigation if it would meet one of the following criteria:

- Substantially impair an adopted emergency response plan or emergency evacuation plan?
- Due to slope, prevailing winds, and other factors, exacerbate wildfire risks, and thereby expose project occupants to, pollutant concentrations from a wildfire or the uncontrolled spread of a wildfire?
- Require the installation or maintenance of associated infrastructure (such as roads, fuel breaks, emergency water sources, power lines or other utilities) that may exacerbate fire risk or that may result in temporary or ongoing impacts to the environment?
- Expose people or structures to significant risks, including downslope or downstream flooding or landslides, as a result of runoff, post-fire slope instability, or drainage changes?

Analysis Methodology

Local and state plans and regulations regarding wildfire management and emergency management plans, as well as policies contained in Chapter 6 Safety & Noise were use analyzed to potential wildfire impacts described below.

Summary of No and/or Beneficial Impacts

Impair an Adopted Emergency Response/Evacuation Plan

Implementation to the General Plan does not propose any significant changes in land use. Policy CSF-2.6: Emergency Preparedness Planning requires the City to maintain an emergency operations plan and emergency operations center to prepare for actual or threatened conditions of disaster or extreme peril. Therefore, there would be **no impact**.

Installation or Maintenance of Infrastructure That May Exacerbate Fire Risk

Adoption and implementation of the General Plan would not directly result in new development. Development capacity described is the General Plan is very modest and less than the existing 1994 General Plan. No major installation or maintenance of infrastructure is envisioned, particularly outside of the urbanized areas in rural, more densely vegetated hillsides. Therefore, there would be **no impact**.

Project Impacts and Mitigation Measures

Impact WF-1: Due to slope, prevailing winds, and other factors, exacerbate wildfire risks, and thereby expose project occupants to, pollutant concentrations from a wildfire or the uncontrolled spread of a wildfire. This is considered a **potentially significant** impact.

Adoption and implementation of the General Plan would not directly result in new development. As an established community, new development accommodated by the updated General Plan would be considered infill development, both on limited remaining vacant lands or intensification and/or redevelopment on underutilized parcels. Thus, development would be within an established community. The surrounding hillsides and within the City limits are largely built out and were development could occur, it limited to very low-density residential development.

Furthermore, Goal SN-1 and associated policies set forth measures to human life and prosperity and to minimize injury, economic damage, and social dislocation resulting from disasters related to fire. In particular, Policy SN-1.6: Fire Protection Problem Areas requires that in fire protection problem areas, development shall be permitted only after mitigation measures satisfactory to the Scotts Valley Fire District are developed to prevent or control spread of fire and provide life safety to occupants as recommended by the fire district. Policy SN-1.1: Fire Protection Cooperative Agreement requires the City to maintain cooperative fire protection and fire prevention agreements with the Scotts Valley Fire District. Policy SN-1.7: Fire Protection Management requires the continued operation of California Department of Forestry and Fire Protection (CalFire) programs for fuel breaks, brush management, controlled burning, re-vegetation, and fire roads. Policy SN-1.13 Fire Safety Systems requires the City, in cooperation with the fire district, to require that all buildings constructed include fire safety features, such as automatic fire sprinkler system, class “C” or better roof cover for structures in

the non-wildland fire hazard area/Local Responsibility Area (LRA), Class "B" or better roof covering for moderate or high wildland fire hazard area/ State Responsibility Area (SRA), fire detection, and alarm systems.

Given the fact that the City is an established urban community that is largely built out and that the General Plan includes goals and policies to minimize injury, economic damage, and social dislocation resulting from disasters related to fire, impacts would be **less than significant,** and no mitigation is required.

Impact WF-3: Expose people or structures to significant risks, including downslope or downstream flooding or landslides, as a result of runoff, post-fire slope instability, or drainage changes. This is considered a **less than significant** impact.

Adoption and implementation of the General Plan would not directly result in new development. Furthermore, no new significant development is envisioned in the hillsides surrounding the City's more urban valley floor.

Under extreme conditions such as a lightening fire, or severe fire conditions due to a prolonged drought, a fire(s) could occur in the hillsides within the Planning Area and cover a broad that could potentially result in downstream flooding or landslides, post-fire instability, or drainage changes. Such conditions would be monitored and managed by the Scotts Valley Fire District, Cal Fire, and Santa Cruz County, and are not a direct impact associated with future development under the General Plan. Therefore, impacts would be **less than significant**, and no mitigation is required.

ALTERNATIVES

Requirements for Alternatives Analysis

CEQA requires that a reasonable range of alternatives to the proposed project be described and considered within an EIR. The alternatives considered should represent scenarios that could feasibly attain most of the basic objectives of the project but would avoid or substantially lessen any of the significant environmental effects. The purpose of this process is to provide decision makers and the public with a discussion of viable development options, and to document that other options to the proposal were considered during the planning process (CEQA Guidelines, §15126.6).

Relationship to Project Objectives

The objectives of any project provide an important benchmark in conducting the comparative alternatives analysis and the feasibility of each. An alternative is only meaningful for consideration if it can meet the basic objectives of the project as proposed. For the Scotts Valley General Plan, a programmatic planning document, the "project objectives" are comprised of the Vision Statement and Guiding Principles, and the related goals contained within each element.

Range of Alternatives Considered

The update to the General Plan is considered relatively minor as it does not propose any new or changed land use designations (apart from minor "clean up" revisions based on prior Council approvals).

Additionally, the City of Scotts Valley is a compact urban community that is surrounded by natural barriers to outward expansion. As described in the Land Use Element, developable areas within the City limits are largely built out. As an established community, new development accommodated by the updated General Plan would be considered infill development, both on limited remaining vacant lands or intensification and/or redevelopment on underutilized parcels.

Based on the community input during the General Plan update process and guidance and direction from the General Plan Advisory Committee (GPAC), no significant changes in land use designations were considered and in fact, the General Plan reflects a future development capacity that is less than 1994 General Plan.

As such, this EIR only considers two alternative, namely: 1) No Project and 2) Lower Intensity.

Alternative 1 – No Project

CEQA Guidelines Section 15126.6(e)(3) requires that a "no-project" alternative be evaluated as part of an EIR, proceeding under one of two scenarios: the project site remaining in its current state or, development of the project site under its current zoning designation. Alternative 1 considers the environmental effects of not approving the General Plan. In effect, this alternative would maintain the existing 1994 General Plan and its land uses for the next 20 years.

Comparative Analysis to the Proposed General Plan

This EIR concludes that the primary environmental impacts resulting from General Plan implementation are; air quality, greenhouse gas emissions, traffic, increased noise levels, and increased demands upon public services.

If the City were to maintain the existing 1994 General Plan as its primary land use and policy document, development would continue using existing land use designations and goal policies as the framework for analyzing future development projects.

The proposed General Plan updates the existing 1994 General Plan to be consistent with state law. It also includes new or revised goal, policies, and actions that place a greater emphasis on maintaining the community's vision of a preserving and enhancing Scotts Valley's safe, small-town character and natural wooded setting and family-oriented way of life. Not updating the 1994 General Plan would therefore result in greater environmental impacts to those environmental resources listed above.

As such, the No Project Alternative would result in greater environmental impacts and would not attain the City's stated goals and objectives as identified throughout the General Plan.

Alternative 2 – Lower Intensity

The intent of this alternative is to reduce impacts particularly on-air quality, greenhouse gas emissions, traffic, increased noise levels, and increased demands upon public services by reducing the development intensity (densities) of the City's existing proposed General Plan land use designations. Given the fact that the City is largely built-out, this alternative assumes a conservative 20% reduction in future growth due to lower allowed densities, as shown in Table ER-A-1: Lower Intensity Alternative Buildout Assumptions.

Table ER-A-1: Lower Intensity Alternative Buildout Assumptions

	Households	Population [1]	Employment
Comparison to Proposed General Plan			
General Plan Buildout	6,000	15,400 [1]	8,400 [2]
Alternative 2 Lower Intensity	4,800	12,320	6,720
Difference	**(1,200)**	**(3,080)**	**(1,680)**
Development Capacity			
Existing (2020) [2]	4,750	12,145	7,612
Alternative 2 Lower Intensity	4,800	12,320	6,720
Net Change	**50**	**175**	

Notes:

1. Per US Census, assumes 2.68 persons per household, rounded to the nearest 100.
2. Per AMBAG 2018 Regional Growth Forecast (2015-2040).

Comparative Analysis to the Proposed General Plan

Reducing development densities would reduce impacts to those environmental resources listed above. For instance, impacts to VMT would be reduced, as would associated impacts to air quality, greenhouse gas emissions, noise, and demands upon public services. Given the fact that Scotts Valley is largely built out and the difference in buildout between the General Plan and Alternative 2 is relatively minor, no significant change in impacts would occur.

Conclusion

As Scotts Valley is a relatively a compact established community with natural features that generally prohibit a geographic expansion for growth, there are a limited number of "alternatives", other than those discussed here, that would effectively reduce or otherwise avoid the significant environmental impacts as compared to the General Plan.

The Lower Intensity Alternative would reduce traffic volumes, reduce noise, reduce vehicle emissions, and create fewer demands on public services and utilities, including water demand and wastewater treatment. For these reasons, the Lower Intensity Alternative is considered the "environmentally superior alternative". CEQA requires the identification of such an alternative as a component of the alternatives analysis.

OTHER SECTIONS REQUIRED BY CEQA

Effects Not Found to Be Significant

Agricultural and Forestry Resources

There are no designated as Prime Farmland, Unique Farmland, or Farmland of Statewide Importance by the State Farmland Mapping and Monitoring Program (FMMP) in the Planning Area. No Williamson Act contract applies to the project site. The Planning Area does not contain any uses designated by the City as forest land and the General Plan does not propose any annexation of County land. Therefore, there would be no impacts to agricultural or forestry resources.

Energy

Energy consumption associated with future development would be temporary and short-term and would be required comply with State Building Energy Efficiency Standards, appliance efficiency regulations, and green building standards. Additionally, the project includes other design features such as EV charging stations, “cool” roofs, efficient lighting, and natural ventilation and lighting.

Future development would be required to be built to City and State energy efficiency standards and comply with existing regulations, including applicable measures from the City’s General Plan, or would be directly affected by the outcomes (vehicle trips and energy consumption would be less carbon intensive due to statewide compliance with future low carbon fuel standard amendments and increasingly stringent Renewable Portfolio Standards).

As such, General Plan implementation would not conflict with any other state-level regulations pertaining to energy, and single-occupancy traffic trips and design features to improve energy efficiency would continue to apply. Therefore, future development would comply with existing State energy standards and would not conflict with or obstruct a state or local plan for renewable energy or energy efficiency. There would be no impact to energy.

Mineral Resources

There are no active mines or quarries or known mapped oil or gas fields in the Planning Area. Therefore, there would be no impact.

Irreversible Environmental Changes

CEQA Requirement

Public Resources Code Section 21100(b)(2)(B) requires an EIR to include a statement setting forth any significant effects on the environment that would be irreversible if a project is implemented. Examples of irreversible environmental changes, as set forth in CEQA Guidelines Section 15126.2(c), include the following:

- The project would involve a large commitment of non-renewable resources such that removal or non-use thereafter is unlikely;
- The primary and secondary impacts of a project would generally commit future generations to similar uses (e.g., a highway providing access to a previously inaccessible area);
- The project involves uses in which irreversible damage could result from any potential environmental accidents associated with the project; or
- The phasing of the proposed consumption of resources is not justified (e.g., the project involves the wasteful use of energy).

A proposed project would result in significant irreversible effects if it is determined that key resources would be degraded or destroyed to the extent that there is little possibility of restoring them. Irreversible environmental changes should be evaluated to assure that such current consumption is justified (CEQA Guidelines Section 15126.2(c)).

Analysis

The Scotts Valley General Plan update and resulting subsequent development would result in an increased intensity of urbanization. A variety of non-renewable and limited resources would be irretrievably committed for project construction and maintenance, including, but not limited to, oil, natural gas, gasoline, lumber, sand and gravel, asphalt, steel, water, land, energy, construction materials and human resources. In addition, the project would result in an increase in demand on public services and utilities, including groundwater.

An increase in the intensity of land uses within the City's Planning Area would result in an increase in regional electric energy consumption to satisfy additional electricity demands from the project. These energy resource demands relate to initial project construction, transport of people and goods, and lighting, heating, and cooling of buildings.

Development to support urban uses may be regarded as a permanent and irreversible change. Grading, utility extensions, drainage improvements, new and improved roadways, and construction of buildings would permanently alter the character of the City to one that is more urbanized. The General Plan would generally commit future generations to similar urban uses, since it is unlikely that the existing vacant and underdeveloped land would be reclaimed for non-urban uses once development occurs.

Growth Inducing Impacts

CEQA Requirement

Public Resources Code Section 21100(a)(5) requires that the growth-inducing impacts of a project be addressed in the EIR. A project may be growth-inducing if it directly or indirectly

fosters economic or population growth or additional housing, removes obstacles to growth, taxes community services facilities, or encourages or facilitates other activities that cause significant environmental effects (CEQA Guidelines Section 15126.2(d)). Direct growth-inducing impacts result when the development associated with a project directly induces population growth or the construction of additional developments within the same geographic area. These impacts may impose burdens on a community or encourage new local development, thereby triggering subsequent growth-related impacts.

The analysis of potential growth-inducing impacts includes a determination of whether a project would remove physical obstacles to population growth. This often occurs with the extension of infrastructure facilities that can provide services to new development. Indirect growth-inducing impacts result from projects that serve as catalysts for future unrelated development in an area. Development of public institutions, such as colleges, and the introduction of employment opportunities within an area are examples of projects that may result in direct growth-inducing impacts.

CEQA provides no criteria for determining if induced growth is detrimental or beneficial. Induced growth is considered a significant impact only if it directly or indirectly affects the ability of agencies to provide needed public services, or if it can be demonstrated that the potential growth could significantly affect the environment in some other way.

Analysis

As a General Plan, future development would induce new growth. This is one of the objectives of the General Plan, but to do so in a planned, efficient, and compact manner. General Plan implementation, based on General Plan goals, policies, and action, would result in the logical extension of utilities and services within the Planning Area boundaries. As the Planning Area is constrained geographically due to topography and County growth restrictions, it is unlikely that development consistent with the General Plan would cause, or remove barriers to, additional direct or indirect growth outside the Planning Area.

Although the General Plan does envision economic development and employment catalysts (such as commercial and limited industrial use), it is assumed that the residential components of the plan would balance and absorb the job-based growth-inducing tendencies of these uses. As such, the growth-inducing effect of the General Plan beyond its planned growth area is predicted to be less than significant by CEQA standards.

Significant and Unavoidable Effects

Effects found to be significant and unavoidable as a result of General Plan implementation have been identified throughout this EIR and are listed below:

- Air Quality

- Transportation (VMT)

Please see the respective sections of the EIR for more detailed discussion of these issues. Should the City Council certify the EIR and adopt the General Plan, specific findings and a Statement of Overriding Considerations would be required to weigh the relative merits of the proposal against the environmental consequences that may result.

Scotts Valley General Plan Update

Final EIR

SCH # 2020070330

November 2023

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1 Introduction

The Scotts Valley General Plan Draft Environmental Impact Report (DEIR) was circulated for a 45-day public review period from August 7, 2023 to September 21, 2023, as assigned by the State of California Governor's Office of Planning and Research State Clearinghouse and consistent with CEQA regulations. Copies of the document were distributed to state, regional, and local agencies, as well as organizations and individuals, for their review and comment.

This Scotts Valley General Plan Final Environmental Impact Report (FEIR) has been prepared in accordance with CEQA and state and local CEQA Guidelines and represents the independent judgment of the City, as CEQA Lead Agency. This Final EIR, together with the DEIR, technical appendices, and other written documentation prepared during the EIR process, as those documents may be modified by the City Council at the time of certification, will constitute the Final EIR, as defined in the State CEQA Guidelines, Section 15132, and the City of Scotts Valley's environmental document reporting procedures.

1.1 Document Organization and Framework

This Final EIR is organized as follows: Section 1 provides a brief introduction to this report. Section 2 provides a list of agencies and interested persons commenting on the DEIR. This section also contains individual comments followed thereafter by responses. To facilitate review of the responses, an index number (e.g., 1-1, 1-2, 2-1) has been assigned to each comment and to its corresponding responses. Section 3 contains changes to the DEIR as a result of the comments by agencies and interested persons.

Because the general plan update was designed to be "self-mitigating," there are no mitigation measures associated with the EIR and therefore there is no need for a Mitigation Monitoring and Reporting Program.

City Staff has reviewed the comment letters, draft responses and information generated in the course of preparing the responses and determined that none of this material constitutes significant new information that requires a recirculation period for further public comment under CEQA Guideline Section 15088.5. None of this new material indicates that the project will result in a significant new environmental impact not previously disclosed in the DEIR. Additionally, none of this material indicates that there would be a substantial increase in the severity of a previously identified environmental impact that will not be mitigated, or that there would be any of the other circumstances requiring recirculation as described in Section 15088.5.

1.2 CEQA Requirements Regarding Comments and Responses

CEQA Guidelines Section 15204 (a) outlines parameters for submitting comments and reminds persons and public agencies that the focus of review and comment of Draft EIRs should be, "on the sufficiency of the document in identifying and analyzing possible impacts on the environment and ways in which significant effects of the project might be avoided or mitigated.

Comments are most helpful when they suggest additional specific alternatives or mitigation measures that would provide better ways to avoid or mitigate the significant environmental effects. At the same time, reviewers should be aware that the adequacy of an EIR is determined in terms of what is reasonably feasible, considering factors such as the magnitude of the project at issue, the severity of its likely environmental impacts, and geographic scope of the project. CEQA does not require a lead agency to conduct every test or perform all research, study, and experimentation recommended or demanded by commenters. When responding to comments, lead agencies need only respond to significant environmental issues and do not need to provide all information requested by reviewers, as long as a good faith effort at full disclosure is made in the EIR."

2 Response to Comments on the Draft EIR

2.1 Agency, Organization, and Individual Comments on the Draft EIR

This section includes all written comments received on the DEIR and the City's responses to each comment. Comment letters and specific comments are given letters and numbers for reference purposes. Where sections of the DEIR are excerpted in this document, the sections are shown indented. Changes to the DEIR text are shown in underline for additions and ~~strikeout~~ for deletions.

The following is a list of agencies and organizations that submitted comments on the Draft EIR during the public review period:

Table 2-1: List of Written Comments Received on the Draft EIR

Comment Letter No.	Commenting Agency / Organization / Individual	Date
Agencies		
1	State of California, Department of Transportation, Caltrans District 5	September 21, 2023
2	Santa Cruz Local Agency Formation Commission	September 20, 2023
Organizations		
	None	
Individuals		
	None	

California Department of Transportation

CALTRANS DISTRICT 5
50 HIGUERA STREET | SAN LUIS OBISPO, CA 93401-5415
(805) 549-3101 | FAX (805) 549-3329 TTY 711
www.dot.ca.gov

Comment Letter #1

September 21, 2023

SCr/17/Var
SCH#2020070330

Taylor Bateman
Community Development Director
City of Scotts Valley Planning Department
One Civic Center Drive
Scotts Valley, CA 95066

COMMENTS FOR THE SCOTTS VALLEY GENERAL PLAN UPDATE DRAFT ENVIRONMENTAL IMPACT REPORT (DEIR) – SCOTTS VALLEY, CA

Dear Mr. Bateman:

The California Department of Transportation (Caltrans), District 5, Local Development Review, has reviewed the DEIR for the Scotts Valley General Plan Update which establishes goals, policies, and actions that will guide future land use and environmental protection decisions in Scotts Valley over the next 20 years. Caltrans offers the following comments in response to the DEIR:

1. Caltrans applauds the Scotts Valley General Plan's efforts to ensure that infrastructure is seamlessly integrated, well-connected, and supports all modes and users through a balanced multimodal transportation network. These measures will help meet statewide goals of reducing vehicle miles traveled and greenhouse gas emissions while supporting an equitable transportation network for all users. 1-1

2. We support General Plan Policy M-3.16 for Traffic Impact Mitigation Fees collecting fees from developers of new projects to construct various transportation and mobility improvements including bikeways, pedestrian pathways, and transit facilities. Integrating and connecting multiple modes, as well as addressing gaps in the existing transportation network, is essential to improving the convenience and reliability of travel throughout the area. 1-2

3. Caltrans looks forward to working with Scotts Valley on future transit and Complete Streets concepts located within State right of way. The State views all transportation improvements as opportunities to improve safety, access, and mobility for all users and recognizes bicycle, pedestrian, and transit modes as integral elements of the transportation network. Early coordination with Caltrans, in locations that may affect both Caltrans and Scotts Valley, is encouraged. 1-3

4. Future implementation of Highway 17 Access Management Plan concepts will help create a more efficient corridor with fewer conflict points, improved turning movements, and increased mobility options. Caltrans embraces working with our partner agencies to enhance the corridor for all residents and travelers. 1-4

5. Please be aware Caltrans is in the initial phases of developing a State Route 17 Resiliency and Adaptation Plan estimated to be completed in the winter of 2025. 1-5

Thank you for the opportunity to review and comment on the proposed project. If you have any questions, or need further clarification on items discussed above, please contact me at (805) 835-6543 or email christopher.bjornstad@dot.ca.gov.

Sincerely,

Christopher Bjornstad

Chris Bjornstad
Associate Transportation Planner
District 5 Local Development Review

2.2 Response to Comments

2.2.1 Response to Comment Letter #1: State of California, Department of Transportation, Caltrans District 5

1-1: Comment noted.

1-2: Comment noted.

1-3: Comment noted.

1-4: Comment noted.

1-5: Comment noted.

Santa Cruz Local Agency Formation Commission
701 Ocean Street # 318D
Santa Cruz CA 95060
Phone: (831) 454-2055
Email: info@santacruzlafco.org
Website: www.santacruzlafco.org

September 20, 2023

Comment Letter #2

Mali LaGoe, City Manager
City of Scotts Valley
1 Civic Center Drive
Scotts Valley, CA 95066

Subject: Extraterritorial Service Agreements

Dear Ms. LaGoe,

Our records show that the City of Scotts Valley (City) has 11 extraterritorial service agreements (ESA) in place, with an additional ESA being considered during LAFCO's October 4th Regular Commission Meeting. The existing ESAs were approved from 2001 to 2022 and allow the City to provide sewer services to parcels outside the City's jurisdictional boundary in accordance with Government Code Section 56133. These agreements were approved to immediately address health and safety issues and are meant to be precursors to annexation in the future.

The first ESA was approved in 2001 to provide sewer services to nine parcels totaling two acres. The next eight ESAs, one for each single parcel, were approved between 2005 to 2021, ranging from 1 to 1.4 acres. The last two were approved in 2022 and both were approximately one acre in size. **Attachments 1 and 2** show the location of the ESAs and provide additional information about each agreement. As the map shows, all 12 ESAs (including the most recent one being considered in October) are located within the City's sphere, planning area, and immediately adjacent to the City's jurisdictional boundary. 2-1

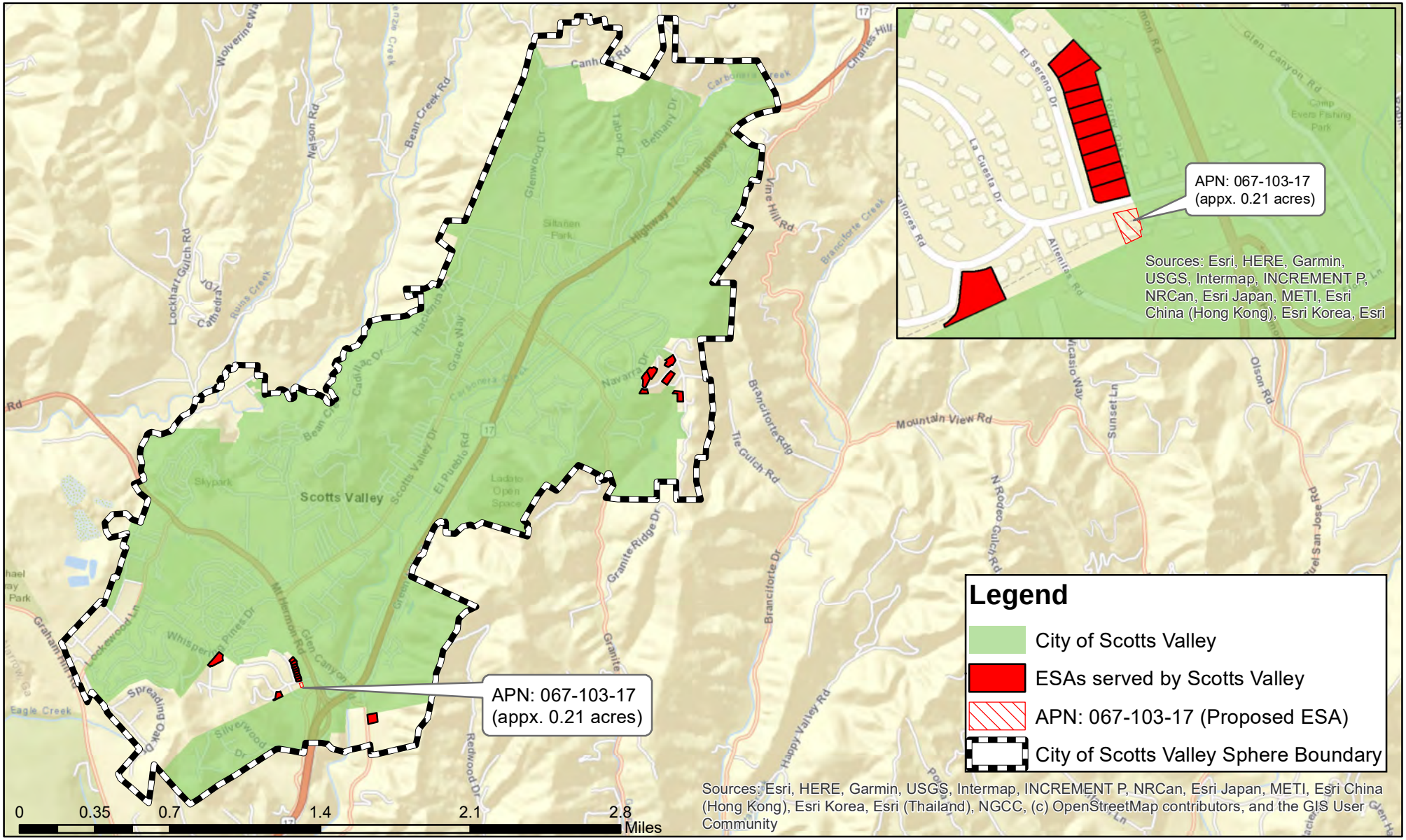
At present, the general plan update does not reference the provision of sewer service to areas outside the city limits under these ESAs. Therefore, LAFCO is requesting that the City identify, catalog, and reference the ESAs within their general plan to reflect the current service delivery to the affected parcels outside the City but within its existing sphere boundary and planning area. Including these ESAs into the general plan would allow the City to plan for future annexations, if and when appropriate. This general plan update may also be a good opportunity to update the City's annexation policy. Our records show that the policy has not been updated since 1995.

Thank you again for this opportunity to discuss the City's active ESAs and general plan update process. Feel free to contact me if you have any questions. I can be reached by email at joe@santacruzlafco.org or by phone at (831) 454-2055. I would also be happy to meet with you and your staff for more detailed discussions.

Sincerely,

Joe A. Serrano
Executive Officer

Attachment: Vicinity Map & List



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City of Scotts Valley
List of Extraterritorial Service Agreements

The City of Scotts Valley has 11 ESAs on file, with an additional ESA in the works. These ESAs provide sewer services to 20 parcels totalling approximately 11 acres.

City of Scotts Valley
List of Extraterritorial Service Agreements

# of ESAs	LAFCO Project No.	Original Parcel No.	Approval Year	Size (Acres)
1	878	067-101-12, 11, 10, 09, 08, 07, 06, 05, & 04	2001	1.8
2	902	067-101-12	2005	0.2
3	916	068-282-01	2007	1.2
4	920	056-101-01	2007	1.0
5	935	067-561-04	2010	0.5
6	939	056-102-05	2011	1.1
7	942	067-281-08	2012	1.4
8	ESA 20-26	056-101-17	2020	1.0
9	ESA 21-06	056-101-11	2021	1.0
10	ESA 21-19	056-102-02	2022	0.414
11	ESA 22-02	056-131-09	2022	1.01
12*	ESA 23-15	067-103-17	2023	0.21
Total Acreage				**10.9**

Footnote: The last ESA will be considered by LAFCO on 10/4/23; staff is recommending approval in accordance with GCS 56133(c)

2.2.2 Response to Comment Letter #2: Santa Cruz Local Agency Formation Commission

2-1: Comment noted. The 11 extraterritorial service agreements (ESAs) between 2001 and 2022 were approved by the Scotts Valley City Council to address health and safety issues associated with sewer service and are not meant to be precursors to future annexations.

While the City of Scotts Valley may in the future provide sewer service for certain properties requesting such services, they will be limited and done in the interest of health and safety concerns.

To clarify this, the General Plan has been amended to include the following additional policy:

Policy LU-2.2 Extension of City Services
In the interest solely for health and safety purposes, the City may provide infrastructure services (e.g., sewer) to parcels outside of the City limits and within the City's Sphere of Influence. However, the extension of these services are not meant to serve as a precursor to annexation.

3 Changes to the Draft EIR

Changes to the Draft EIR are shown on the following pages in the order that they appear in the EIR. New text is shown in underline, and removed text is shown in ~~strikethrough~~. These text changes do not constitute substantial new information and do not result in significant new impacts or the increase in severity of impacts already disclosed.

Policy LU-1.15 **Coordination with Utility Providers**
Work with utility providers to identify future utility expansion needs. Obtain easements from property owners to extend private utilities and/or promote cooperation between utility providers and property owners for acquiring easements or rights-of-way for utility expansions.

Policy LU-1.16 **Dedication of Park Land**
Require new residential development to dedicate park land and/or to contribute park in-lieu fees to the City that enable the purchase of additional park land, or to provide recreational facilities, or to maintain existing parks consistent with the Parks Master Plan.

Actions

Action LU-1.1 **Design Guidelines**
Update the City's Residential Design Handbook, Mount Hermon Design Guidelines, and Commercial and Industrial Design Review Guidelines to reflect more contemporary architecture and urban design standards.

Goal LU-2 Maintain a well-defined valley community with boundaries defined by the planning area's natural features and environmental functions.

Policies

Regional

Policy LU-2.1 **Annexations**
When determined by the City Council to be consistent with the Vision Statement and Guiding Principles of this General Plan, consider pursuing annexations in accordance with the requirements as set forth in the City's Annexation Policy.

~~**Policy LU-2.1**~~ **Extension of City Services**
In the interest solely for health and safety purposes, the City may provide infrastructure services (e.g., sewer) to parcels outside of the City limits and within the City's Sphere of Influence. However, the extension of these services are not meant to serve as a precursor to annexation.

~~Policy LU-2.2~~

City

~~Policy LU-2.2~~Policy LU-2.3 **Edge Boundaries**

Preserve open space and maintain development at the edge of the city limits compatible with surrounding Santa Cruz County land uses.

~~Policy LU-2.3~~Policy LU-2.4 **Preservation of Open Space**

Preserve open space areas for the protection of public health and safety, provision of recreational opportunities and protection of natural resources.

~~Policy LU-2.4~~Policy LU-2.5 **Preservation of Riparian Corridors**

During the development review period, require the preservation of riparian corridors consistent with state law and the policies described in the Open Space and Conservation element of this General Plan.

Neighborhood

~~Policy LU-2.5~~Policy LU-2.6 **Neighborhood Characteristics**

Require new development to reinforce and be designed to support the unique natural qualities and environmental features in which it is located.

~~Policy LU-2.6~~Policy LU-2.7 **Natural Features**

Protect and enhance natural features, including trees, hillsides, natural habitat, and riparian areas, which contribute to the unique identity of individual neighborhoods.

~~Policy LU-2.7~~Policy LU-2.8 **Bethany Neighborhood Special Treatment Area**

All future development in the Bethany Neighborhood Special Treatment Area shall be reviewed and considered under the Planned Development zoning regulations.

Project

~~Policy LU-2.8~~Policy LU-2.9 **Land Sloped Less than 25%**

Those areas of a parcel with slopes of less than 25% may be considered for construction consistent with sound development and planning principles.

~~Policy LU-2.9~~Policy LU-2.10 **Land Sloped 25% to 40%**

Land sloped 25% or greater may be considered for a "density transfer" requiring the steeper slopes to be preserved with no disruption and "transferring" the units that would be allowed on the slopes of 25% or greater for construction on the more level portions of the parcel if these portions are otherwise suitable for higher densities.

~~Policy LU-2.10~~Policy LU-2.11 **Land Sloped Over 40% -- Open Space Preservation**

Land over 40% slope shall be preserved as open space, with no construction of any kind, with the exception of quarry reclamation or remediation of natural slope failure. During the development of the site, the density for the 40% slopes may be transferred for construction into the areas with a slope of less than 25% if these areas are otherwise suitable for higher densities.

~~Policy LU-2.11~~Policy LU-2.12 **Density Transfer Developments**

Any density transfer developments may be pursued under the Planned Development Ordinance.

Goal LU-3 Maintain a complementary balance of land uses throughout the city.

Policies

Region

Policy LU-3.1 **Jobs / Housing Incentives**

Work with representatives from regional, State, and federal agencies to include Scotts Valley incentives programs that link housing to transportation and jobs.

Policy LU-3.2 **Jobs / Housing Balance**

Work with the County and other agencies to develop strategies for improving the region's jobs/housing balance and matching employment opportunities with housing costs.

City

Policy LU-3.3 **Balanced Land Use Patterns**

Foster land use patterns that balance economic, housing, community, and environmental needs, and promote social diversity.

determined to be less than significant due to the respective policies and action items described in this General Plan.

Significant Unavoidable Impacts

A significant and unavoidable impact was identified for Impact ~~AQ-2~~AQ-3 regarding a cumulatively considerable net increase in criteria pollutants. The most recent AMBAG 2018 Population, Housing Unit, and Employment Forecasts project population growth in five-year increments to the year 2040. The 2040 population forecast for the City of Scotts Valley by AMBAG is 12,418 persons. Since the General Plan assumes a population buildout of 15,400 (see Table LU-1: General Plan Buildout Summary), the General Plan would be inconsistent with the AQMP. This inconsistency in population forecasts is considered to result in a cumulatively considerable significant air quality impact. Due to the projected population growth, regional emissions would remain significant, and the General Plan would likely remain inconsistent with the AQMP. No further mitigation is feasible to reduce this impact. Therefore, this impact would remain **significant and unavoidable**.

A significant and unavoidable impact was identified for Impact T-1 regarding the exceedance of VMT thresholds. While Impact T-1 identifies goals and policies in the Mobility Element, and the City's *VMT Implementation Guidelines* identifies strategies to reduce VMT, impacts associated with implementation of the General Plan would not be reduced to less than significant due to the increased development, new roadways, and increased use of the City's and regional transportation system. While project-level impact mitigation shall be analyzed to reduce the significance of VMT-related impacts and the City VMT Implementation Guidelines will be continually improved and innovated to require VMT reduction to the extent feasible, this impact would be **significant and unavoidable**.

No other significant impacts were identified in this EIR. This is due to the fact that this General Plan is a programmatic policy document and does not propose specific development projects. Furthermore, where potential significant impacts were initially identified, additional policies were added to the General Plan to "pre-mitigate" such impacts. Lastly, the City of Scotts Valley is a compact urban community that is surrounded by natural barriers to outward expansion. As described in the Land Use Element, developable areas within the City limits are largely built out. As an established community, new development accommodated by the General Plan would be considered infill development, both on limited remaining vacant lands or intensification and/or redevelopment on underutilized parcels.

Cumulative Impacts

CEQA Guidelines

CEQA requires that an EIR contain an assessment of the cumulative impacts that could be associated with the proposed project. According to CEQA Guidelines Section 15130(a), "an EIR shall discuss cumulative impacts of a project when the project's incremental effect is

- CA Department of Transportation (Caltrans) submitted a letter (8/11/2020) regarding the using vehicle miles travelled (VMT) as the basis for the transportation analysis, encouraging the use of Transportation Demand Management (TDM) strategies, and General Plan consistency with the Caltrans Highway 17 Access Management Plan.
- CA Native Heritage Commission submitted a letter (7/20/2020) regarding CEQA compliance requirements with AB 52 and SB 18, as well as compliance with any other applicable laws.

Issues to be Resolved

Section 15123(b)(3) of the CEQA Guidelines requires the summary section of an EIR to identify any "issues to be resolved including the choice among alternatives and how to mitigate significant effects."

The following major issues would be resolved by the City of Scotts Valley in its decision process:

- Determine whether the EIR adequately describes the environmental impacts of the project;
- Choose among alternatives;
- Determine whether the recommended mitigation measures should be adopted or modified; and
- Determine whether additional mitigation measures need to be applied to the project.

Summary of No and/or Beneficial Impacts

Conflict with a Program, Plan, Ordinance, or Policy

The Mobility Element of the General Plan is, by its nature, the overall policy document that guides mobility planning for the City. Associated plans, including the City's Bicycle Transportation Plan, is consistent with the intentions of the General Plan. Therefore, there would be **no impact**.

Substantially Increase Hazards

Adoption and implementation of the General Plan would not directly result in new development. The General Plan does not include new roads or road alignments, and thus, would not create or increase hazards due to a road or intersection design. Furthermore, Goal M-4 through Goal M-7 and associated policies requires the City to provide a roadway, bicycle, and pedestrian facilities that enhances the community support safe and functional mobility. This includes Policy M-4.2 Street Standards, Policy M-4.5 Traffic Calming, Policy, M-4.11 Scotts Valley Drive and Mt. Hermon Road Corridors, Policy M-4.12 Highway 17 Corridor, Policy M-6.4 Safety, Action M-6.6 Bike Safety, Policy M-7.1 Pathways, Policy M-7.3 Accessibility for All, and Policy M-7.6 Safety. Therefore, there would be **no impact**.

Emergency Access

Adoption and implementation of the General Plan would not directly result in new development. The proposed General Plan does not include new roads or road alignments, and thus, would not restrict emergency access. Per Section 17.50.030 Design Review Procedures, all future projects would be reviewed by the City and the Scotts Valley Fire District as part of design review to ensure adequate emergency access for each proposed project. Therefore, there would be **no impact**.

Project Impacts and Mitigation Measures

Impact T-1: Exceed VMT Thresholds? This is considered a ~~**less than significant**~~**potentially significant** impact.

The Land Use Element of the General Plan would accommodate future development, particularly on vacant and underdeveloped land and within existing urban areas. These are generally within existing urban residential, comical, and/or industrial use areas.

Forecasted VMT estimated travel is shown in Table ER-T-2: Scotts Valley Daily Estimated VMT 2040 Forecast Travel, which shows the increment of VMT change associated with the growth identified in the General Plan for each land use type. Note that the established thresholds for the Office and Industrial land uses in this table are regionally based, and therefore do not distinguish between incorporated and unincorporated growth. The analysis indicates that at a

4 Mitigation Monitoring and Reporting Program

4.1 Public Resources Code

When approving projects with Environmental Impact Reports (EIRs) that identify significant impacts, the California Environmental Quality Act (CEQA) requires public agencies to adopt monitoring and reporting programs or conditions of project approval to mitigate or avoid the identified significant effects (Public Resources Code Section 21081.6(a)(1)). A public agency adopting measures to mitigate or avoid the significant impacts of a proposed project is required to ensure that the measures are fully enforceable, through permit conditions, agreements, or other means (Public Resources Code Section 21081.6(b)). The mitigation measures required by a public agency to reduce or avoid significant project impacts not incorporated into the design or program for the project, may be made conditions of project approval as set forth in a Mitigation Monitoring and Reporting Program (MMRP). The program must be designed to ensure project compliance with mitigation measures during project implementation.

Because the Scott Valley General Plan Draft EIR did not identify any significant impacts that required mitigation measures, an MMRP is not required.

City of Scotts Valley
CITY COUNCIL STAFF REPORT

DATE: 11/29/2023

TO: Honorable Mayor and City Council

FROM: Taylor Bateman, Community Development Director

APPROVED: Mali LaGoe, City Manager

SUBJECT: **Consideration of a Planning Commission recommendation that the City Council establish a Vehicle Miles Traveled (VMT) Policy inclusive of establishing VMT as the appropriate metric for evaluating transportation related impacts under CEQA, establishing VMT thresholds of significance, establishing screening criteria, and Transportation Demand Management (TDM) strategies.**

SUMMARY OF ISSUE

In 2013, state law was changed with the passage of Senate Bill (SB) 743 (Steinberg) to update the way transportation impacts are analyzed under the California Environmental Quality Act (CEQA) for new land use and transportation projects. Previously, transportation analyses had been based on automobile delay, typically measured as "Level of Service" or LOS. LOS is a measure of delay or congestion and measures a driver's perception of convenience. "Vehicle Miles Traveled," or VMT is a measure of the amount and distance people travel by car. Switching from LOS to VMT changes the transportation impact analysis from people's perception of convenience to an evaluation of the amount and distance that a project might cause people to drive, and the associated greenhouse gas emissions released into the environment.

The intent of SB 743 is to bring CEQA transportation analyses into closer alignment with other statewide policies regarding greenhouse gases, complete streets, and smart growth. As of July 1, 2020, automobile delays and LOS may no longer be used as the performance measure to determine the impacts of land development projects under CEQA.

The proposed VMT Policy (*Analyzing Vehicle Miles Traveled for CEQA Compliance,* City of Scotts Valley, November 2023) provides guidelines for how a land use or transportation project would be evaluated in accordance with SB 743 and the Governor's Office of Planning and Research (OPR) Technical Advisory on evaluating transportation impacts. The proposed VMT Policy removes automobile delay as a significant impact on the environment and replaces it with a VMT threshold for all CEQA environmental determinations.

PLANNING COMMISSION REVIEW

On November 16, 2023, the Planning Commission reviewed the VMT Policy and recommended its adoption to the City Council. A discussion of the Policy is provided in the

attached Planning Commission staff report.

FISCAL IMPACT

There is no fiscal impact associated with the recommended action.

STAFF RECOMMENDATION

The Planning Commission recommends the City Council adopt Resolution No. 2041:

1. Approving a VMT Policy inclusive of establishing VMT as the appropriate metric for evaluating transportation-related impacts under CEQA, establishing VMT thresholds of significance, establishing screening criteria, establishing Transportation Demand Management (TDM) strategies; and
2. Authorizing the Community Development Director to update the VMT thresholds of significance, screening criteria and TDM strategies for land use projects and plans as necessary; and
3. Finding approval of a VMT Policy, including the VMT Mitigation Banking Program is not a “project” under CEQA, or if a “project,” exempt under the “common sense” exemption (14 Cal. Code Regs. § 15061(b)(3)).

TABLE OF CONTENTS

1. Resolution No. 2041 - Adoption of a VMT Policy
2. Planning Commission Staff Report (November 16, 2023) includes VMT Policy: Analyzing VMT for CEQA Compliance

RESOLUTION NO. 2041

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SCOTTS VALLEY ADOPTING A VEHICLE MILES TRAVELED (VMT) POLICY INCLUSIVE OF ESTABLISHING VMT AS THE APPROPRIATE METRIC FOR EVALUATING TRANSPORTATION-RELATED IMPACTS UNDER CEQA, ESTABLISHING VMT THRESHOLDS OF SIGNIFICANCE, ESTABLISHING SCREENING CRITERIA, AND ESTABLISHING TRANSPORTATION DEMAND MANAGEMENT (TDM) STRATEGIES

WHEREAS, the California Environmental Quality Act (CEQA) requires public agencies responsible for approval of land use projects and construction of transportation projects to assess their anticipated environmental impacts and to select project alternatives or implement mitigation measure that lessen those impacts where feasible. Known as a "lead agency" under CEQA, a public agency with the discretionary authority to approve or deny a project (or to carry it out directly) generally must analyze the proposed project's impacts to the physical environment, identify alternatives and mitigation measures, and approve a project alternative and/or mitigation measures that substantially reduce significant impacts, unless those measures are infeasible due to economic, social, or other conditions; and

WHEREAS, in 2013, state law was changed with the passage Senate Bill (SB) 743 (Steinberg) to update the way transportation impacts are analyzed under CEQA for new land use and transportation projects. Previously, transportation analyses had been based on automobile delay, typically measured as "level of service," or LOS. SB 743 also required the Governor's Office of Planning and Research (OPR) to develop a new metric for evaluating transportation impacts other than LOS to more appropriately balance the needs of congestion management with statewide goals related to infill development, promotion of public health through active transportation, and reduction of greenhouse gas emissions; and

WHEREAS, in 2018, OPR released updates to the state's CEQA Guidelines to implement SB 743 by replacing LOS with VMT as the most appropriate measure of a project's transportation impacts; this update was formally certified and adopted by the California Natural Resources Agency and codified as section 15064.3 of the CEQA Guidelines. Simultaneously, OPR released a Technical Advisory on Evaluating Transportation Impacts in CEQA. The Technical Advisory includes recommendations for thresholds of significance for evaluating impacts of office, residential and retail developments, and provides screening criteria for identifying the types of projects that can be presumed to have a less than significant impact; and

WHEREAS, as of July 1, 2020, all lead agencies are required to use VMT to measure transportation impacts, in accordance with section 15064.3 of the CEQA Guidelines; and

WHEREAS, in order to comply with SB 743, the City of Scotts Valley joined the Cities of Capitola, Santa Cruz, and Watsonville and the County of Santa Cruz to collectively approach this new paradigm of measuring transportation impacts for the purposes of conducting environmental review. The Cities and County hired Kimley Horn & Associates, a transportation consulting firm, to assist with the necessary work, including updating

baseline traffic conditions, updating, and running the county-wide Travel Demand Model, creating screening maps, and producing thresholds of significance for the Santa Cruz region. This work forms the foundation of the City's draft VMT Policy, and was used by other jurisdictions within our region that have adopted VMT thresholds of significance and SB 743 guidelines in conformance of with section 15064.3 of the CEQA Guidelines and OPR's Technical Advisory; and

WHEREAS, CEQA Guidelines section 15064.7(b) allows lead agencies to adopt thresholds of significance for the lead agency's general use in its environmental review process; and

WHEREAS, the City intends to adopt a VMT Policy, inclusive of establishing VMT thresholds of significance, screening criteria and transportation demand management (TDM) strategies, based on a data-driven evaluation, in order to meet the intent of State legislation; and

WHEREAS, the Planning Commission adopted Resolution No. 1789, recommending adoption of the draft Vehicle Miles Traveled (VMT) Policy inclusive of establishing VMT as the appropriate metric for evaluating transportation-related impacts under CEQA, establishing VMT thresholds of significance, establishing screening criteria, and establishing Transportation Demand Management (TDM) strategies; and

WHEREAS, the adoption of a VMT Policy, including the VMT Mitigation Banking Program, is not a "project" as defined in section 15378 of the CEQA Guidelines and Public Resources Code section 21065, as this is not a "project" that may cause a direct, or reasonably foreseeable indirect, physical change in the environment. The VMT Policy is an administrative activity of the City, providing guidance to property owners, project developers, applicants and proponents for determining the significance of transportation impacts of land use projects. The VMT Policy would not approve any specific development and would therefore not lead to any particular physical change to the environment. Moreover, even if found to be a "project," the VMT Policy is exempt under the "common sense" exception (14 Cal. Code Regs. § 15061(b)(3)) because it can be seen with certainty that there is no possibility that the action of adopting the Policy would have a significant effect on the environment; and

WHEREAS, the City Council held a duly noticed public hearing on November 29, 2023 on the proposed VMT Policy at which the public were granted the opportunity to provide oral and written testimony.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Scotts Valley as follows:

1. The City Council hereby adopts the draft VMT Policy including screening criteria and transportation demand management (TDM) strategies as set forth in Exhibit "A" attached hereto and incorporated herein, inclusive of establishing VMT as the City's thresholds of significance for transportation-related environmental impacts pursuant to CEQA, as follows:

Land Use	VMT Threshold	Basis
Residential	10.0 VMT/capita [1]	15% below the existing City's average VMT per capita.
Office	7.4 Work VMT/Employee [2]	15% below existing Santa Cruz County-wide average Work VMT per employee.
Retail	Net regional change	Using Santa Cruz County as the basis.
Industrial	11.0 Work VMT/Employee [2]	15% below existing county-wide average Work VMT per employee.
Other Employment	Work VMT/Employee [2]	15% below existing county-wide average Work VMT per employee for similar land uses.
Other Customer	Net regional change	Using Santa Cruz County as the basis.
Transportation Projects	Net increase to countywide VMT	Using Santa Cruz County as the basis.

Notes:

1. Residential VMT specifically applies to all Home-Based trips residential trips as represented in the Travel Demand Model.
2. Work VMT specifically applies to commute trips as represented in the Travel Demand Model.

2. The City Council authorizes the Community Development Director to update the VMT thresholds of significance for land use projects and plans, screening criteria and TDM strategies, as necessary and appropriate to reflect current conditions, provided any update is consistent with the intent of SB 743 and in compliance with procedural and substantive requirement of CEQA and all other applicable state and local laws.

The above and foregoing resolution was duly and regularly adopted and passed by the City Council of the City of Scotts Valley at a special meeting held on the 29th day of November, 2023, by the following vote:

AYES:
NOES:
ABSENT:
ABSTAIN:

Approved: _____
Jack Dilles, Mayor

Attest: _____
Cathie Simonovich, City Clerk

City of Scotts Valley
PLANNING COMMISSION
STAFF REPORT

DATE: 11/16/2023

TO: Planning Commission

FROM: Taylor Bateman, Community Development Director

REGARDING: Draft Vehicle Miles Traveled (VMT) Guidelines

SUMMARY

SB 743 changed the way that transportation impacts are evaluated under CEQA. The City Council will need to adopt the proposed VMT Policy for analyzing VMT in accordance with SB 743 and CEQA, otherwise the State's criteria for VMT analysis will need to be applied.

The proposed VMT Policy (*Analyzing Vehicle Miles Traveled for CEQA Compliance,* City of Scotts Valley, November 2023) provides guidelines for how a land use or transportation project would be evaluated in accordance with this state law and OPR's Technical Advisory on evaluating transportation impacts. The proposed VMT Policy removes automobile delay as a significant impact on the environment and replaces it with a VMT threshold for all CEQA environmental determinations.

RECOMMENDATION

Recommend the City Council adopt a Resolution:

1. Approving a VMT Policy inclusive of establishing VMT as the appropriate metric for evaluating transportation-related impacts under CEQA, establishing VMT thresholds of significance, establishing screening criteria, establishing Transportation Demand Management (TDM) strategies; and
2. Authorizing the Community Development Director to update the VMT thresholds of significance for land use projects and plans as necessary; and
3. Finding the approval of a VMT Policy, including the VMT Mitigation Banking Program is not a "project" under CEQA, or if a "project," exempt under the "common sense" exception (14 Cal. Code Regs. § 15061(b)(3)).

BACKGROUND

The California Environmental Quality Act requires public agencies responsible for approval of land use projects and construction of transportation projects to assess their anticipated environmental impacts and to select project alternatives or implement mitigation measures that lessen those impacts where feasible.1 Known as a "lead agency" under CEQA, a public agency with the discretionary authority to approve or deny a project (or to carry it out directly) generally must analyze the proposed project's impacts to the physical environment, identify alternatives and mitigation measures, and approve a project alternative and/or mitigation measures that substantially reduce significant impacts, unless those measures are infeasible due to economic, social, or other conditions.[1]

In 2013, state law was changed with the passage Senate Bill (SB) 743 (Steinberg) to update the way transportation impacts are analyzed under CEQA for new land use and transportation projects. Previously, transportation analyses had been based on automobile delay, typically measured as "level of service," or LOS. SB 743 also required the Governor's Office of Planning and Research (OPR) to develop a new metric for evaluating transportation impacts other than LOS to balance the needs of congestion management more appropriately with statewide goals related to infill development, promotion of public health through active transportation, and reduction of greenhouse gas emissions.

In 2018, after five years and over 200 public meetings and other outreach events, OPR released updates to the state's CEQA Guidelines to implement SB 743 by replacing LOS with VMT as the most appropriate measure of a project's transportation impacts; this update was formally certified and adopted by the California Natural Resources Agency and codified as section 15064.3 of the CEQA Guidelines (Attachment 1). Simultaneously, OPR released a Technical Advisory on Evaluating Transportation Impacts in CEQA (Attachment 2). The Technical Advisory includes recommendations for thresholds of significance for evaluating impacts of office, residential and retail developments, and provides screening criteria for identifying the types of projects that can be presumed to have a less than significant impact.

To comply with SB 743, the City of Scotts Valley joined the cities of Capitola, Santa Cruz, and Watsonville, and the County of Santa Cruz, to collectively approach this new paradigm of measuring transportation impacts for the purposes of conducting environmental review. The Cities and County hired Kimley Horn & Associates, a transportation consulting firm, to assist with the necessary work, including updating baseline traffic conditions, updating and running the county-wide Travel Demand Model, creating screening maps, and producing thresholds of significance for the Santa Cruz

[1] Cal. Pub. Res. Code §§ 21100 (state agencies), 21151 (local agencies); Cal. Pub. Res. Code § 21002.1 (project selection and feasibility).

region. This work forms the foundation of the City's proposed VMT Policy and was used by other jurisdictions within our region that have adopted VMT thresholds of significance and SB 743 guidelines in conformance of with section 15064.3 of the CEQA Guidelines and OPR's Technical Advisory.

DISCUSSION

SB 743 Intent

The intent of SB 743 is to bring CEQA transportation analyses into closer alignment with other statewide policies regarding greenhouse gases, complete streets, and smart growth. As of July 1, 2020, automobile delay and LOS may no longer be used as the performance measure to determine the transportation impacts of land development projects under CEQA. Using VMT as a performance measure instead of LOS is intended to discourage suburban sprawl, reduce greenhouse gas emissions, and encourage the development of smart growth, complete streets, and multimodal transportation networks. Previously, when using LOS, the environmental impact analysis process could impede infill and other beneficial projects.

In changing the way that transportation impacts are measured under CEQA, SB 743 is removing a hurdle to building new development in a way that allows Californians more options to drive less. This change should help achieve the state's climate commitments, discourage greenfield development, preserve more of the environment, improve health and safety, and boost local economies by prioritizing co-located jobs, services, and housing. On average, it should also reduce the time spent driving to get places and foster more choices for how people travel, which would help to promote business, provide access to opportunity, and improve quality of life in one's community and across the state.

LOS and VMT

"Level of service," or LOS, is a measure of delay or congestion. It is based on a road's volume-to-capacity and measures a driver's perception of convenience. For example, a road that has free-flowing traffic (i.e., no delay) is given a LOS of "A"; whereas a road where drivers experience a delay of 80 second or more is graded LOS "F."

Previously, a project's contribution to a roadway's LOS was treated as an environmental impact. And if a project was determined to generate a large number of new trips, that say reduced the LOS of an intersection from "C" to "D," it would often have to mitigate this impact by increasing the capacity of the intersection or nearby roadway segments. Increasing a roadway's capacity, however, has the unintended effect of often inducing further driving without reducing congestion because of pent up desire for travel known

as latent demand. [2] [3]

It should be noted that SB 743 allows the City of Scotts Valley to use LOS for other planning purposes outside the scope of CEQA. Adopting VMT thresholds does not preclude the City from continuing to conduct LOS analysis for project specific transportation analysis addressing delay, consistent with its General Plan policies and for the purpose of collecting traffic impact fees, consistent with the City's Municipal Code and City policy. The City's methodology for evaluating the need for traffic impacts improvements based on LOS outside of the CEQA requirements will remain unchanged, as defined in the latest version of the City's *Guide for the Preparation of Traffic Impact Studies*.

"Vehicle Miles Traveled," or VMT, is a measure of the amount and distance people travel by car. Therefore, switching from LOS to VMT changes the transportation impact analysis from people's perception of convenience to an evaluation of the amount and distance that a project might cause people to drive and the associated greenhouse gas emissions released into the environment.

VMT Policy

Now that the primary consideration in transportation environmental analysis under CEQA must be the amount and distance that the project might cause people to drive, any Environmental Impact Report (EIR) and Negative Declaration circulated for public review are required to consider VMT when determining whether a project may cause a significant impact. Staff has proposed the VMT Policy document (*Analyzing Vehicle Miles Traveled for CEQA Compliance*, City of Scotts Valley, October 2023) (Attachment 3) setting forth guidelines for how the City shall implement SB 743 in compliance with the updated CEQA Guidelines (Attachment 1).

Thresholds of Significance

Lead agencies under CEQA may establish thresholds of significance for the purpose of determining whether a project may cause a significant effect. When adopting or using thresholds of significance, a lead agency may consider recommendations by other public agencies or experts, provided that they are supported by substantial evidence. For land use projects, the Technical Advisory states, "OPR recommends that a per capita or per employee VMT that is fifteen percent below that of existing development may be a reasonable threshold" based on substantial evidence related to the state's

[2] "Induced travel" refers to an increase in total vehicle mileage due to roadway improvements that increase vehicle trip frequency and distance, but exclude travel shifted from other times and routes. For more information, see Generated Traffic: Implications for Transport Planning by Todd Litman.

[3] "Latent demand" refers to additional trips that would be made if travel conditions improve (i.e., less congested roads, higher design speeds, lower vehicle costs or tolls). For more information, see Generated Traffic: Implications for Transport Planning by Todd Litman.

greenhouse gas reduction goals. [4],[5] The proposed VMT Policy includes establishing the following thresholds of significance based on OPR's recommendations:

- **Residential projects**: 15% below existing (10.0 miles) city-wide average VMT per capita. [6]
- **Office projects**: 15% below existing (7.4 miles) county-wide average Work VMT per employee. [7]
- **Retail projects**: No net increase (based on county-wide VMT). [8]
- **Other customers**: No net increase (based on county-wide VMT for similar land uses)
- **Other employment**: 15% below existing county-wide average Work VMT per employee for similar uses.

If a project is not screened out with the criteria outlined, as further described below, then it is subject to a detailed VMT analysis. Should a project exceed the threshold of significance, a menu of accepted Transportation Demand Management (TDM) strategies are available to reduce the project's VMT to an acceptable level, which are described in detail in Appendix B of the VMT Policy (Attachment 3). Since TDM

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[4] OPR (2018), OPR Technical Advisory on Evaluating Transportation Impacts in CEQA, p. 10. For additional information, refer to pages 10-12 in Attachment 2.

[5] In its document California Air Resources Board 2017 Scoping Plan-Identified VMT Reductions and Relationship to State Climate Goals (2019), CARB assessed VMT reduction per capita consistent with its evidence-based modeling scenario that would achieve State climate goals of 40 percent GHG emissions reduction from 1990 levels by 2030 and 80 percent GHG emissions reduction levels from 1990 by 2050. CARB found that overall, per-capita vehicle travel would need to be approximately 14.3 percent

[6] OPR recommends using a 15 percent below existing VMT per capita as a threshold of significance, because a residential project measured in this way should not cumulatively exceed the population or number of units specified for Scotts Valley in the MTP/SCS. Conversely, projects that result in greater-than-planned development above the city-wide threshold would undermine the VMT containment needed to achieve regional targets under SB 375. For additional information, refer to VMT Thresholds of Significance on page 8 in Attachment 3 and Recommended Numeric Thresholds for Residential, Office, and Retail Projects on page 15 in Attachment 2.

[7] Similarly, OPR recommends using a 15 percent below existing VMT per employee as a threshold of significance, because office projects that would generate vehicle travel above this threshold would likely indicate a significant transportation impact. For additional information, refer to VMT Thresholds of Significance on page 8 in Attachment 3 and Recommended Numeric Thresholds for Residential, Office, and Retail Projects on page 16 in Attachment 2.

[8] Because new retail development typically redistributes shopping trips rather than create new trips, basing a threshold of significance on the total change in VMT—i.e., the difference in total VMT in area affected with and without the project—is recommended by OPR as the way to analyze a retail project's transportation impacts. For additional information, refer to Recommended Numeric Thresholds for Residential, Office, and Retail Projects on page 16 in Attachment 2.

measures may feasibly reduce VMT up to 15 percent, there will be times when a project will need additional options for mitigating its VMT impacts.

Screening Criteria

The proposed VMT Policy includes screening criteria for determining whether certain types of projects may be presumed to not result in a significant impact. Projects that meet one or more of these criteria based on; project size, maps transit availability, local-serving retail, and the provision of affordable housing, would be "screened out" from having to conduct further detailed VMT analysis. These criteria were developed in accordance with OPR's Technical Advisory on evaluating transportation impacts in CEQA and are shown in Exhibit 4: Screening Criteria of Attachment 3.

Travel Demand Management Mitigation Strategies

The proposed VMT Policy includes travel demand management (TDM) mitigation strategies along with the maximum VMT reduction, applicable land use application, and complementary strategies. The City of Scotts Valley's VMT calculator tool includes the TDMs that are described in Appendix B of the VMT Policy document. Developers can propose additional mitigation measures with supporting documentation substantiating the effectiveness of the mitigation for consideration. All proposed TDMs are subject to approval by the City.

Additionally, staff will continue to monitor and consider the viability of additional VMT mitigation strategies and/or programs (e.g., regional VMT mitigation fee program).

Environmental Review

The proposed VMT Policy, including the VMT Mitigation Banking Program, is consistent with state law, in that it would allow the City to implement SB 743 in accordance with OPR's technical guidelines on evaluating transportation impacts in CEQA. The adoption of a VMT Policy is not a "project" as defined in section 15378 of the CEQA Guidelines and Public Resources Code section 21065, as this is not a "project" that may cause a direct, or reasonably foreseeable indirect, physical change in the environment. The VMT Policy is an administrative activity of the City, providing guidance to property owners, project developers, applicants and proponents for determining the significance of transportation impacts of land use projects. The VMT Policy would not approve any specific development and would therefore not lead to any particular physical change to the environment. Moreover, even if found to be a "project," the VMT Policy is exempt under the "common sense" exception (14 Cal. Code Regs. § 15061(b)(3)) because it can be seen with certainty that there is no possibility that the action of adopting the Policy would have a significant effect on the environment.

FINANCIAL IMPACT

The VMT Policy would have no direct fiscal impact on the City. Indirect costs associated with staff time in coordinating the environmental review for land use projects would be covered under a reimbursement agreement with the developer.

ATTACHMENTS

1. Section 15064.3 of the CEQA Guidelines
2. Technical Advisory on Evaluating Transportation Impacts in CEQA (OPR, December 2018)
3. Analyzing VMT for CEQA Compliance: SB 743 Implementation Guidelines (City of Scotts Valley, November 2023)
4. Draft Resolution No. 1789 (Planning Commission)

Note: Authority cited: Sections 21083, 21083.05, Public Resources Code. Reference: Sections 21003, 21065, 21068, 21080, 21082, 21082.1, 21082.2, 21083, 21083.05, and 21100, Public Resources Code; *No Oil, Inc. v. City of Los Angeles* (1974) 13 Cal.3d 68; *San Joaquin Raptor/Wildlife Center v. County of Stanislaus* (1996) 42 Cal.App.4th 608; *Gentry v. City of Murrieta* (1995) 36 Cal.App.4th 1359; *Laurel Heights Improvement Assn. v. Regents of the University of California* (1993) 6 Cal.4th 1112; *Communities for a Better Environment v. California Resources Agency* (2002) 103 Cal.App.4th 98; *Protect the Historic Amador Waterways v. Amador Water Agency* (2004) 116 Cal. App. 4th 1099; and *Rominger v. County of Colusa* (2014) 229 Cal.App.4th 690.

SECTION 15064.3. DETERMINING THE SIGNIFICANCE OF TRANSPORTATION IMPACTS

(a) Purpose.

This section describes specific considerations for evaluating a project's transportation impacts. Generally, vehicle miles traveled is the most appropriate measure of transportation impacts. For the purposes of this section, "vehicle miles traveled" refers to the amount and distance of automobile travel attributable to a project. Other relevant considerations may include the effects of the project on transit and non-motorized travel. Except as provided in subdivision (b)(2) below (regarding roadway capacity), a project's effect on automobile delay shall not constitute a significant environmental impact.

(b) Criteria for Analyzing Transportation Impacts.

(1) Land Use Projects. Vehicle miles traveled exceeding an applicable threshold of significance may indicate a significant impact. Generally, projects within one-half mile of either an existing major transit stop or a stop along an existing high quality transit corridor should be presumed to cause a less than significant transportation impact. Projects that decrease vehicle miles traveled in the project area compared to existing conditions should be presumed to have a less than significant transportation impact.

(2) Transportation Projects. Transportation projects that reduce, or have no impact on, vehicle miles traveled should be presumed to cause a less than significant transportation impact. For roadway capacity projects, agencies have discretion to determine the appropriate measure of transportation impact consistent with CEQA and other applicable requirements. To the extent that such impacts have already been adequately addressed at a programmatic level, such as in a regional transportation plan EIR, a lead agency may tier from that analysis as provided in Section 15152.

(3) Qualitative Analysis. If existing models or methods are not available to estimate the vehicle miles traveled for the particular project being considered, a lead agency may analyze the project's vehicle miles traveled qualitatively. Such a qualitative analysis would evaluate factors such as the availability of transit, proximity to other destinations, etc. For many projects, a qualitative analysis of construction traffic may be appropriate.

(4) Methodology. A lead agency has discretion to choose the most appropriate methodology to evaluate a project's vehicle miles traveled, including whether to express the change in absolute terms, per capita, per household or in any other measure. A lead agency may use models to estimate a project's vehicle miles traveled, and may revise those estimates to reflect professional judgment based on substantial evidence. Any assumptions used to estimate vehicle miles traveled and any revisions to model outputs should be documented and explained in the environmental document prepared for the project. The standard of adequacy in Section 15151 shall apply to the analysis described in this section.

(c) Applicability. The provisions of this section shall apply prospectively as described in section 15007. A lead agency may elect to be governed by the provisions of this section immediately. Beginning on July 1, 2020, the provisions of this section shall apply statewide.

Note: Authority cited: Sections 21083 and 21099, Public Resources Code. Reference: Sections 21099 and 21100, Public Resources Code; Cleveland National Forest Foundation v. San Diego Association of Governments (2017) 17 Cal.App.5th 413; Ukiah Citizens for Safety First v. City of Ukiah (2016) 248 Cal.App.4th 256; California Clean Energy Committee v. City of Woodland (2014) 225 Cal. App. 4th 173.

15064.4. DETERMINING THE SIGNIFICANCE OF IMPACTS FROM GREENHOUSE GAS EMISSIONS

(a) The determination of the significance of greenhouse gas emissions calls for a careful judgment by the lead agency consistent with the provisions in section 15064. A lead agency shall make a good-faith effort, based to the extent possible on scientific and factual data, to describe, calculate or estimate the amount of greenhouse gas emissions resulting from a project. A lead agency shall have discretion to determine, in the context of a particular project, whether to:

(1) Quantify greenhouse gas emissions resulting from a project; and/or

(2) Rely on a qualitative analysis or performance based standards.

(b) In determining the significance of a project's greenhouse gas emissions, the lead agency should focus its analysis on the reasonably foreseeable incremental contribution of the project's emissions to the effects of climate change. A project's incremental contribution may be cumulatively considerable even if it appears relatively small compared to statewide, national or global emissions. The agency's analysis should consider a timeframe that is appropriate for the project. The agency's analysis also must reasonably reflect evolving scientific knowledge and state regulatory schemes. A lead agency should consider the following factors, among others, when determining the significance of impacts from greenhouse gas emissions on the environment:

(1) The extent to which the project may increase or reduce greenhouse gas emissions as compared to the existing environmental setting;

(2) Whether the project emissions exceed a threshold of significance that the lead agency determines applies to the project.

(3) The extent to which the project complies with regulations or requirements adopted to implement a statewide, regional, or local plan for the reduction or mitigation of greenhouse gas emissions (see, e.g., section 15183.5(b)). Such requirements must be adopted by the relevant public agency through a public review process and must reduce or mitigate the project's incremental contribution of greenhouse gas emissions. If there is substantial evidence that the possible effects of a particular project are still cumulatively considerable notwithstanding compliance with the adopted regulations or requirements, an EIR must be prepared for the project. In determining the significance of impacts, the lead agency may consider a project's consistency with the State's long-term climate goals or strategies, provided that substantial evidence supports the agency's analysis of how those goals or strategies address the project's incremental contribution to climate change and its conclusion that the project's incremental contribution is not cumulatively considerable.

(c) A lead agency may use a model or methodology to estimate greenhouse gas emissions resulting from a project. The lead agency has discretion to select the model or methodology it considers most appropriate to enable decision makers to intelligently take into account the project's incremental contribution to climate change. The lead agency must support its selection of a

TECHNICAL ADVISORY

ON EVALUATING TRANSPORTATION IMPACTS IN CEQA

December 2018

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A. Introduction

This technical advisory is one in a series of advisories provided by the Governor's Office of Planning and Research (OPR) as a service to professional planners, land use officials, and CEQA practitioners. OPR issues technical assistance on issues that broadly affect the practice of land use planning and the California Environmental Quality Act (CEQA) (Pub. Resources Code, § 21000 et seq.). (Gov. Code, § 65040, subds. (g), (l), (m).) The purpose of this document is to provide advice and recommendations, which agencies and other entities may use at their discretion. This document does not alter lead agency discretion in preparing environmental documents subject to CEQA. This document should not be construed as legal advice.

Senate Bill 743 (Steinberg, 2013), which was codified in Public Resources Code section 21099, required changes to the guidelines implementing CEQA (CEQA Guidelines) (Cal. Code Regs., Title 14, Div. 6, Ch. 3, § 15000 et seq.) regarding the analysis of transportation impacts. As one appellate court recently explained: "During the last 10 years, the Legislature has charted a course of long-term sustainability based on denser infill development, reduced reliance on individual vehicles and improved mass transit, all with the goal of reducing greenhouse gas emissions. Section 21099 is part of that strategy . . . ." (*Covina Residents for Responsible Development v. City of Covina* (2018) 21 Cal.App.5th 712, 729.) Pursuant to Section 21099, the criteria for determining the significance of transportation impacts must "promote the reduction of greenhouse gas emissions, the development of multimodal transportation networks, and a diversity of land uses." (*Id.*, subd. (b)(1); see generally, adopted CEQA Guidelines, § 15064.3, subd. (b) [Criteria for Analyzing Transportation Impacts].) To that end, in developing the criteria, OPR has proposed, and the California Natural Resources Agency (Agency) has certified and adopted, changes to the CEQA Guidelines that identify vehicle miles traveled (VMT) as the most appropriate metric to evaluate a project's transportation impacts. With the California Natural Resources Agency's certification and adoption of the changes to the CEQA Guidelines, automobile delay, as measured by "level of service" and other similar metrics, generally no longer constitutes a significant environmental effect under CEQA. (Pub. Resources Code, § 21099, subd. (b)(3).)

This advisory contains technical recommendations regarding assessment of VMT, thresholds of significance, and mitigation measures. Again, OPR provides this Technical Advisory as a resource for the public to use at their discretion. OPR is not enforcing or attempting to enforce any part of the recommendations contained herein. (Gov. Code, § 65035 ["It is not the intent of the Legislature to vest in the Office of Planning and Research any direct operating or regulatory powers over land use, public works, or other state, regional, or local projects or programs."].)

This December 2018 technical advisory is an update to the advisory it published in April 2018. OPR will continue to monitor implementation of these new provisions and may update or supplement this advisory in response to new information and advancements in modeling and methods.

B. Background

VMT and Greenhouse Gas Emissions Reduction. Senate Bill 32 (Pavley, 2016) requires California to reduce greenhouse gas (GHG) emissions 40 percent below 1990 levels by 2030, and Executive Order B-16-12 provides a target of 80 percent below 1990 emissions levels for the transportation sector by 2050. The transportation sector has three major means of reducing GHG emissions: increasing vehicle efficiency, reducing fuel carbon content, and reducing the amount of vehicle travel. The California Air Resources Board (CARB) has provided a path forward for achieving these emissions reductions from the transportation sector in its 2016 Mobile Source Strategy. CARB determined that it will not be possible to achieve the State's 2030 and post-2030 emissions goals without reducing VMT growth. Further, in its 2018 Progress Report on California's Sustainable Communities and Climate Protection Act, CARB found that despite the State meeting its 2020 climate goals, "emissions from statewide passenger vehicle travel per capita [have been] increasing and going in the wrong direction," and "California cannot meet its [long-term] climate goals without curbing growth in single-occupancy vehicle activity."[1] CARB also found that "[w]ith emissions from the transportation sector continuing to rise despite increases in fuel efficiency and decreases in the carbon content of fuel, California will not achieve the necessary greenhouse gas emissions reductions to meet mandates for 2030 and beyond without significant changes to how communities and transportation systems are planned, funded, and built."[2]

Thus, to achieve the State's long-term climate goals, California needs to reduce per capita VMT. This can occur under CEQA through VMT mitigation. Half of California's GHG emissions come from the transportation sector[3], therefore, reducing VMT is an effective climate strategy, which can also result in co-benefits.[4] Furthermore, without early VMT mitigation, the state may follow a path that meets GHG targets in the early years, but finds itself poorly positioned to meet more stringent targets later. For example, in absence of VMT analysis and mitigation in CEQA, lead agencies might rely upon verifiable offsets for GHG mitigation, ignoring the longer-term climate change impacts resulting from land use development and infrastructure investment decisions. As stated in CARB's 2017 Scoping Plan:

> "California's future climate strategy will require increased focus on integrated land use planning to support livable, transit-connected communities, and conservation of agricultural and other lands. Accommodating population and economic growth through travel- and energy-efficient land use provides GHG-efficient growth, reducing GHGs from both transportation and building energy use. GHGs can be further reduced at the project level through implementing energy-efficient construction and travel demand management approaches."[5] (*Id.* at p. 102.)

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[1] California Air Resources Board (Nov. 2018) *2018 Progress Report on California's Sustainable Communities and Climate Protection Act*, pp. 4, 5, available at https://ww2.arb.ca.gov/sites/default/files/2018-11/Final2018Report_SB150_112618_02_Report.pdf.
[2] *Id.*, p. 28.
[3] See https://ca50million.ca.gov/transportation/
[4] Fang et al. (2017) *Cutting Greenhouse Gas Emissions Is Only the Beginning: A Literature Review of the Co-Benefits of Reducing Vehicle Miles Traveled*.
[5] California Air Resources Board (Nov. 2017) *California's 2017 Climate Change Scoping Plan*, p. 102, available at https://www.arb.ca.gov/cc/scopingplan/scoping_plan_2017.pdf.

In light of this, the 2017 Scoping Plan describes and quantifies VMT reductions needed to achieve our long-term GHG emissions reduction goals, and specifically points to the need for statewide deployment of the VMT metric in CEQA:

> "Employing VMT as the metric of transportation impact statewide will help to ensure GHG reductions planned under SB 375 will be achieved through on-the-ground development, and will also play an important role in creating the additional GHG reductions needed beyond SB 375 across the State. Implementation of this change will rely, in part, on local land use decisions to reduce GHG emissions associated with the transportation sector, both at the project level, and in long-term plans (including general plans, climate action plans, specific plans, and transportation plans) and supporting sustainable community strategies developed under SB 375."[6]

VMT and Other Impacts to Health and Environment. VMT mitigation also creates substantial benefits (sometimes characterized as "co-benefits" to GHG reduction) in both in the near-term and the long-term. Beyond GHG emissions, increases in VMT also impact human health and the natural environment. Human health is impacted as increases in vehicle travel lead to more vehicle crashes, poorer air quality, increases in chronic diseases associated with reduced physical activity, and worse mental health. Increases in vehicle travel also negatively affect other road users, including pedestrians, cyclists, other motorists, and many transit users. The natural environment is impacted as higher VMT leads to more collisions with wildlife and fragments habitat. Additionally, development that leads to more vehicle travel also tends to consume more energy, water, and open space (including farmland and sensitive habitat). This increase in impermeable surfaces raises the flood risk and pollutant transport into waterways.[7]

VMT and Economic Growth. While it was previously believed that VMT growth was a necessary component of economic growth, data from the past two decades shows that economic growth is possible without a concomitant increase in VMT. (Figure 1.) Recent research shows that requiring development projects to mitigate LOS may actually reduce accessibility to destinations and impede economic growth.[8,9]

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[6] *Id.* at p. 76.

[7] Fang et al. (2017) *Cutting Greenhouse Gas Emissions Is Only the Beginning: A Literature Review of the Co-Benefits of Reducing Vehicle Miles Traveled*, available at https://ncst.ucdavis.edu/wp-content/uploads/2017/03/NCST-VMT-Co-Benefits-White-Paper_Fang_March-2017.pdf.

[8] Haynes et al. (Sept. 2015) *Congested Development: A Study of Traffic Delays, Access, and Economic Activity in Metropolitan Los Angeles*, available at http://www.its.ucla.edu/wp-content/uploads/sites/6/2015/11/Haynes_Congested-Development_1-Oct-2015_final.pdf.

[9] Osman et al. (Mar. 2016) *Not So Fast: A Study of Traffic Delays, Access, and Economic Activity in the San Francisco Bay Area*, available at http://www.its.ucla.edu/wp-content/uploads/sites/6/2016/08/Taylor-Not-so-Fast-04-01-2016_final.pdf.

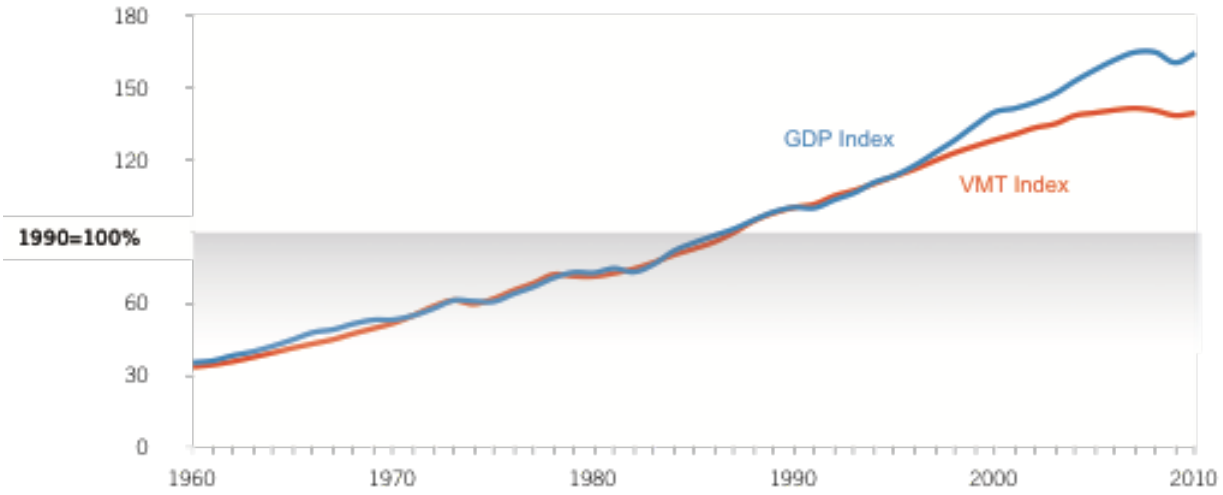

Figure 1. Kooshian and Winkelman (2011) *VMT and Gross Domestic Product (GDP), 1960-2010*.

C. Technical Considerations in Assessing Vehicle Miles Traveled

Many practitioners are familiar with accounting for VMT in connection with long-range planning, or as part of the CEQA analysis of a project's greenhouse gas emissions or energy impacts. This document provides technical information on how to assess VMT as part of a transportation impacts analysis under CEQA. Appendix 1 provides a description of which VMT to count and options on how to count it. Appendix 2 provides information on induced travel resulting from roadway capacity projects, including the mechanisms giving rise to induced travel, the research quantifying it, and information on additional approaches for assessing it.

1. Recommendations Regarding Methodology

Proposed Section 15064.3 explains that a "lead agency may use models to estimate a project's vehicle miles traveled . . . ." CEQA generally defers to lead agencies on the choice of methodology to analyze impacts. (*Santa Monica Baykeeper v. City of Malibu* (2011) 193 Cal.App.4th 1538, 1546; see *Laurel Heights Improvement Assn. v. Regents of University of California* (1988) 47 Cal.3d 376, 409 ["the issue is not whether the studies are irrefutable or whether they could have been better" … rather, the "relevant issue is only whether the studies are sufficiently credible to be considered" as part of the lead agency's overall evaluation].) This section provides suggestions to lead agencies regarding methodologies to analyze VMT associated with a project.

Vehicle Types. Proposed Section 15064.3, subdivision (a), states, "For the purposes of this section, 'vehicle miles traveled' refers to the amount and distance of automobile travel attributable to a project." Here, the term "automobile" refers to on-road passenger vehicles, specifically cars and light trucks. Heavy-duty truck VMT could be included for modeling convenience and ease of calculation (for example, where models or data provide combined auto and heavy truck VMT). For an apples-to-apples

comparison, vehicle types considered should be consistent across project assessment, significance thresholds, and mitigation.

Residential and Office Projects. Tour- and trip-based approaches[10] offer the best methods for assessing VMT from residential/office projects and for comparing those assessments to VMT thresholds. These approaches also offer the most straightforward methods for assessing VMT reductions from mitigation measures for residential/office projects. When available, tour-based assessment is ideal because it captures travel behavior more comprehensively. But where tour-based tools or data are not available for all components of an analysis, a trip-based assessment of VMT serves as a reasonable proxy.

Models and methodologies used to calculate thresholds, estimate project VMT, and estimate VMT reduction due to mitigation should be comparable. For example:

- A tour-based assessment of project VMT should be compared to a tour-based threshold, or a trip-based assessment to a trip-based VMT threshold.
- Where a travel demand model is used to determine thresholds, the same model should also be used to provide trip lengths as part of assessing project VMT.
- Where only trip-based estimates of VMT reduction from mitigation are available, a trip-based threshold should be used, and project VMT should be assessed in a trip-based manner.

When a trip-based method is used to analyze a residential project, the focus can be on home-based trips. Similarly, when a trip-based method is used to analyze an office project, the focus can be on home-based work trips.

When tour-based models are used to analyze an office project, either employee work tour VMT or VMT from all employee tours may be attributed to the project. This is because workplace location influences overall travel. For consistency, the significance threshold should be based on the same metric: either employee work tour VMT or VMT from all employee tours.

For office projects that feature a customer component, such as a government office that serves the public, a lead agency can analyze the customer VMT component of the project using the methodology for retail development (see below).

Retail Projects. Generally, lead agencies should analyze the effects of a retail project by assessing the change in total VMT[11] because retail projects typically re-route travel from other retail destinations. A retail project might lead to increases or decreases in VMT, depending on previously existing retail travel patterns.

[10] See Appendix 1, *Considerations About Which VMT to Count,* for a description of these approaches.
[11] See Appendix 1, *Considerations About Which VMT to Count, "*Assessing Change in Total VMT" section, for a description of this approach.

Considerations for All Projects. Lead agencies should not truncate any VMT analysis because of jurisdictional or other boundaries, for example, by failing to count the portion of a trip that falls outside the jurisdiction or by discounting the VMT from a trip that crosses a jurisdictional boundary. CEQA requires environmental analyses to reflect a "good faith effort at full disclosure." (CEQA Guidelines, § 15151.) Thus, where methodologies exist that can estimate the full extent of vehicle travel from a project, the lead agency should apply them to do so. Where those VMT effects will grow over time, analyses should consider both a project's short-term and long-term effects on VMT.

Combining land uses for VMT analysis is not recommended. Different land uses generate different amounts of VMT, so the outcome of such an analysis could depend more on the mix of uses than on their travel efficiency. As a result, it could be difficult or impossible for a lead agency to connect a significance threshold with an environmental policy objective (such as a target set by law), inhibiting the CEQA imperative of identifying a project's significant impacts and providing mitigation where feasible. Combining land uses for a VMT analysis could streamline certain mixes of uses in a manner disconnected from policy objectives or environmental outcomes. Instead, OPR recommends analyzing each use separately, or simply focusing analysis on the dominant use, and comparing each result to the appropriate threshold. Recommendations for methods of analysis and thresholds are provided below. In the analysis of each use, a mixed-use project should take credit for internal capture.

Any project that includes in its geographic bounds a portion of an existing or planned Transit Priority Area (i.e., the project is within a ½ mile of an existing or planned major transit stop or an existing stop along a high quality transit corridor) may employ VMT as its primary metric of transportation impact for the entire project. (See Pub. Resources Code, § 21099, subds. (a)(7), (b)(1).)

Cumulative Impacts. A project's cumulative impacts are based on an assessment of whether the "incremental effects of an individual 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." (Pub. Resources Code, § 21083, subd. (b)(2); see CEQA Guidelines, § 15064, subd. (h)(1).) When using an absolute VMT metric, i.e., total VMT (as recommended below for retail and transportation projects), analyzing the combined impacts for a cumulative impacts analysis may be appropriate. However, metrics such as VMT per capita or VMT per employee, i.e., metrics framed in terms of efficiency (as recommended below for use on residential and office projects), cannot be summed because they employ a denominator. A project that falls below an efficiency-based threshold that is aligned with long-term environmental goals and relevant plans would have no cumulative impact distinct from the project impact. Accordingly, a finding of a less-than-significant project impact would imply a less than significant cumulative impact, and vice versa. This is similar to the analysis typically conducted for greenhouse gas emissions, air quality impacts, and impacts that utilize plan compliance as a threshold of significance. (See *Center for Biological Diversity v. Department of Fish & Wildlife* (2015) 62 Cal.4th 204, 219, 223; CEQA Guidelines, § 15064, subd. (h)(3).)

D. General Principles to Guide Consideration of VMT

SB 743 directs OPR to establish specific "criteria for determining the significance of transportation impacts of projects[.]" (Pub. Resources Code, § 21099, subd. (b)(1).) In establishing this criterion, OPR was guided by the general principles contained within CEQA, the CEQA Guidelines, and applicable case law.

To assist in the determination of significance, many lead agencies rely on "thresholds of significance." The CEQA Guidelines define a "threshold of significance" to mean "an identifiable **quantitative, qualitative[12] or performance level** of a particular environmental effect, non-compliance with which means the effect will ***normally*** be determined to be significant by the agency and compliance with which means the effect ***normally*** will be determined to be less than significant." (CEQA Guidelines, § 15064.7, subd. (a) (emphasis added).) Lead agencies have discretion to develop and adopt their own, or rely on thresholds recommended by other agencies, "provided the decision of the lead agency to adopt such thresholds is supported by substantial evidence." (*Id*. at subd. (c); *Save Cuyama Valley v. County of Santa Barbara* (2013) 213 Cal.App.4th 1059, 1068.) Substantial evidence means "enough relevant information and reasonable inferences from this information that a fair argument can be made to support a conclusion, even though other conclusions might also be reached." (*Id*. at § 15384 (emphasis added); *Protect the Historic Amador Waterways v. Amador Water Agency* (2004) 116 Cal.App.4th 1099, 1108-1109.)

Additionally, the analysis leading to the determination of significance need not be perfect. The CEQA Guidelines describe the standard for adequacy of environmental analyses:

> An EIR should be prepared with a sufficient degree of analysis to provide decision makers with information which enables them to **make a decision which intelligently takes account of environmental consequences**. An evaluation of the environmental effects of a proposed project need not be exhaustive, but the sufficiency of an EIR is to be reviewed in the light of what is **reasonably feasible**. Disagreement among experts does not make an EIR inadequate, but the EIR should summarize the main points of disagreement among the experts. The **courts have looked not for perfection** but for **adequacy**, **completeness**, and a **good faith effort** at full disclosure.

(CEQA Guidelines, § 15151 (emphasis added).)

These general principles guide OPR's recommendations regarding thresholds of significance for VMT set forth below.

[12] Generally, qualitative analyses should only be conducted when methods do not exist for undertaking a quantitative analysis.

E. Recommendations Regarding Significance Thresholds

As noted above, lead agencies have the discretion to set or apply their own thresholds of significance. (*Center for Biological Diversity v. California Dept. of Fish & Wildlife* (2015) 62 Cal.4th 204, 218-223 [lead agency had discretion to use compliance with AB 32's emissions goals as a significance threshold]; *Save Cuyama Valley v. County of Santa Barbara* (2013) 213 Cal.App.4th at p. 1068.) However, Section 21099 of the Public Resources Code states that the criteria for determining the significance of transportation impacts must promote: (1) reduction of greenhouse gas emissions; (2) development of multimodal transportation networks; and (3) a diversity of land uses. It further directed OPR to prepare and develop criteria for determining significance. (Pub. Resources Code, § 21099, subd. (b)(1).) This section provides OPR's suggested thresholds, as well as considerations for lead agencies that choose to adopt their own

The VMT metric can support the three statutory goals: "the reduction of greenhouse gas emissions, the development of multimodal transportation networks, ***and*** a diversity of land uses." (Pub. Resources Code, § 21099, subd. (b)(1), emphasis added.) However, in order for it to promote and support all three, lead agencies should select a significance threshold that aligns with state law on all three. State law concerning the development of multimodal transportation networks and diversity of land uses requires planning for and prioritizing increases in complete streets and infill development, but does not mandate a particular depth of implementation that could translate into a particular threshold of significance. Meanwhile, the State has clear quantitative targets for GHG emissions reduction set forth in law and based on scientific consensus, and the depth of VMT reduction needed to achieve those targets has been quantified. Tying VMT thresholds to GHG reduction also supports the two other statutory goals. Therefore, to ensure adequate analysis of transportation impacts, OPR recommends using quantitative VMT thresholds linked to GHG reduction targets when methods exist to do so.

Various legislative mandates and state policies establish quantitative greenhouse gas emissions reduction targets. For example:

- Assembly Bill 32 (2006) requires statewide GHG emissions reductions to 1990 levels by 2020 and continued reductions beyond 2020.

- Senate Bill 32 (2016) requires at least a 40 percent reduction in GHG emissions from 1990 levels by 2030.

- Pursuant to Senate Bill 375 (2008), the California Air Resources Board GHG emissions reduction targets for metropolitan planning organizations (MPOs) to achieve based on land use patterns and transportation systems specified in Regional Transportation Plans and Sustainable Community Strategies (RTP/SCS). Current targets for the State's largest MPOs call for a 19 percent reduction in GHG emissions from cars and light trucks from 2005 emissions levels by 2035.

- Executive Order B-30-15 (2015) sets a GHG emissions reduction target of 40 percent below 1990 levels by 2030.

- Executive Order S-3-05 (2005) sets a GHG emissions reduction target of 80 percent below 1990 levels by 2050.

- Executive Order B-16-12 (2012) specifies a GHG emissions reduction target of 80 percent below 1990 levels by 2050 specifically for transportation.

- Executive Order B-55-18 (2018) established an additional statewide goal of achieving carbon neutrality as soon as possible, but no later than 2045, and maintaining net negative emissions thereafter. It states, "The California Air Resources Board shall work with relevant state agencies to develop a framework for implementation and accounting that tracks progress toward this goal."

- Senate Bill 391 requires the California Transportation Plan to support 80 percent reduction in GHGs below 1990 levels by 2050.

- The *California Air Resources Board Mobile Source Strategy* (2016) describes California's strategy for containing air pollutant emissions from vehicles, and quantifies VMT growth compatible with achieving state targets.

- The California Air Resources Board's *2017 Climate Change Scoping Plan Update: The Strategy for Achieving California's 2030 Greenhouse Gas Target* describes California's strategy for containing GHG emissions from vehicles, and quantifies VMT growth compatible with achieving state targets.

Considering these various targets, the California Supreme Court observed:

> Meeting our statewide reduction goals does not preclude all new development. Rather, the Scoping Plan … assumes continued growth and depends on increased efficiency and conservation in land use and transportation from all Californians.

(*Center for Biological Diversity v. California Dept. of Fish & Wildlife*, *supra*, 62 Cal.4th at p. 220.) Indeed, the Court noted that when a lead agency uses consistency with climate goals as a way to determine significance, particularly for long-term projects, the lead agency must consider the project's effect on meeting long-term reduction goals. (*Ibid*.) And more recently, the Supreme Court stated that "CEQA requires public agencies . . . to ensure that such analysis stay in step with evolving scientific knowledge and state regulatory schemes." (*Cleveland National Forest Foundation v. San Diego Assn. of Governments* (2017) 3 Cal.5th 497, 504.)

Meeting the targets described above will require substantial reductions in existing VMT per capita to curb GHG emissions and other pollutants. But targets for overall GHG emissions reduction do not translate directly into VMT thresholds for individual projects for many reasons, including:

- Some, but not all, of the emissions reductions needed to achieve those targets could be accomplished by other measures, including increased vehicle efficiency and decreased fuel carbon content. The CARB's *First Update to the Climate Change Scoping Plan* explains:

"Achieving California's long-term criteria pollutant and GHG emissions goals will require four strategies to be employed: (1) improve vehicle efficiency and develop zero emission technologies, (2) reduce the carbon content of fuels and provide market support to get these lower-carbon fuels into the marketplace, (3) **plan and build communities to reduce vehicular GHG emissions and provide more transportation options, and (4) improve the efficiency and throughput of existing transportation systems.**"[13] CARB's *2018 Progress Report on California's Sustainable Communities and Climate Protection Act* states on page 28 that "California cannot meet its climate goals without curbing growth in single-occupancy vehicle activity." In other words, vehicle efficiency and better fuels are necessary, but insufficient, to address the GHG emissions from the transportation system. Land use patterns and transportation options also will need to change to support reductions in vehicle travel/VMT.

- New land use projects alone will not sufficiently reduce per-capita VMT to achieve those targets, nor are they expected to be the sole source of VMT reduction.

- Interactions between land use projects, and also between land use and transportation projects, existing and future, together affect VMT.

- Because location within the region is the most important determinant of VMT, in some cases, streamlining CEQA review of projects in travel efficient locations may be the most effective means of reducing VMT.

- When assessing climate impacts of some types of land use projects, use of an efficiency metric (e.g., per capita, per employee) may provide a better measure of impact than an absolute numeric threshold. (*Center for Biological Diversity*, *supra*.)

Public Resources Code section 21099 directs OPR to propose criteria for determining the significance of transportation impacts. In this Technical Advisory, OPR provides its recommendations to assist lead agencies in selecting a significance threshold that may be appropriate for their particular projects. While OPR's Technical Advisory is not binding on public agencies, CEQA allows lead agencies to "consider thresholds of significance . . . recommended by other public agencies, provided the decision to adopt those thresholds is supported by substantial evidence." (CEQA Guidelines, § 15064.7, subd. (c).) Based on OPR's extensive review of the applicable research, and in light of an assessment by the California Air Resources Board quantifying the need for VMT reduction in order to meet the State's long-term climate goals, **OPR recommends that a per capita or per employee VMT that is fifteen percent below that of existing development may be a reasonable threshold**.

Fifteen percent reductions in VMT are achievable at the project level in a variety of place types.[14]

Moreover, a fifteen percent reduction is consistent with SB 743's direction to OPR to select a threshold that will help the State achieve its climate goals. As described above, section 21099 states that the

[13] California Air Resources Board (May 2014) *First Update to the Climate Change Scoping Plan*, p. 46 (emphasis added).
[14] CAPCOA (2010) *Quantifying Greenhouse Gas Mitigation Measures*, p. 55, available at http://www.capcoa.org/wp-content/uploads/2010/11/CAPCOA-Quantification-Report-9-14-Final.pdf.

criteria for determining significance must "promote the reduction in greenhouse gas emissions." In its document *California Air Resources Board 2017 Scoping Plan-Identified VMT Reductions and Relationship to State Climate Goals*[15], CARB assesses VMT reduction per capita consistent with its evidence-based modeling scenario that would achieve State climate goals of 40 percent GHG emissions reduction from 1990 levels by 2030 and 80 percent GHG emissions reduction levels from 1990 by 2050. Applying California Department of Finance population forecasts, CARB finds per-capita light-duty vehicle travel would need to be approximately 16.8 percent lower than existing, and overall per-capita vehicle travel would need to be approximately 14.3 percent lower than existing levels under that scenario. Below these levels, a project could be considered low VMT and would, on that metric, be consistent with 2017 Scoping Plan Update assumptions that achieve climate state climate goals.

CARB finds per capita vehicle travel would need to be kept below what today's policies and plans would achieve.

CARB's assessment is based on data in the 2017 Scoping Plan Update and 2016 Mobile Source Strategy. In those documents, CARB previously examined the relationship between VMT and the state's GHG emissions reduction targets. The Scoping Plan finds:

> "While the State can do more to accelerate and incentivize these local decisions, local actions that reduce VMT are also necessary to meet transportation sector-specific goals and achieve the 2030 target under SB 32. Through developing the Scoping Plan, CARB staff is more convinced than ever that, in addition to achieving GHG reductions from cleaner fuels and vehicles, California must also reduce VMT. Stronger SB 375 GHG reduction targets will enable the State to make significant progress toward needed reductions, but alone will not provide the VMT growth reductions needed; there is a gap between what SB 375 can provide and what is needed to meet the State's 2030 and 2050 goals."[16]

Note that, at present, consistency with RTP/SCSs does not necessarily lead to a less-than-significant VMT impact.[17] As the Final 2017 Scoping Plan Update states,

> VMT reductions are necessary to achieve the 2030 target and must be part of any strategy evaluated in this Plan. Stronger SB 375 GHG reduction targets will enable the State to make significant progress toward this goal, but alone will not provide all of the VMT growth reductions that will be needed. There is a gap between what SB 375 can provide and what is needed to meet the State's 2030 and 2050 goals."[18]

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[15] California Air Resources Board (Jan. 2019) *California Air Resources Board 2017 Scoping Plan-Identified VMT Reductions and Relationship to State Climate Goals*, available at https://ww2.arb.ca.gov/resources/documents/carb-2017-scoping-plan-identified-vmt-reductions-and-relationship-state-climate.

[16] California Air Resources Board (Nov. 2017) *California's 2017 Climate Change Scoping Plan*, p. 101.

[17] California Air Resources Board (Feb. 2018) *Updated Final Staff Report: Proposed Update to the SB 375 Greenhouse Gas Emission Reduction Targets*, Figure 3, p. 35, available at https://www.arb.ca.gov/cc/sb375/sb375_target_update_final_staff_report_feb2018.pdf.

[18] California Air Resources Board (Nov. 2017) *California's 2017 Climate Change Scoping Plan*, p. 75.

Also, in order to capture the full effects of induced travel resulting from roadway capacity projects, an RTP/SCS would need to include an assessment of land use effects of those projects, and the effects of those land uses on VMT. (See section titled "*Estimating VMT Impacts from Transportation Projects"* below.) RTP/SCSs typically model VMT using a collaboratively-developed land use "vision" for the region's land use, rather than studying the effects on land use of the proposed transportation investments.

In summary, achieving 15 percent lower per capita (residential) or per employee (office) VMT than existing development is both generally achievable and is supported by evidence that connects this level of reduction to the State's emissions goals.

1. Screening Thresholds for Land Use Projects

Many agencies use "screening thresholds" to quickly identify when a project should be expected to cause a less-than-significant impact without conducting a detailed study. (See e.g., CEQA Guidelines, §§ 15063(c)(3)(C), 15128, and Appendix G.) As explained below, this technical advisory suggests that lead agencies may screen out VMT impacts using project size, maps, transit availability, and provision of affordable housing.

Screening Threshold for Small Projects

Many local agencies have developed screening thresholds to indicate when detailed analysis is needed. Absent substantial evidence indicating that a project would generate a potentially significant level of VMT, or inconsistency with a Sustainable Communities Strategy (SCS) or general plan, projects that generate or attract fewer than 110 trips per day[19] generally may be assumed to cause a less-than-significant transportation impact.

Map-Based Screening for Residential and Office Projects

Residential and office projects that locate in areas with low VMT, and that incorporate similar features (i.e., density, mix of uses, transit accessibility), will tend to exhibit similarly low VMT. Maps created with VMT data, for example from a travel survey or a travel demand model, can illustrate areas that are

[19] CEQA provides a categorical exemption for existing facilities, including additions to existing structures of up to 10,000 square feet, so long as the project is in an area where public infrastructure is available to allow for maximum planned development and the project is not in an environmentally sensitive area. (CEQA Guidelines, § 15301, subd. (e)(2).) Typical project types for which trip generation increases relatively linearly with building footprint (i.e., general office building, single tenant office building, office park, and business park) generate or attract an additional 110-124 trips per 10,000 square feet. Therefore, absent substantial evidence otherwise, it is reasonable to conclude that the addition of 110 or fewer trips could be considered not to lead to a significant impact.

currently below threshold VMT (see recommendations below). Because new development in such locations would likely result in a similar level of VMT, such maps can be used to screen out residential and office projects from needing to prepare a detailed VMT analysis.

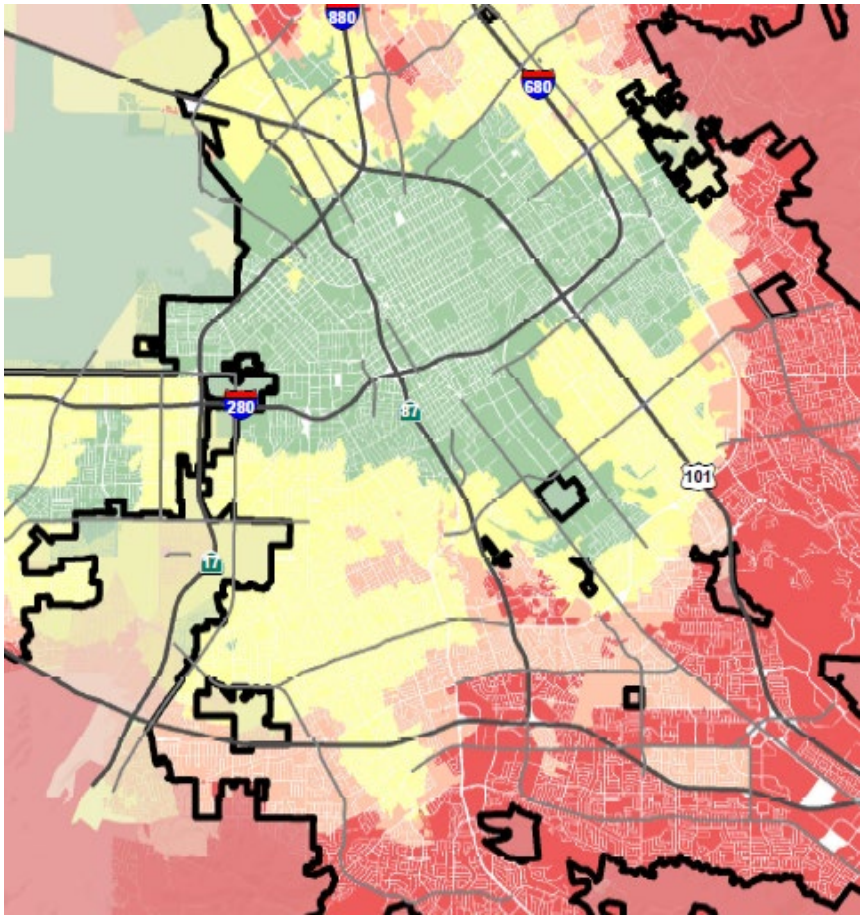

Figure 2. Example map of household VMT that could be used to delineate areas eligible to receive streamlining for VMT analysis. (Source: City of San José, Department of Transportation, draft output of City Transportation Model.)

Presumption of Less Than Significant Impact Near Transit Stations

Proposed CEQA Guideline Section 15064.3, subdivision (b)(1), states that lead agencies generally should presume that certain projects (including residential, retail, and office projects, as well as projects that are a mix of these uses) proposed within ½ mile of an existing major transit stop[20] or an existing stop

[20] Pub. Resources Code, § 21064.3 ("'Major transit stop' means a site containing an existing rail transit station, a ferry terminal served by either a bus or rail transit service, or the intersection of two or more major bus routes with a frequency of service interval of 15 minutes or less during the morning and afternoon peak commute periods.").

along a high quality transit corridor[21] will have a less-than-significant impact on VMT. This presumption would not apply, however, if project-specific or location-specific information indicates that the project will still generate significant levels of VMT. For example, the presumption might not be appropriate if the project:

- Has a Floor Area Ratio (FAR) of less than 0.75
- Includes more parking for use by residents, customers, or employees of the project than required by the jurisdiction (if the jurisdiction requires the project to supply parking)
- Is inconsistent with the applicable Sustainable Communities Strategy (as determined by the lead agency, with input from the Metropolitan Planning Organization)
- Replaces affordable residential units with a smaller number of moderate- or high-income residential units

A project or plan near transit which replaces affordable residential units[22] with a smaller number of moderate- or high-income residential units may increase overall VMT because the increase in VMT of displaced residents could overwhelm the improvements in travel efficiency enjoyed by new residents.[23]

If any of these exceptions to the presumption might apply, the lead agency should conduct a detailed VMT analysis to determine whether the project would exceed VMT thresholds (see below).

Presumption of Less Than Significant Impact for Affordable Residential Development

Adding affordable housing to infill locations generally improves jobs-housing match, in turn shortening commutes and reducing VMT.[24,25] Further, "… low-wage workers in particular would be more likely to choose a residential location close to their workplace, if one is available."[26] In areas where existing jobs-housing match is closer to optimal, low income housing nevertheless generates less VMT than market-

[21] Pub. Resources Code, § 21155 ("For purposes of this section, a high-quality transit corridor means a corridor with fixed route bus service with service intervals no longer than 15 minutes during peak commute hours.").
[22] Including naturally-occurring affordable residential units.
[23] Chapple et al. (2017) *Developing a New Methodology for Analyzing Potential Displacement,* Chapter 4, pp. 159-160, available at https://www.arb.ca.gov/research/apr/past/13-310.pdf.
[24] Karner and Benner (2016) *The convergence of social equity and environmental sustainability: Jobs-housing fit and commute distance* ("[P]olicies that advance a more equitable distribution of jobs and housing by linking the affordability of locally available housing with local wage levels are likely to be associated with reduced commuting distances").
[25] Karner and Benner (2015) *Low-wage jobs-housing fit: identifying locations of affordable housing shortages.*
[26] Karner and Benner (2015) *Low-wage jobs-housing fit: identifying locations of affordable housing shortages.*

rate housing.[27,28] Therefore, a project consisting of a high percentage of affordable housing may be a basis for the lead agency to find a less-than-significant impact on VMT. Evidence supports a presumption of less than significant impact for a 100 percent affordable residential development (or the residential component of a mixed-use development) in infill locations. Lead agencies may develop their own presumption of less than significant impact for residential projects (or residential portions of mixed use projects) containing a particular amount of affordable housing, based on local circumstances and evidence. Furthermore, a project which includes any affordable residential units may factor the effect of the affordability on VMT into the assessment of VMT generated by those units.

2. Recommended Numeric Thresholds for Residential, Office, and Retail Projects

Recommended threshold for residential projects: A proposed project exceeding a level of 15 percent below existing VMT per capita may indicate a significant transportation impact. Existing VMT per capita may be measured as regional VMT per capita or as city VMT per capita. Proposed development referencing a threshold based on city VMT per capita (rather than regional VMT per capita) should not cumulatively exceed the number of units specified in the SCS for that city, and should be consistent with the SCS.

Residential development that would generate vehicle travel that is 15 or more percent below the existing residential VMT per capita, measured against the region or city, may indicate a less-than-significant transportation impact. In MPO areas, development measured against city VMT per capita (rather than regional VMT per capita) should not cumulatively exceed the population or number of units specified in the SCS for that city because greater-than-planned amounts of development in areas above the region-based threshold would undermine the VMT containment needed to achieve regional targets under SB 375.

For residential projects in unincorporated county areas, the local agency can compare a residential project's VMT to (1) the region's VMT per capita, or (2) the aggregate population-weighted VMT per capita of all cities in the region. In MPO areas, development in unincorporated areas measured against aggregate city VMT per capita (rather than regional VMT per capita) should not cumulatively exceed the population or number of units specified in the SCS for that city because greater-than-planned amounts of development in areas above the regional threshold would undermine achievement of regional targets under SB 375.

[27] Chapple et al. (2017) *Developing a New Methodology for Analyzing Potential Displacement*, available at https://www.arb.ca.gov/research/apr/past/13-310.pdf.
[28] CAPCOA (2010) *Quantifying Greenhouse Gas Mitigation Measures*, pp. 176-178, available at http://www.capcoa.org/wp-content/uploads/2010/11/CAPCOA-Quantification-Report-9-14-Final.pdf.

These thresholds can be applied to either household (i.e., tour-based) VMT or home-based (i.e., trip-based) VMT assessments.[29] It is critical, however, that the agency be consistent in its VMT measurement approach throughout the analysis to maintain an "apples-to-apples" comparison. For example, if the agency uses a home-based VMT for the threshold, it should also be use home-based VMT for calculating project VMT and VMT reduction due to mitigation measures.

Recommended threshold for office projects: A proposed project exceeding a level of 15 percent below existing regional VMT per employee may indicate a significant transportation impact.

Office projects that would generate vehicle travel exceeding 15 percent below existing VMT per employee for the region may indicate a significant transportation impact. In cases where the region is substantially larger than the geography over which most workers would be expected to live, it might be appropriate to refer to a smaller geography, such as the county, that includes the area over which nearly all workers would be expected to live.

Office VMT screening maps can be developed using tour-based data, considering either total employee VMT or employee work tour VMT. Similarly, tour-based analysis of office project VMT could consider either total employee VMT or employee work tour VMT. Where tour-based information is unavailable for threshold determination, project assessment, or assessment of mitigation, home-based work trip VMT should be used throughout all steps of the analysis to maintain an "apples-to-apples" comparison.

Recommended threshold for retail projects: A net increase in total VMT may indicate a significant transportation impact.

Because new retail development typically redistributes shopping trips rather than creating new trips,[30] estimating the total change in VMT (i.e., the difference in total VMT in the area affected with and without the project) is the best way to analyze a retail project's transportation impacts.

By adding retail opportunities into the urban fabric and thereby improving retail destination proximity, local-serving retail development tends to shorten trips and reduce VMT. Thus, lead agencies generally may presume such development creates a less-than-significant transportation impact. Regional-serving retail development, on the other hand, which can lead to substitution of longer trips for shorter ones, may tend to have a significant impact. Where such development decreases VMT, lead agencies should consider the impact to be less-than-significant.

Many cities and counties define local-serving and regional-serving retail in their zoning codes. Lead agencies may refer to those local definitions when available, but should also consider any project-

[29] See Appendix 1 for a description of these approaches.
[30] Lovejoy, et al. (2013) *Measuring the impacts of local land-use policies on vehicle miles of travel: The case of the first big-box store in Davis, California, The Journal of Transport and Land Use*.

specific information, such as market studies or economic impacts analyses that might bear on customers' travel behavior. Because lead agencies will best understand their own communities and the likely travel behaviors of future project users, they are likely in the best position to decide when a project will likely be local-serving. Generally, however, retail development including stores larger than 50,000 square feet might be considered regional-serving, and so lead agencies should undertake an analysis to determine whether the project might increase or decrease VMT.

Mixed-Use Projects

Lead agencies can evaluate each component of a mixed-use project independently and apply the significance threshold for each project type included (e.g., residential and retail). Alternatively, a lead agency may consider only the project's dominant use. In the analysis of each use, a project should take credit for internal capture. Combining different land uses and applying one threshold to those land uses may result in an inaccurate impact assessment.

Other Project Types

Of land use projects, residential, office, and retail projects tend to have the greatest influence on VMT. For that reason, OPR recommends the quantified thresholds described above for purposes of analysis and mitigation. Lead agencies, using more location-specific information, may develop their own more specific thresholds, which may include other land use types. In developing thresholds for other project types, or thresholds different from those recommended here, lead agencies should consider the purposes described in section 21099 of the Public Resources Code and regulations in the CEQA Guidelines on the development of thresholds of significance (e.g., CEQA Guidelines, § 15064.7).

Strategies and projects that decrease local VMT but increase total VMT should be avoided. Agencies should consider whether their actions encourage development in a less travel-efficient location by limiting development in travel-efficient locations.

Redevelopment Projects

Where a project replaces existing VMT-generating land uses, if the replacement leads to a net overall decrease in VMT, the project would lead to a less-than-significant transportation impact. If the project leads to a net overall increase in VMT, then the thresholds described above should apply.

As described above, a project or plan near transit which replaces affordable[31] residential units with a smaller number of moderate- or high-income residential units may increase overall VMT, because

[31] Including naturally-occurring affordable residential units.

displaced residents' VMT may increase.[32] A lead agency should analyze VMT for such a project even if it otherwise would have been presumed less than significant. The assessment should incorporate an estimate of the aggregate VMT increase experienced by displaced residents. That additional VMT should be included in the numerator of the VMT per capita assessed for the project.

If a residential or office project leads to a net increase in VMT, then the project's VMT per capita (residential) or per employee (office) should be compared to thresholds recommended above. Per capita and per employee VMT are efficiency metrics, and, as such, apply only to the existing project without regard to the VMT generated by the previously existing land use.

If the project leads to a net increase in provision of locally-serving retail, transportation impacts from the retail portion of the development should be presumed to be less than significant. If the project consists of regionally-serving retail, and increases overall VMT compared to with existing uses, then the project would lead to a significant transportation impact.

RTP/SCS Consistency (All Land Use Projects)

Section 15125, subdivision (d), of the CEQA Guidelines provides that lead agencies should analyze impacts resulting from inconsistencies with regional plans, including regional transportation plans. For this reason, if a project is inconsistent with the Regional Transportation Plan and Sustainable Communities Strategy (RTP/SCS), the lead agency should evaluate whether that inconsistency indicates a significant impact on transportation. For example, a development may be inconsistent with an RTP/SCS if the development is outside the footprint of development or within an area specified as open space as shown in the SCS.

3. Recommendations Regarding Land Use Plans

As with projects, agencies should analyze VMT outcomes of land use plans across the full area over which the plan may substantively affect travel patterns, including beyond the boundary of the plan or jurisdiction's geography. And as with projects, VMT should be counted in full rather than split between origin and destination. (Emissions inventories have sometimes spit cross-boundary trips in order to sum to a regional total, but CEQA requires accounting for the full impact without truncation or discounting). Analysis of specific plans may employ the same thresholds described above for projects. A general plan, area plan, or community plan may have a significant impact on transportation if proposed new residential, office, or retail land uses would in aggregate exceed the respective thresholds recommended above. Where the lead agency tiers from a general plan EIR pursuant to CEQA Guidelines sections 15152 and 15166, the lead agency generally focuses on the environmental impacts that are specific to the later project and were not analyzed as significant impacts in the prior EIR. (Pub. Resources Code, § 21068.5; Guidelines, § 15152, subd. (a).) Thus, in analyzing the later project, the lead agency

[32] Chapple et al. (2017) *Developing a New Methodology for Analyzing Potential Displacement,* Chapter 4, pp. 159-160, available at https://www.arb.ca.gov/research/apr/past/13-310.pdf.

would focus on the VMT impacts that were not adequately addressed in the prior EIR. In the tiered document, the lead agency should continue to apply the thresholds recommended above.

Thresholds for plans in non-MPO areas may be determined on a case-by-case basis.

4. Other Considerations

Rural Projects Outside of MPOs

In rural areas of non-MPO counties (i.e., areas not near established or incorporated cities or towns), fewer options may be available for reducing VMT, and significance thresholds may be best determined on a case-by-case basis. Note, however, that clustered small towns and small town main streets may have substantial VMT benefits compared to isolated rural development, similar to the transit oriented development described above.

Impacts to Transit

Because criteria for determining the significance of transportation impacts must promote "the development of multimodal transportation networks" pursuant to Public Resources Code section 21099, subd. (b)(1), lead agencies should consider project impacts to transit systems and bicycle and pedestrian networks. For example, a project that blocks access to a transit stop or blocks a transit route itself may interfere with transit functions. Lead agencies should consult with transit agencies as early as possible in the development process, particularly for projects that are located within one half mile of transit stops.

When evaluating impacts to multimodal transportation networks, lead agencies generally should not treat the addition of new transit users as an adverse impact. An infill development may add riders to transit systems and the additional boarding and alighting may slow transit vehicles, but it also adds destinations, improving proximity and accessibility. Such development also improves regional vehicle flow by adding less vehicle travel onto the regional network.

Increased demand throughout a region may, however, cause a cumulative impact by requiring new or additional transit infrastructure. Such impacts may be adequately addressed through a fee program that fairly allocates the cost of improvements not just to projects that happen to locate near transit, but rather across a region to all projects that impose burdens on the entire transportation system, since transit can broadly improve the function of the transportation system.

F. Considering the Effects of Transportation Projects on Vehicle Travel

Many transportation projects change travel patterns. A transportation project which leads to additional vehicle travel on the roadway network, commonly referred to as "induced vehicle travel," would need to quantify the amount of additional vehicle travel in order to assess air quality impacts, greenhouse gas emissions impacts, energy impacts, and noise impacts. Transportation projects also are required to

examine induced growth impacts under CEQA. (See generally, Pub. Resources Code, §§ 21065 [defining "project" under CEQA as an activity as causing either a direct or reasonably foreseeable indirect physical change], 21065.3 [defining "project-specific effect" to mean all direct or indirect environmental effects], 21100, subd. (b) [required contents of an EIR].) For any project that increases vehicle travel, explicit assessment and quantitative reporting of the amount of additional vehicle travel should not be omitted from the document; such information may be useful and necessary for a full understanding of a project's environmental impacts. (See Pub. Resources Code, §§ 21000, 21001, 21001.1, 21002, 21002.1 [discussing the policies of CEQA].) A lead agency that uses the VMT metric to assess the transportation impacts of a transportation project may simply report that change in VMT as the impact. When the lead agency uses another metric to analyze the transportation impacts of a roadway project, changes in amount of vehicle travel added to the roadway network should still be analyzed and reported.[33]

While CEQA does not require perfection, it is important to make a reasonably accurate estimate of transportation projects' effects on vehicle travel in order to make reasonably accurate estimates of GHG emissions, air quality emissions, energy impacts, and noise impacts. (See, e.g., *California Clean Energy Com. v. City of Woodland* (2014) 225 Cal.App.4th 173, 210 [EIR failed to consider project's transportation energy impacts]; *Ukiah Citizens for Safety First v. City of Ukiah* (2016) 248 Cal.App.4th 256, 266.) Appendix 2 describes in detail the causes of induced vehicle travel, the robust empirical evidence of induced vehicle travel, and how models and research can be used in conjunction to quantitatively assess induced vehicle travel with reasonable accuracy.

If a project would likely lead to a measurable and substantial increase in vehicle travel, the lead agency should conduct an analysis assessing the amount of vehicle travel the project will induce. Project types that would likely lead to a measurable and substantial increase in vehicle travel generally include:

- Addition of through lanes on existing or new highways, including general purpose lanes, HOV lanes, peak period lanes, auxiliary lanes, or lanes through grade-separated interchanges

Projects that would not likely lead to a substantial or measurable increase in vehicle travel, and therefore generally should not require an induced travel analysis, include:

- Rehabilitation, maintenance, replacement, safety, and repair projects designed to improve the condition of existing transportation assets (e.g., highways; roadways; bridges; culverts; Transportation Management System field elements such as cameras, message signs, detection, or signals; tunnels; transit systems; and assets that serve bicycle and pedestrian facilities) and that do not add additional motor vehicle capacity
- Roadside safety devices or hardware installation such as median barriers and guardrails

[33] See, e.g., California Department of Transportation (2006) *Guidance for Preparers of Growth-related, Indirect Impact Analyses*, available at http://www.dot.ca.gov/ser/Growth-related_IndirectImpactAnalysis/GRI_guidance06May_files/gri_guidance.pdf.

- Roadway shoulder enhancements to provide “breakdown space,” dedicated space for use only by transit vehicles, to provide bicycle access, or to otherwise improve safety, but which will not be used as automobile vehicle travel lanes
- Addition of an auxiliary lane of less than one mile in length designed to improve roadway safety
- Installation, removal, or reconfiguration of traffic lanes that are not for through traffic, such as left, right, and U-turn pockets, two-way left turn lanes, or emergency breakdown lanes that are not utilized as through lanes
- Addition of roadway capacity on local or collector streets provided the project also substantially improves conditions for pedestrians, cyclists, and, if applicable, transit
- Conversion of existing general purpose lanes (including ramps) to managed lanes or transit lanes, or changing lane management in a manner that would not substantially increase vehicle travel
- Addition of a new lane that is permanently restricted to use only by transit vehicles
- Reduction in number of through lanes
- Grade separation to separate vehicles from rail, transit, pedestrians or bicycles, or to replace a lane in order to separate preferential vehicles (e.g., HOV, HOT, or trucks) from general vehicles
- Installation, removal, or reconfiguration of traffic control devices, including Transit Signal Priority (TSP) features
- Installation of traffic metering systems, detection systems, cameras, changeable message signs and other electronics designed to optimize vehicle, bicycle, or pedestrian flow
- Timing of signals to optimize vehicle, bicycle, or pedestrian flow
- Installation of roundabouts or traffic circles
- Installation or reconfiguration of traffic calming devices
- Adoption of or increase in tolls
- Addition of tolled lanes, where tolls are sufficient to mitigate VMT increase
- Initiation of new transit service
- Conversion of streets from one-way to two-way operation with no net increase in number of traffic lanes
- Removal or relocation of off-street or on-street parking spaces
- Adoption or modification of on-street parking or loading restrictions (including meters, time limits, accessible spaces, and preferential/reserved parking permit programs)
- Addition of traffic wayfinding signage
- Rehabilitation and maintenance projects that do not add motor vehicle capacity
- Addition of new or enhanced bike or pedestrian facilities on existing streets/highways or within existing public rights-of-way
- Addition of Class I bike paths, trails, multi-use paths, or other off-road facilities that serve non-motorized travel
- Installation of publicly available alternative fuel/charging infrastructure
- Addition of passing lanes, truck climbing lanes, or truck brake-check lanes in rural areas that do not increase overall vehicle capacity along the corridor

1. Recommended Significance Threshold for Transportation Projects

As noted in Section 15064.3 of the CEQA Guidelines, lead agencies for roadway capacity projects have discretion, consistent with CEQA and planning requirements, to choose which metric to use to evaluate transportation impacts. This section recommends considerations for evaluating impacts using vehicle miles traveled. Lead agencies have discretion to choose a threshold of significance for transportation projects as they do for other types of projects. As explained above, Public Resources Code section 21099, subdivision (b)(1), provides that criteria for determining the significance of transportation impacts must promote the reduction of greenhouse gas emissions, the development of multimodal transportation networks, and a diversity of land uses. (*Id.*; see generally, adopted CEQA Guidelines, § 15064.3, subd. (b) [Criteria for Analyzing Transportation Impacts].) With those goals in mind, OPR prepared and the Agency adopted an appropriate transportation metric.

Whether adopting a threshold of significance, or evaluating transportation impacts on a case-by-case basis, a lead agency should ensure that the analysis addresses:

- Direct, indirect and cumulative effects of the transportation project (CEQA Guidelines, § 15064, subds. (d), (h))
- Near-term and long-term effects of the transportation project (CEQA Guidelines, §§ 15063, subd. (a)(1), 15126.2, subd. (a))
- The transportation project's consistency with state greenhouse gas reduction goals (Pub. Resources Code, § 21099)[34]
- The impact of the transportation project on the development of multimodal transportation networks (Pub. Resources Code, § 21099)
- The impact of the transportation project on the development of a diversity of land uses (Pub. Resources Code, § 21099)

The CARB Scoping Plan and the CARB Mobile Source Strategy delineate VMT levels required to achieve legally mandated GHG emissions reduction targets. A lead agency should develop a project-level threshold based on those VMT levels, and may apply the following approach:

1. Propose a fair-share allocation of those budgets to their jurisdiction (e.g., by population);

[34] The California Air Resources Board has ascertained the limits of VMT growth compatible with California containing greenhouse gas emissions to levels research shows would allow for climate stabilization. (See *The 2017 Climate Change Scoping Plan: The Strategy for Achieving California's 2030 Greenhouse Gas Target* (p. 78, p. 101); *Mobile Source Strategy* (p. 37).) CARB's *Updated Final Staff Report on Proposed Update to the SB 375 Greenhouse Gas Emission Reduction Targets* illustrates that the current Regional Transportation Plans and Sustainable Communities Strategies will fall short of achieving the necessary on-road transportation-related GHG emissions reductions called for in the 2017 Scoping Plan (Figure 3, p. 35). Accordingly, OPR recommends not basing GHG emissions or transportation impact analysis for a transportation project solely on consistency with an RTP/SCS.

2. Determine the amount of VMT growth likely to result from background population growth, and subtract that from their "budget";
3. Allocate their jurisdiction's share between their various VMT-increasing transportation projects, using whatever criteria the lead agency prefers.

2. Estimating VMT Impacts from Transportation Projects

CEQA requires analysis of a project's potential growth-inducing impacts. (Pub. Resources Code, § 21100, subd. (b)(5); CEQA Guidelines, § 15126.2, subd. (d).) Many agencies are familiar with the analysis of growth inducing impacts associated with water, sewer, and other infrastructure. This technical advisory addresses growth that may be expected from roadway expansion projects.

Because a roadway expansion project can induce substantial VMT, incorporating quantitative estimates of induced VMT is critical to calculating both transportation and other impacts of these projects. Induced travel also has the potential to reduce or eliminate congestion relief benefits. An accurate estimate of induced travel is needed to accurately weigh costs and benefits of a highway capacity expansion project.

The effect of a transportation project on vehicle travel should be estimated using the "change in total VMT" method described in *Appendix 1*. This means that an assessment of total VMT without the project and an assessment with the project should be made; the difference between the two is the amount of VMT attributable to the project. The assessment should cover the full area in which driving patterns are expected to change. As with other types of projects, the VMT estimation should not be truncated at a modeling or jurisdictional boundary for convenience of analysis when travel behavior is substantially affected beyond that boundary.

Transit and Active Transportation Projects

Transit and active transportation projects generally reduce VMT and therefore are presumed to cause a less-than-significant impact on transportation. This presumption may apply to all passenger rail projects, bus and bus rapid transit projects, and bicycle and pedestrian infrastructure projects. Streamlining transit and active transportation projects aligns with each of the three statutory goals contained in SB 743 by reducing GHG emissions, increasing multimodal transportation networks, and facilitating mixed use development.

Roadway Projects

Reducing roadway capacity (for example, by removing or repurposing motor vehicle travel lanes) will generally reduce VMT and therefore is presumed to cause a less-than-significant impact on transportation. Generally, no transportation analysis is needed for such projects.

Building new roadways, adding roadway capacity in congested areas, or adding roadway capacity to areas where congestion is expected in the future, typically induces additional vehicle travel. For the types of projects previously indicated as likely to lead to additional vehicle travel, an estimate should be made of the change in vehicle travel resulting from the project.

For projects that increase roadway capacity, lead agencies can evaluate induced travel quantitatively by applying the results of existing studies that examine the magnitude of the increase of VMT resulting from a given increase in lane miles. These studies estimate the percent change in VMT for every percent change in miles to the roadway system (i.e., "elasticity").[35] Given that lead agencies have discretion in choosing their methodology, and the studies on induced travel reveal a range of elasticities, lead agencies may appropriately apply professional judgment in studying the transportation effects of a particular project. The most recent major study, estimates an elasticity of 1.0, meaning that every percent change in lane miles results in a one percent increase in VMT.[36]

To estimate VMT impacts from roadway expansion projects:

1. Determine the total lane-miles over an area that fully captures travel behavior changes resulting from the project (generally the region, but for projects affecting interregional travel look at all affected regions).
2. Determine the percent change in total lane miles that will result from the project.
3. Determine the total existing VMT over that same area.
4. Multiply the percent increase in lane miles by the existing VMT, and then multiply that by the elasticity from the induced travel literature:

[% increase in lane miles] x [existing VMT] x [elasticity] = [VMT resulting from the project]

A National Center for Sustainable Transportation tool can be used to apply this method: https://ncst.ucdavis.edu/research/tools

This method would not be suitable for rural (non-MPO) locations in the state which are neither congested nor projected to become congested. It also may not be suitable for a new road that provides new connectivity across a barrier (e.g., a bridge across a river) if it would be expected to substantially

[35] See U.C. Davis, Institute for Transportation Studies (Oct. 2015) *Increasing Highway Capacity Unlikely to Relieve Traffic Congestion*; Boarnet and Handy (Sept. 2014) *Impact of Highway Capacity and Induced Travel on Passenger Vehicle Use and Greenhouse Gas Emissions*, California Air Resources Board Policy Brief, available at https://www.arb.ca.gov/cc/sb375/policies/hwycapacity/highway_capacity_brief.pdf.
[36] See Duranton and Turner (2011) *The Fundamental Law of Road Congestion: Evidence from US cities*, available at http://www.nber.org/papers/w15376.

shorten existing trips. If it is likely to be substantial, the trips-shortening effect should be examined explicitly.

The effects of roadway capacity on vehicle travel can also be applied at a programmatic level. For example, in a regional planning process the lead agency can use that program-level analysis to streamline later project-level analysis. (See CEQA Guidelines, § 15168.) A program-level analysis of VMT should include effects of the program on land use patterns, and the VMT that results from those land use effects. In order for a program-level document to adequately analyze potential induced demand from a project or program of roadway capacity expansion, lead agencies cannot assume a fixed land use pattern (i.e., a land use pattern that does not vary in response to the provision of roadway capacity). A proper analysis should account for land use investment and development pattern changes that react in a reasonable manner to changes in accessibility created by transportation infrastructure investments (whether at the project or program level).

Mitigation and Alternatives

Induced VMT has the potential to reduce or eliminate congestion relief benefits, increase VMT, and increase other environmental impacts that result from vehicle travel.[37] If those effects are significant, the lead agency will need to consider mitigation or alternatives. In the context of increased travel that is induced by capacity increases, appropriate mitigation and alternatives that a lead agency might consider include the following:

- Tolling new lanes to encourage carpools and fund transit improvements
- Converting existing general purpose lanes to HOV or HOT lanes
- Implementing or funding off-site travel demand management
- Implementing Intelligent Transportation Systems (ITS) strategies to improve passenger throughput on existing lanes

Tolling and other management strategies can have the additional benefit of preventing congestion and maintaining free-flow conditions, conferring substantial benefits to road users as discussed above.

G. Analyzing Other Impacts Related to Transportation

While requiring a change in the methodology of assessing transportation impacts, Public Resources Code section 21099 notes that this change "does not relieve a public agency of the requirement to analyze a project's potentially significant transportation impacts related to air quality, noise, safety, or any other impact associated with transportation." OPR expects that lead agencies will continue to

[37] See National Center for Sustainable Transportation (Oct. 2015) *Increasing Highway Capacity Unlikely to Relieve Traffic Congestion*, available at http://www.dot.ca.gov/newtech/researchreports/reports/2015/10-12-2015-NCST_Brief_InducedTravel_CS6_v3.pdf; see Duranton and Turner (2011) *The Fundamental Law of Road Congestion: Evidence from US cities*, available at http://www.nber.org/papers/w15376.

address mobile source emissions in the air quality and noise sections of an environmental document and the corresponding studies that support the analysis in those sections. Lead agencies should continue to address environmental impacts of a proposed project pursuant to CEQA's requirements, using a format that is appropriate for their particular project.

Because safety concerns result from many different factors, they are best addressed at a programmatic level (i.e., in a general plan or regional transportation plan) in cooperation with local governments, metropolitan planning organizations, and, where the state highway system is involved, the California Department of Transportation. In most cases, such an analysis would not be appropriate on a project-by-project basis. Increases in traffic volumes at a particular location resulting from a project typically cannot be estimated with sufficient accuracy or precision to provide useful information for an analysis of safety concerns. Moreover, an array of factors affect travel demand (e.g., strength of the local economy, price of gasoline), causing substantial additional uncertainty. Appendix B of OPR's General Plan Guidelines summarizes research which could be used to guide a programmatic analysis under CEQA. Lead agencies should note that automobile congestion or delay does not constitute a significant environmental impact (Pub. Resources Code, §21099(b)(2)), and safety should not be used as a proxy for road capacity.

H. VMT Mitigation and Alternatives

When a lead agency identifies a significant impact, it must identify feasible mitigation measures that could avoid or substantially reduce that impact. (Pub. Resources Code, § 21002.1, subd. (a).) Additionally, CEQA requires that an environmental impact report identify feasible alternatives that could avoid or substantially reduce a project's significant environmental impacts.

Indeed, the California Court of Appeal recently held that a long-term regional transportation plan was deficient for failing to discuss an alternative which could significantly reduce total vehicle miles traveled. In *Cleveland National Forest Foundation v. San Diego Association of Governments, et al.* (2017) 17 Cal.App.5th 413, the court found that omission "inexplicable" given the lead agency's "acknowledgment in its Climate Action Strategy that the state's efforts to reduce greenhouse gas emissions from on-road transportation will not succeed if the amount of driving, or vehicle miles traveled, is not significantly reduced." (*Cleveland National Forest Foundation*, *supra*, 17 Cal.App.5th at p. 436.) Additionally, the court noted that the project alternatives focused primarily on congestion relief even though "the [regional] transportation plan is a long-term and congestion relief is not necessarily an effective long-term strategy." (*Id.* at p. 437.) The court concluded its discussion of the alternatives analysis by stating: "Given the acknowledged long-term drawbacks of congestion relief alternatives, there is not substantial evidence to support the EIR's exclusion of an alternative focused primarily on significantly reducing vehicle trips." (*Ibid*.)

Several examples of potential mitigation measures and alternatives to reduce VMT are described below. However, the selection of particular mitigation measures and alternatives are left to the discretion of

the lead agency, and mitigation measures may vary, depending on the proposed project and significant impacts, if any. Further, OPR expects that agencies will continue to innovate and find new ways to reduce vehicular travel.

Potential measures to reduce vehicle miles traveled include, but are not limited to:

- Improve or increase access to transit.
- Increase access to common goods and services, such as groceries, schools, and daycare.
- Incorporate affordable housing into the project.
- Incorporate neighborhood electric vehicle network.
- Orient the project toward transit, bicycle and pedestrian facilities.
- Improve pedestrian or bicycle networks, or transit service.
- Provide traffic calming.
- Provide bicycle parking.
- Limit or eliminate parking supply.
- Unbundle parking costs.
- Provide parking cash-out programs.
- Implement roadway pricing.
- Implement or provide access to a commute reduction program.
- Provide car-sharing, bike sharing, and ride-sharing programs.
- Provide transit passes.
- Shifting single occupancy vehicle trips to carpooling or vanpooling, for example providing ride-matching services.
- Providing telework options.
- Providing incentives or subsidies that increase the use of modes other than single-occupancy vehicle.
- Providing on-site amenities at places of work, such as priority parking for carpools and vanpools, secure bike parking, and showers and locker rooms.
- Providing employee transportation coordinators at employment sites.
- Providing a guaranteed ride home service to users of non-auto modes.

Notably, because VMT is largely a regional impact, regional VMT-reduction programs may be an appropriate form of mitigation. In lieu fees have been found to be valid mitigation where there is both a commitment to pay fees and evidence that mitigation will actually occur. (*Save Our Peninsula Committee v. Monterey County Bd. of Supervisors* (2001) 87 Cal.App.4th 99, 140-141; *Gentry v. City of Murrieta* (1995) 36 Cal.App.4th 1359; *Kings County Farm Bureau v. City of Hanford* (1990) 221 Cal.App.3d 692, 727–728.) Fee programs are particularly useful to address cumulative impacts. (CEQA Guidelines, § 15130, subd. (a)(3) [a "project's incremental contribution is less than cumulatively considerable if the project is required to implement or fund its fair share of a mitigation measure or measures designed to alleviate the cumulative impact"].) The mitigation program must undergo CEQA evaluation, either on the program as a whole, or the in-lieu fees or other mitigation must be evaluated

on a project-specific basis. (*California Native Plant Society v. County of El Dorado* (2009) 170 Cal.App.4th 1026.) That CEQA evaluation could be part of a larger program, such as a regional transportation plan, analyzed in a Program EIR. (CEQA Guidelines, § 15168.)

Examples of project alternatives that may reduce vehicle miles traveled include, but are not limited to:

- Locate the project in an area of the region that already exhibits low VMT.
- Locate the project near transit.
- Increase project density.
- Increase the mix of uses within the project or within the project's surroundings.
- Increase connectivity and/or intersection density on the project site.
- Deploy management strategies (e.g., pricing, vehicle occupancy requirements) on roadways or roadway lanes.

Appendix 1. Considerations About Which VMT to Count

Consistent with the obligation to make a good faith effort to disclose the environmental consequences of a project, lead agencies have discretion to choose the most appropriate methodology to evaluate project impacts.[38] A lead agency can evaluate a project's effect on VMT in numerous ways. The purpose of this document is to provide technical considerations in determining which methodology may be most useful for various project types.

Background on Estimating Vehicle Miles Traveled

Before discussing specific methodological recommendations, this section provides a brief overview of modeling and counting VMT, including some key terminology.

Here is an illustrative example of some methods of estimating vehicle miles traveled. Consider the following hypothetical travel day (all by automobile):

1. Residence to Coffee Shop
2. Coffee Shop to Work
3. Work to Sandwich Shop
4. Sandwich Shop to Work
5. Work to Residence
6. Residence to Store
7. Store to Residence

Trip-based assessment of a project's effect on travel behavior counts VMT from individual trips to and from the project. It is the most basic, and traditionally the most common, method of counting VMT. A trip-based VMT assessment of the residence in the above example would consider segments 1, 5, 6 and 7. For residential projects, the sum of home-based trips is called *home-based* VMT.

A *tour-based* assessment counts the entire home-back-to-home tour that includes the project. A tour-based VMT assessment of the residence in the above example would consider segments 1, 2, 3, 4, and 5 in one tour, and 6 and 7 in a second tour. A tour-based assessment of the workplace would include segments 1, 2, 3, 4, and 5. Together, all tours comprise *household* VMT.

[38] The California Supreme Court has explained that when an agency has prepared an environmental impact report:

> [T]he issue is not whether the [lead agency's] studies are irrefutable or whether they could have been better. The relevant issue is only whether the studies are sufficiently credible to be considered as part of the total evidence that supports the [lead agency's] finding[.]

(*Laurel Heights Improvement Assn. v. Regents of the University of California* (1988) 47 Cal.3d 376, 409; see also *Eureka Citizens for Responsible Gov't v. City of Eureka* (2007) 147 Cal.App.4th 357, 372.)

Both trip- and tour-based assessments can be used as measures of transportation efficiency, using denominators such as per capita, per employee, or per person-trip.

Trip- and Tour-based Assessment of VMT

As illustrated above, a tour-based assessment of VMT is a more complete characterization of a project's effect on VMT. In many cases, a project affects travel behavior beyond the first destination. The location and characteristics of the home and workplace will often be the main drivers of VMT. For example, a residential or office development located near high quality transit will likely lead to some commute trips utilizing transit, affecting mode choice on the rest of the tour.

Characteristics of an office project can also affect an employee's VMT beyond the work tour. For example, a workplace located at the urban periphery, far from transit, can require an employee to own a car, which in turn affects the entirety of an employee's travel behavior and VMT. For this reason, when estimating the effect of an office development on VMT, it may be appropriate to consider total employee VMT if data and tools, such as tour-based models, are available. This is consistent with CEQA's requirement to evaluate both direct and *indirect* effects of a project. (See CEQA Guidelines, § 15064, subd. (d)(2).)

Assessing Change in Total VMT

A third method, estimating the *change in total VMT* with and without the project, can evaluate whether a project is likely to divert existing trips, and what the effect of those diversions will be on total VMT. This method answers the question, "What is the net effect of the project on area VMT?" As an illustration, assessing the total change in VMT for a grocery store built in a food desert that diverts trips from more distant stores could reveal a net VMT reduction. The analysis should address the full area over which the project affects travel behavior, even if the effect on travel behavior crosses political boundaries.

Using Models to Estimate VMT

Travel demand models, sketch models, spreadsheet models, research, and data can all be used to calculate and estimate VMT (see Appendix F of the preliminary discussion draft). To the extent possible, lead agencies should choose models that have sensitivity to features of the project that affect VMT. Those tools and resources can also assist in establishing thresholds of significance and estimating VMT reduction attributable to mitigation measures and project alternatives. When using models and tools for those various purposes, agencies should use comparable data and methods, in order to set up an "apples-to-apples" comparison between thresholds, VMT estimates, and VMT mitigation estimates.

Models can work together. For example, agencies can use travel demand models or survey data to estimate existing trip lengths and input those into sketch models such as CalEEMod to achieve more

accurate results. Whenever possible, agencies should input localized trip lengths into a sketch model to tailor the analysis to the project location. However, in doing so, agencies should be careful to avoid double counting if the sketch model includes other inputs or toggles that are proxies for trip length (e.g., distance to city center). Generally, if an agency changes any sketch model defaults, it should record and report those changes for transparency of analysis. Again, trip length data should come from the same source as data used to calculate thresholds to be sure of an "apples-to-apples" comparison.

Additional background information regarding travel demand models is available in the California Transportation Commission's "2010 Regional Transportation Plan Guidelines," beginning at page 35.

Appendix 2. Induced Travel: Mechanisms, Research, and Additional Assessment Approaches

Induced travel occurs where roadway capacity is expanded in an area of present or projected future congestion. The effect typically manifests over several years. Lower travel times make the modified facility more attractive to travelers, resulting in the following trip-making changes:

- **Longer trips.** The ability to travel a long distance in a shorter time increases the attractiveness of destinations that are farther away, increasing trip length and vehicle travel.
- **Changes in mode choice.** When transportation investments are devoted to reducing automobile travel time, travelers tend to shift toward automobile use from other modes, which increases vehicle travel.
- **Route changes.** Faster travel times on a route attract more drivers to that route from other routes, which can increase or decrease vehicle travel depending on whether it shortens or lengthens trips.
- **Newly generated trips.** Increasing travel speeds can induce additional trips, which increases vehicle travel. For example, an individual who previously telecommuted or purchased goods on the internet might choose to accomplish those tasks via automobile trips as a result of increased speeds.
- **Land Use Changes.** Faster travel times along a corridor lead to land development farther along that corridor; that new development generates and attracts longer trips, which increases vehicle travel. Over several years, this induced growth component of induced vehicle travel can be substantial, making it critical to include in analyses.

Each of these effects has implications for the total amount of vehicle travel. These effects operate over different time scales. For example, changes in mode choice might occur immediately, while land use changes typically take a few years or longer. CEQA requires lead agencies to analyze both short-term and long-term effects.

Evidence of Induced Vehicle Travel. A large number of peer reviewed studies[39] have demonstrated a causal link between highway capacity increases and VMT increases. Many provide quantitative estimates of the magnitude of the induced VMT phenomenon. Collectively, they provide high quality evidence of the existence and magnitude of the induced travel effect.

[39] See, e.g., Boarnet and Handy (Sept. 2014) Impact of Highway Capacity and Induced Travel on Passenger Vehicle Use and Greenhouse Gas Emissions, California Air Resources Board Policy Brief, available at https://www.arb.ca.gov/cc/sb375/policies/hwycapacity/highway_capacity_brief.pdf; National Center for Sustainable Transportation (Oct. 2015) *Increasing Highway Capacity Unlikely to Relieve Traffic Congestion*, available at http://www.dot.ca.gov/research/researchreports/reports/2015/10-12-2015-NCST_Brief_InducedTravel_CS6_v3.pdf.

Most of these studies express the amount of induced vehicle travel as an "elasticity," which is a multiplier that describes the additional vehicle travel resulting from an additional lane mile of roadway capacity added. For example, an elasticity of 0.6 would signify an 0.6 percent increase in vehicle travel for every 1.0 percent increase in lane miles. Many of these studies distinguish "short run elasticity" (increase in vehicle travel in the first few years) from "long run elasticity" (increase in vehicle travel beyond the first few years). Long run elasticity is larger than short run elasticity, because as time passes, more of the components of induced vehicle travel materialize. Generally, short run elasticity can be thought of as excluding the effects of land use change, while long run elasticity includes them. Most studies find a long run elasticity between 0.6 and just over 1.0,[40] meaning that every increase in lanes miles of one percent leads to an increase in vehicle travel of 0.6 to 1.0 percent. The most recent major study finds the elasticity of vehicle travel by lanes miles added to be 1.03; in other words, each percent increase in lane miles results in a 1.03 percent increase in vehicle travel.[41] (An elasticity greater than 1.0 can occur because new lanes induce vehicle travel that spills beyond the project location.) In CEQA analysis, the long-run elasticity should be used, as it captures the full effect of the project rather than just the early-stage effect.

Quantifying Induced Vehicle Travel Using Models. Lead agencies can generally achieve the most accurate assessment of induced vehicle travel resulting from roadway capacity increasing projects by applying elasticities from the academic literature, because those estimates include vehicle travel resulting from induced land use. If a lead agency chooses to use a travel demand model, additional analysis would be needed to account for induced land use. This section describes some approaches to undertaking that additional analysis.

Proper use of a travel demand model can capture the following components of induced VMT:

- Trip length (generally increases VMT)
- Mode shift (generally shifts from other modes toward automobile use, increasing VMT)
- Route changes (can act to increase or decrease VMT)
- Newly generated trips (generally increases VMT)
    - Note that not all travel demand models have sensitivity to this factor, so an off-model estimate may be necessary if this effect could be substantial.

However, estimating long-run induced VMT also requires an estimate of the project's effects on land use. This component of the analysis is important because it has the potential to be a large component of

[40] See Boarnet and Handy (Sept. 2014) *Impact of Highway Capacity and Induced Travel on Passenger Vehicle Use and Greenhouse Gas Emissions*, California Air Resources Board Policy Brief, p. 2, available at https://www.arb.ca.gov/cc/sb375/policies/hwycapacity/highway_capacity_brief.pdf.

[41] Duranton and Turner (2011) *The Fundamental Law of Road Congestion: Evidence from US cities*, available at http://www.nber.org/papers/w15376.

the overall induced travel effect. Options for estimating and incorporating the VMT effects that are caused by the subsequent land use changes include:

1. *Employ an expert panel.* An expert panel could assess changes to land use development that would likely result from the project. This assessment could then be analyzed by the travel demand model to assess effects on vehicle travel. Induced vehicle travel assessed via this approach should be verified using elasticities found in the academic literature.
2. *Adjust model results to align with the empirical research.* If the travel demand model analysis is performed without incorporating projected land use changes resulting from the project, the assessed vehicle travel should be adjusted upward to account for those land use changes. The assessed VMT after adjustment should fall within the range found in the academic literature.
3. *Employ a land use model, running it iteratively with a travel demand model.* A land use model can be used to estimate the land use effects of a roadway capacity increase, and the traffic patterns that result from the land use change can then be fed back into the travel demand model. The land use model and travel demand model can be iterated to produce an accurate result.

A project which provides new connectivity across a barrier, such as a new bridge across a river, may provide a shortened path between existing origins and destinations, thereby shortening existing trips. In rare cases, this trip-shortening effect might be substantial enough to reduce the amount of vehicle travel resulting from the project below the range found in the elasticities in the academic literature, or even lead a net reduction in vehicle travel overall. In such cases, the trip-shortening effect could be examined explicitly.

Whenever employing a travel demand model to assess induced vehicle travel, any limitation or known lack of sensitivity in the analysis that might cause substantial errors in the VMT estimate (for example, model insensitivity to one of the components of induced VMT described above) should be disclosed and characterized, and a description should be provided on how it could influence the analysis results. A discussion of the potential error or bias should be carried into analyses that rely on the VMT analysis, such as greenhouse gas emissions, air quality, energy, and noise.

Analyzing Vehicle Miles Traveled for CEQA Compliance

SB 743 Implementation Guidelines for the City of Scotts Valley

November 2023

Kimley»Horn

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City of Scotts Valley
VMT Implementation Guidelines

1 Introduction

In 2013, SB 743 was signed into law with a goal of reducing Greenhouse Gas (GHG) emissions, promoting the development of infill land use projects and multimodal transportation networks, and to promote a diversity of land uses within developments. One significant outcome is the removal of automobile delay and congestion, commonly known as level of service (LOS), as a basis for determining significant transportation impacts under the California Environmental Quality Act (CEQA).

The Governor's Office of Planning and Research (OPR) selected vehicle miles traveled (VMT) as the principal measure to replace LOS for determining significant transportation impacts. VMT is a measure of total vehicular travel that accounts for the number of vehicle trips and the length of those trips. OPR selected VMT, in part, because jurisdictions are already familiar with this metric. VMT is already used in CEQA to study other potential impacts such as GHG, air quality, and energy impacts, and is used in planning for regional Sustainable Communities Strategies (SCS).

VMT also allows for an analysis of a project's impact on a more regional basis rather than only in the vicinity of a proposed project, allowing for a better understanding of the full extent of a project's transportation-related impact.

VMT impacts above the adopted thresholds of significance are considered to be significant environmental impacts under CEQA. Lead agencies are required to identify feasible mitigation measures to avoid or substantially reduce those impacts. Transportation Demand Management (TDM) programs are a critical component to achieve VMT reduction targets, thus potentially aid in reducing a project's significant environmental impacts.

It should be noted that SB 743 allows the City of Scotts Valley to use LOS for other planning purposes outside the scope of CEQA. Adopting VMT thresholds does not preclude the City from continuing to conduct LOS analysis for project specific transportation analysis addressing delay, consistent with its General Plan policies and for the purpose of collecting traffic impact fees, consistent with the City's Municipal Code and City policy. The City's methodology for evaluating the need for traffic impacts improvements based on LOS outside of the CEQA requirements will remain unchanged, as defined in the latest version of the City's *Guide for the Preparation of Traffic Impact Studies*.

2 Background

Pursuant to California Senate Bill (SB) adoptions in 2013 and 2018 (SB 743 and SB 375), the focus of CEQA transportation analyses shifted to reducing greenhouse gas (GHG) emissions, creation of multimodal transportation networks, and promotion of a mix of land uses that reduces the need to drive. SB 743 required the OPR to prepare amendments to the CEQA guidelines with respect to transportation analyses to use an alternative metric that better balance the needs of congestion management with statewide goals related to GHG emission reduction targets per SB 375.

The California Air Resources Board (CARB) adopted the State's current GHG reduction targets at the March 22, 2018, Board Hearing. Subsequently in late 2018, the California Natural Resources Agency adopted OPR's recommended updates to the CEQA Guidelines. The updated Guidelines became effective on December 28, 2018, which require agencies to use VMT as the metric for CEQA transportation analyses by July 1, 2020.

3 Screening Criteria

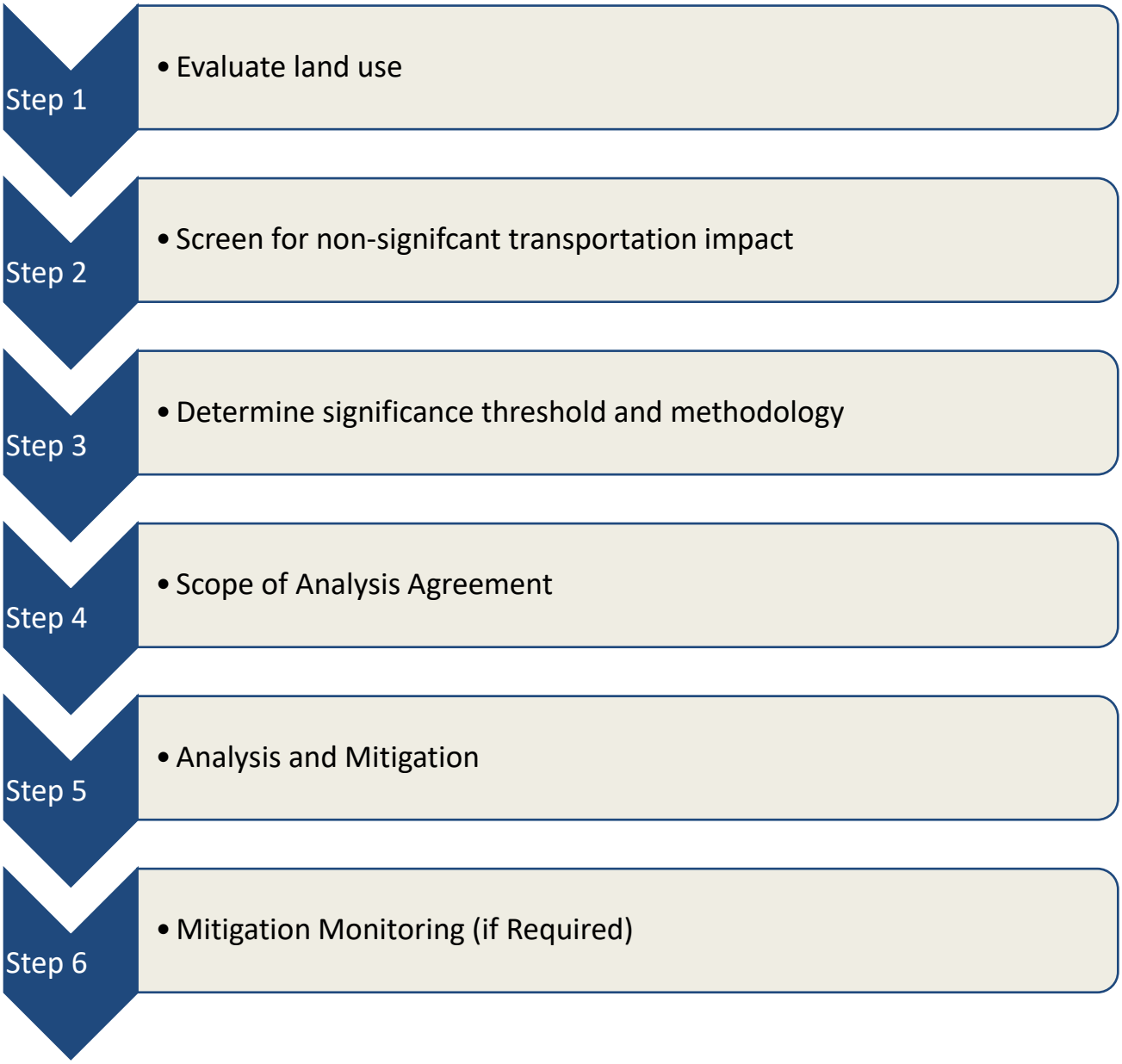
3.1 Land Use Projects

The approach below identifies transportation impacts under CEQA for land-use projects that closely align with guidance described in the OPR *Technical Advisory on Evaluating Transportation Impacts in CEQA* (2018).

OPR recommends agencies use screening criteria to identify projects known to reduce VMT or be low VMT generators, and that are thus expected to have a less than significant VMT impact and would exempt such projects from quantitative VMT analyses. The use of screening criteria streamlines project analysis for projects that are already presumed to have a less than significant impact on VMT, based on substantial evidence. General Plan policies encourage housing development to protect local-serving retail and to reduce traffic on the roadway network. Therefore, if a project meets the screening criteria, a quantitative VMT analysis is not required; however, the CEQA analysis will still include a qualitative discussion of VMT, discussing the site and its location characteristics. If there is substantial evidence showing that the presumption did not apply for a particular project, a quantitative analysis is required.

OPR Guidance does not specifically address land uses beyond residential, office and retail, and it provides latitude on some elements of implementation. In response to this, six steps for SB 743 project evaluation have been developed to clarify requirements and reduce potential confusion. Exhibit 1: Process for CEQA VMT Analysis for Land Use Projects provides a graphical representation of this analysis process.

Exhibit 1: Process for CEQA VMT Analysis for Land Use Projects



Step 1: Evaluate Land Use Type

Land use projects will need to be evaluated for the following considerations:

- ***Land use type.*** For the purposes of analysis, the Institute of Transportation Engineers (ITE) land use codes serve as the basis of land use definitions. Although it is recognized that VMT evaluation tools and methodologies are typically not fully sensitive to some of the distinctions between some ITE categories, the use of ITE land use codes is useful for maintaining consistency across analyses, determining trip generation for other planning level tools, and maintaining a common understanding of trip making characteristics amongst transportation professionals. The ITE land use code is also used as an input into the VMT Calculator (described below).
- ***Mixed Use.*** If there are multiple distinct land uses within the project (residential, office, retail, etc.), they should be analyzed separately, unless they are determined to be insignificant to the total VMT. Mixed-use projects are permitted to account for internal trip capture (typically up to 5%), which depending on the methodology, may require a distinct approach not covered in this documentation.
- ***Redevelopment projects.*** As described under the Non-Significant Screening Criteria section, redevelopment projects which have lower VMT than the existing on-site use can be determined to have a non-significant impact.

Step 2: Screen for Non-Significant Transportation Impact

The purpose of this step is to determine if a presumption of a non-significant transportation impact can be made on the facts of a land use project. The guidance in this section is intended to avoid unnecessary analysis and findings that would be inconsistent with the intent of SB 743.

VMT Thresholds and Baselines

For analysis of transportation-related impacts under CEQA, if a project generates VMT above the defined threshold, it is deemed to have a significant impact. The thresholds set are based on baseline VMT, which is also the existing VMT value. The baseline calculation VMT was prepared using the Santa Cruz County Travel Demand Model and existing travel patterns. The City has discretion to set its significance threshold based on the baseline or a reduction of the baseline VMT.

For residential projects, OPR recommends using significance thresholds that compares a project's home-based trip VMT per resident to the baseline home-based trip VMT per resident. For office projects, OPR recommends using significance thresholds that involve comparing a project's home-based VMT per worker to the home-based baseline VMT per worker.

Residential and office projects that locate in areas with low VMT, and that incorporate similar features (i.e., density, mix of uses, transit accessibility), will tend to exhibit similarly low VMT.

Maps created with VMT data, for example from a travel survey or a travel demand model, can illustrate areas that are currently below threshold VMT (see recommendations below). Because new development in such locations would likely result in a similar level of VMT, such maps can be used to screen out residential and office projects from needing to prepare a detailed VMT analysis.

Exhibit 2: Baseline Residential VMT per Capita and Exhibit 3: Baseline VMT per Employee show the baseline VMT per worker and resident for the City of Scotts Valley to illustrate differences by geographic areas, called Transportation Analysis Zones (TAZ). TAZ areas shown in green represent areas that are eligible to receive streamlining for VMT analysis because these areas are considered to be at or below with City's VMT threshold. For other projects, OPR recommends comparing the total VMT generated by a project to the total baseline.

Presumption of Less Than Significant Impact for Affordable Residential Development

Adding affordable housing to infill locations generally improves jobs-housing match, in turn shortening commutes and reducing VMT. Further, low-wage workers in particular would be more likely to choose a residential location close to their workplace, if one is available (Karner and Benner, 2015 and 2016).

In areas where existing jobs-housing match is closer to optimal, low-income housing nevertheless generates less VMT than market- rate housing. Therefore, a project consisting of a high percentage of affordable housing may be a basis for the lead agency to find a less-than-significant impact on VMT. Evidence supports a presumption of less than significant impact for a 100 percent affordable residential development (or the residential component of a mixed-use development) in infill locations. Lead agencies may develop their own presumption of less than significant impact for residential projects (or residential portions of mixed-use projects) containing a particular amount of affordable housing, based on local circumstances and evidence. Furthermore, a project which includes any affordable residential units may factor the effect of the affordability on VMT into the assessment of VMT generated by those units.

Exhibit 2: Baseline Residential VMT per Capita

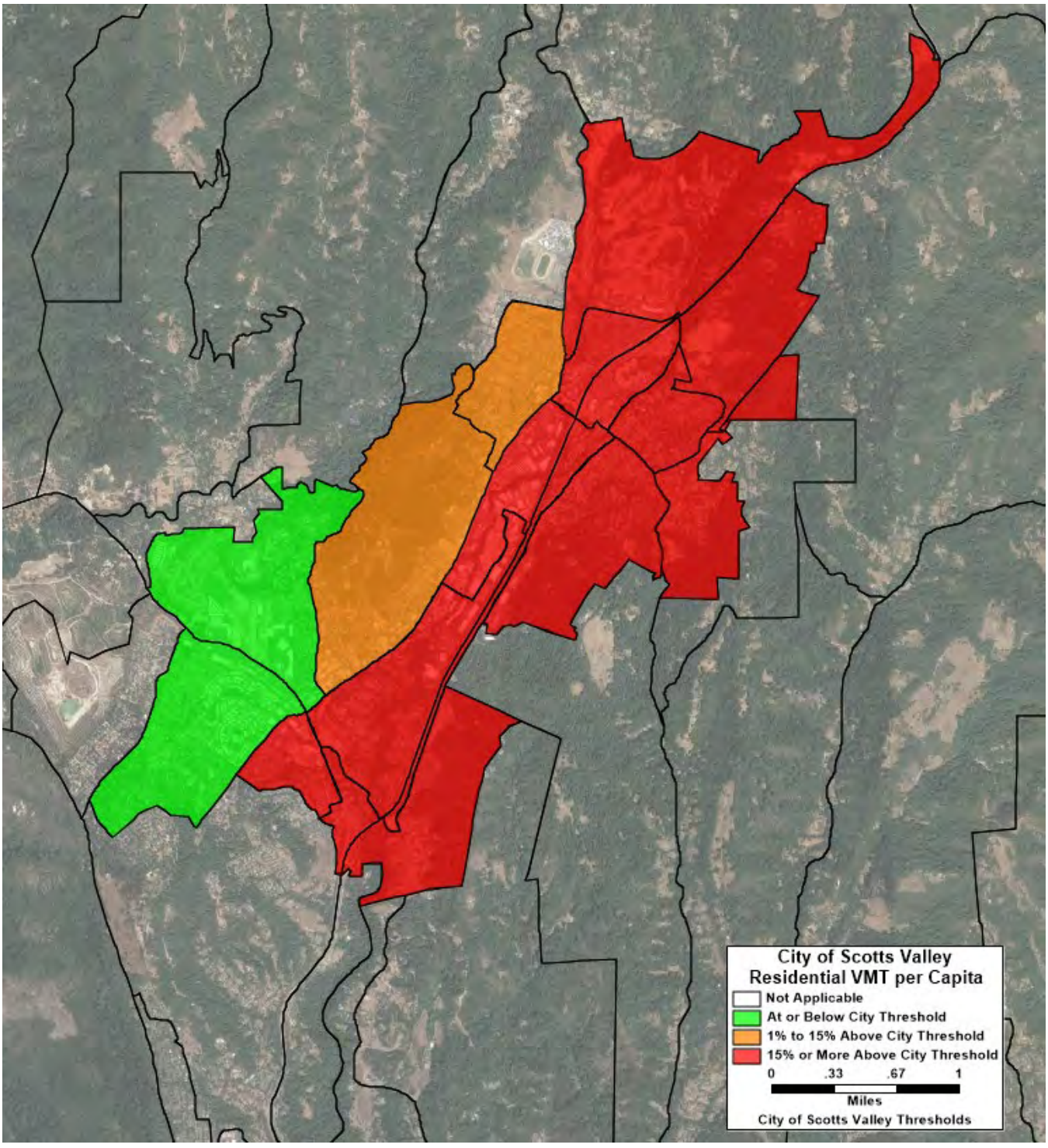
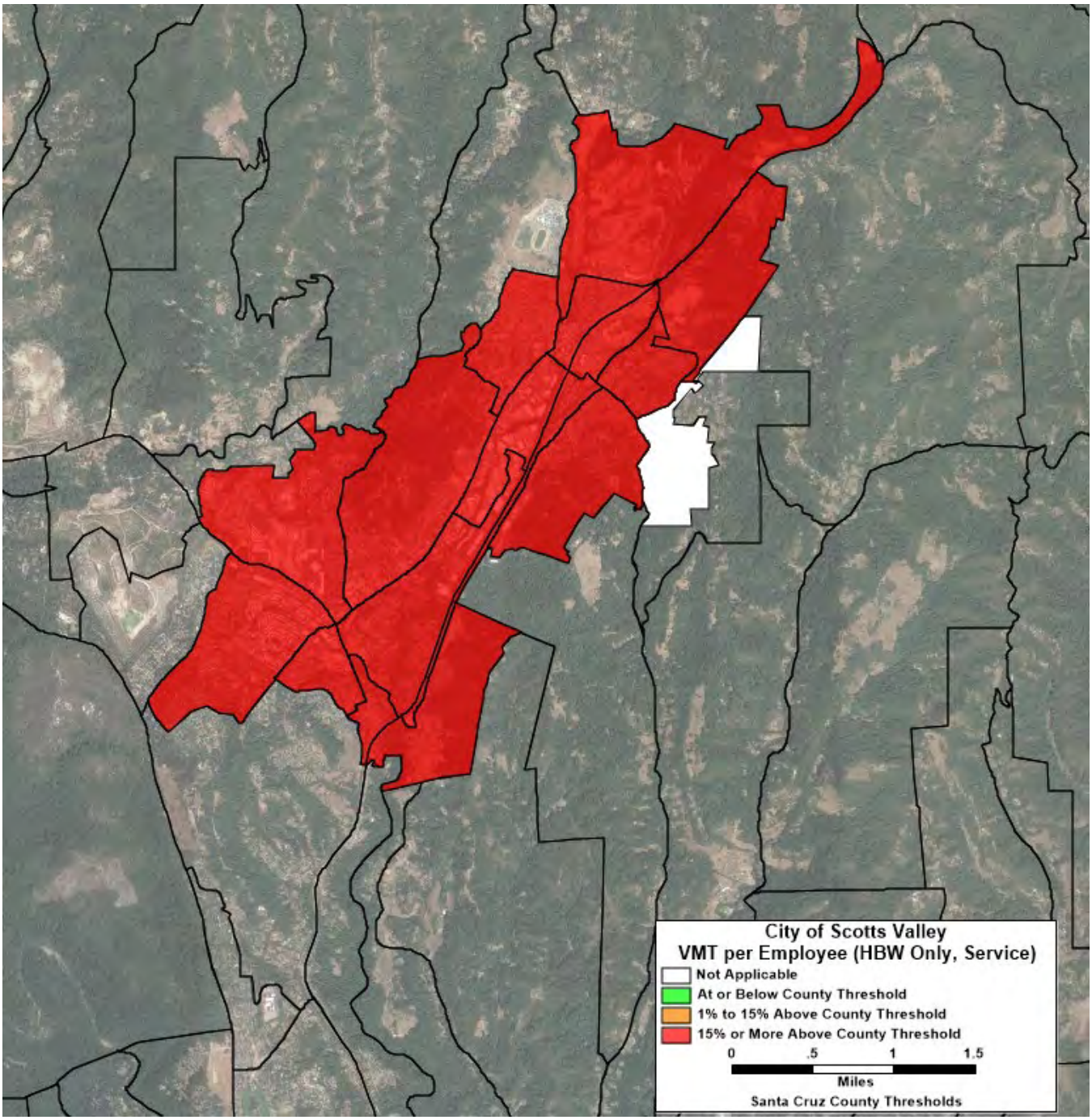


Exhibit 3: Baseline VMT per Employee



Screening Criteria

A detailed VMT analysis is not required for land use elements of a project that meet the screening criteria shown in Exhibit 4: Screening Criteria. If a land use project is mixed-use in nature, only those elements of the project that do not comply with the elements in Exhibit 4 would require further evaluation to determine transportation significance for CEQA purposes. Furthermore, the City may, at their discretion, make the determination that based on the unique characteristics of a project, that it is locally serving and therefore exempt from a detailed CEQA transportation analysis.

Exhibit 4: Screening Criteria

Screening Criteria	Expected to Cause a Less than Significant Impact if:	CEQA Transportation Analysis Required if:
SMALL PROJECTS	▪ Project average daily trip generation is less than 110 average daily trips; or ▪ Is not greater than 20 residential units (single-family and/or multifamily); or ▪ For each individual use/tenancy, the non-residential use does not exceed 10,000 square feet.	▪ Is inconsistent with the Sustainable Communities Strategy, as determined by the City of Scotts Valley.
PROJECTS NEAR HIGH QUALITY TRANSIT	▪ Within a ½ mile of an existing major transit stop; and, ▪ Maintains a service interval frequency of 15 minutes or less during the morning and afternoon peak commute periods.	▪ Has a Floor Area Ratio (FAR) of less than 0.75 net developable acres; or ▪ Includes more parking for use by residents, customers, or employees of the project than required by the City of Scotts Valley; or ▪ Is inconsistent with the Sustainable Communities Strategy, as determined by the City of Scotts Valley; or ▪ Replaces affordable residential units with a smaller number of moderate- or high-income residential units.
LOCAL-SERVING RETAIL	▪ No single store on-site exceeds 50,000 gross square feet; or ▪ Is 50,000 gross square feet or larger and is considered local serving, at the discretion of the City of Scotts Valley.	▪ A single store on-site exceeds 50,000 gross square feet. ▪ If the nature of the service is regionally focused, as determined by the City of Scotts Valley.
AFFORDABLE, SUPPORTIVE, AND TRANSITIONAL HOUSING	▪ At least 20% of the residential portion of a project is affordable (provides very low, low, and/or moderate housing).	▪ The percentage of affordable housing is determined by the City of Scotts Valley to not be high in relation to the residential element of a project.

Screening Criteria	Expected to Cause a Less than Significant Impact if:	CEQA Transportation Analysis Required if:
LOCAL ESSENTIAL SERVICE	▪ Local serving K-12 school. ▪ Day care center. ▪ Local parks ▪ Student housing projects on or adjacent to a college campus or other similar educational facility ▪ Local-serving assembly uses (places of worship, community organizations) ▪ Assisted living facilities (includes memory and assisted care) ▪ Senior housing (as defined by HUD) ▪ Local serving community colleges ▪ Local-serving hotels (e.g., non-destination hotels) ▪ Local government services including city offices, police, or fire facility. ▪ Medical/dental office building. ▪ Government offices (in-person services such as city services, post office, library, utilities, etc.).	▪ If the nature of the service is regionally focused as determined by the City of Scotts Valley.
MAP-BASED SCREENING [1]	▪ Area of development is under the baseline threshold for residential and employment generating uses as shown in Exhibit 3: Baseline Residential VMT per Capita and Exhibit 4: Baseline VMT per Employee.	▪ Represent significant growth as to substantially change regional travel patterns as determined by the City of Scotts Valley.
REDEVELOPMENT OF AN EXISTING USE	▪ Project replaces an existing VMT-generating land use and does not result in a net overall increase in VMT greater than a "SMALL PROJECT", as described above.	▪ Project replaces an existing VMT-generating land use and results in a net overall increase in VMT.

Notes:
1. Based on assumption that, like local-serving retail, the addition of necessary local in-person services will reduce VMT given that trips to these locations will be made irrespective of distance given their non-discretionary nature.

Step 3: Significance Threshold and Methodology

This step determines the threshold of significance for application for a land use project. Significance thresholds are based on land use type, broadly categorized as efficiency and net

change metrics including VMT/Capita and Work VMT/employee[1]. As described in Exhibit 5: Significance Threshold and Methodology, "Net Change" refers to the net change in regional VMT. "Net Change" is used for projects that include a significant customer base, such as commercial uses although it can extend to a variety of uses that have similar characteristics as shown in Exhibit 5.

Exhibit 5: Significance Threshold and Methodology

Threshold Basis	Efficiency	Net Change
Example Land Use	Residential, Professional Office, Industrial	Retail, Medical Office, Sports Venue
Example VMT Thresholds	Per capita, per employee	Region VMT change
Customer Component	No	Yes
Allowable Methods	Non-Significant Screening Criteria, The City of Scotts Valley VMT Calculator, Travel Demand Model	Non-Significant Screening Criteria, Travel Demand Model

For projects with a significant customer basis, it is appropriate to separate employee trip characteristics from the customer base unless the customer base is minimal in nature. Under these circumstances, it is most appropriate to evaluate the total of the delta in regional VMT resultant from the customer base plus the delta of VMT resultant from employees based on the following formula:

(number of employees) x (estimated VMT/employee – threshold VMT/employee)

The threshold of significance will accordingly correspond to the "net change" threshold as described in Exhibit 5. Under these circumstances, it is most appropriate to evaluate this total net change as the basis for evaluating the outcome of mitigations in terms of determining transportation significance although each element of the project should be tallied separately for the purposes of clarity.

VMT Thresholds of Significance

OPR suggests a 15 percent VMT reduction relative to existing local or regional average VMT levels.

[1] Work VMT specifically applies to commute trips as represented by the attractions in the Travel Demand Model. Refer to Appendix A for additional information

For context, Exhibit 6: County-wide VMT Threshold Comparison, shows the baseline condition and 85% Threshold (15% reduction) for Santa Cruz County and the four incorporated cities of Scotts Valley, Santa Cruz, Capitola, and Watsonville.

Exhibit 6: County-wide VMT Threshold Comparison

Baseline Condition				
Jurisdiction	**VMT/Capita (Residential)**	**VMT/Employee (Industrial)**	**VMT/Employee (Retail)**	**VMT/Employee (Service)**
All Santa Cruz County	10.5	13.0	15.1	8.7
Unincorporated County	12.6	17.1	16.7	9.9
Scotts Valley	**11.7**	**15.9**	**17.0**	**10.0**
Santa Cruz	6.2	11.4	11.1	6.4
Watsonville	10.0	14.9	17.2	9.9
Capitola	6.0	12.2	14.4	8.3

85% Threshold				
Jurisdiction	**VMT/Capita (Residential)**	**VMT/Employee (Industrial)**	**VMT/Employee (Retail)**	**VMT/Employee (Service)**
All Santa Cruz County	8.9	11.0	12.9	7.4
Unincorporated County	10.7	14.6	14.2	8.4
Scotts Valley	**10.0**	**13.6**	**14.4**	**8.5**
Santa Cruz	5.3	9.7	9.4	5.4
Watsonville	8.5	12.7	14.6	8.4
Capitola	5.1	10.4	12.3	7.0

For the City of Scotts Valley, the VMT thresholds of significance shown in Exhibit 7: Scotts Valley VMT Thresholds of Significance for Land Use Projects have been established for land use projects that are determined to have a significant transportation impact (i.e., not able to be screened for non-significant transportation, per Step 2 above). Examples of non-significant impacts for "Transportation Projects" are described in Examples of Non-Significant Transportation Impact Projects, below.

Exhibit 7: Scotts Valley VMT Thresholds of Significance for Land Use Projects

Land Use	VMT Threshold	Basis
Residential	10.0 VMT/capita [1]	15% below the existing City's average VMT per capita.
Office	7.4 Work VMT/Employee [2]	15% below existing Santa Cruz County-wide average Work VMT per employee.
Retail	Net regional change	Using Santa Cruz County as the basis.
Industrial	11.0 Work VMT/Employee [2]	15% below existing county-wide average Work VMT per employee.
Other Employment	Work VMT/Employee [2]	15% below existing county-wide average Work VMT per employee for similar land uses.
Other Customer	Net regional change	Using Santa Cruz County as the basis.
Transportation Projects	Net increase to countywide VMT	Using Santa Cruz County as the basis.

Notes:
1. Residential VMT specifically applies to all Home-Based trips residential trips as represented in the Travel Demand Model. Refer to Appendix A for additional information.
2. Work VMT specifically applies to commute trips as represented in the Travel Demand Model. Refer to Appendix A for additional information.

Note that the inclusion of "Other Employment" and "Other Customer" refers to all other service and goods providers that are not included in the basic office/retail categories. They follow a similar approach to the office/retail categories with the principal difference being that the average/basis for of the threshold would the aggregation of the specific "other" land use across the county (i.e., an industrial project would use industrial uses, etc.).

Based on improvements to methods and data as well as other modeling modifications there will be periodic updates to the numerical threshold values shown, however the relative approach for calculating them should remain the same.

VMT Calculator Tool

The City of Scotts Valley has developed a VMT calculator tool for use in the VMT analysis of land use projects. As with any tool, there are distinct limitations in terms of its application including limits on the type and size of development that can be applied to. Note that it is anticipated that the tool will continue to evolve in response to data or methodology changes and as such it is important that the most current version of the tool be utilized. Broadly, the tool provides the following information:

- Institute of Transportation Engineers (ITE) Trip Generation
- VMT Threshold Analysis

- Greenhouse Gas (GHG) Estimation
- Transportation Demand Management (TDM) Evaluation

The VMT Analysis methodology is described in Appendix A: VMT Analysis Methodology**.**

Step 4: Scope of Analysis Agreement

When considered necessary by City staff and prior to undertaking VMT analysis, a scope compliant with the City of Scotts Valley's requirements should be prepared and submitted for approval. Given the potential complexities of some uses, particularly those not identified as residential, retail, or office, an agreement regarding the threshold and methodology is important to avoid analysis that is not compliant with the City of Scotts Valley's requirements.

Step 5: Analysis and Mitigation

During this step, the analysis agreed to under Step 4 should be completed. Relevant documentation providing sufficient detail regarding assumptions and methods should be clearly identified, along with the results of the VMT analysis for the proposed project.

If a significant transportation impact is identified, feasible mitigation measures to avoid or reduce the impact must be identified. CEQA requires that the mitigation measures be included in the project's environmental assessment. OPR provides a list of potential measures to reduce VMT but gives the lead City of Scotts Valley full discretion in the selection of mitigation measures.

The type and size of the project will determine the most appropriate mitigation strategies for VMT impacts. For large projects such as general plans or specific plans, VMT mitigations should concentrate on the project's density and land use mix, site design, regional policies, and availability of transit, bicycle, and pedestrian facilities. For smaller projects such as an individual development project, VMT mitigations will typically require the preparation of a transportation demand management (TDM) program. A TDM program is a combination of strategies to reduce VMT. The program is created by an applicant for their land use project based on a list of strategies agreed to with the City of Scotts Valley.

The City of Scotts Valley has developed a list of potential TDM strategies appropriate for their jurisdiction and what magnitude of VMT reduction could be achieved. The selection process was guided by the California Air Pollution Control Officers Association (CAPCOA) recommendations found in the 2010 publication *Quantifying Greenhouse Gas Mitigation Measures*. The area context of the City of Scotts Valley also influenced the type of TDM strategies that were selected. CAPCOA has found strategies with the largest VMT reduction in rural areas include vanpools, telecommute or alternative work schedules, and master planned communities with design and land-use diversity to encourage intra-community travel. Based on empirical evidence, CAPCOA found the cross-category maximum for all transportation-related mitigation measures is 15% for suburban settings.

Appendix B: Travel Demand Management Mitigation Strategies summarizes available TDM strategies along with the maximum VMT reduction, applicable land use application, and complementary strategies. The City of Scotts Valley's VMT calculator tool includes the TDMs that are described in Appendix B. Developers can propose additional mitigation measures with supporting documentation substantiating the effectiveness of the mitigation for consideration. All proposed TDMs are subject to approval by the City.

Additionally, staff will continue to monitor and consider the viability of additional VMT mitigation strategies and/or programs (e.g., regional VMT mitigation fee program).

Step 6: Mitigation Monitoring

As required by CEQA, the City of Scotts Valley will require ongoing mitigation monitoring and reporting. The specifics of this will be developed on a project basis.

3.2 Transportation Projects

Depending on the specific nature of a transportation project; it can alter trip patterns, trip lengths, and even trip generation. Research has determined that capacity-enhancing projects can and often do increase VMT. This phenomenon is commonly referred to as "induced demand". While methods are generally less developed for the analysis of induced demand compared to other areas of transportation analysis, there is still the need to quantify and understand its impact to the transportation system considering the requirements of SB 743.

Similar to land use projects, the approach to transportation project analysis closely align with the 2018 OPR Guidance. In general, these include roadway, transit, bicycle and pedestrian projects that do not lead to a measurable increase in vehicle miles traveled. In terms of analysis, the analyst should first determine whether the transportation project has been prescreened and determined to have a non-significant impact as described in the following section.

Examples of Non-Significant Transportation Impact Projects

The following are examples of non-significant impact for transportation projects/programs that are provided directly from the 2018 OPR Guidance[2]:

- Rehabilitation, maintenance, replacement, safety, and repair projects designed to improve the condition of existing transportation assets (e.g., highways; roadways; bridges; culverts).
- Transportation Management System field elements such as cameras, message signs, detection, or signals; tunnels; transit systems; and assets that serve bicycle and pedestrian facilities) and that do not add additional motor vehicle capacity.

[2] 2018 OPR Guidance, Page 20

- Roadside safety devices or hardware installation such as median barriers and guardrails.
- Roadway shoulder enhancements to provide “breakdown space,” dedicated space for use only by transit vehicles, to provide bicycle access, or to otherwise improve safety, but which will not be used as automobile vehicle travel lanes.
- Addition of an auxiliary lane of less than one mile in length designed to improve roadway safety.
- Installation, removal, or reconfiguration of traffic lanes that are not for through traffic, such as left, right, and U-turn pockets, two-way left turn lanes, or emergency breakdown lanes that are not utilized as through lanes.
- Addition of roadway capacity on local or collector streets provided the project also substantially improves conditions for pedestrians, cyclists, and, if applicable, transit.
- Conversion of existing general-purpose lanes (including ramps) to managed lanes or transit lanes, or changing lane management in a manner that would not substantially increase vehicle travel.
- Addition of a new lane that is permanently restricted to use only by transit vehicles.
- Reduction in number of through lanes.
- Grade separation to separate vehicles from rail, transit, pedestrians, or bicycles, or to replace a lane in order to separate preferential vehicles (e.g., HOV, HOT, or trucks) from general vehicles.
- Installation, removal, or reconfiguration of traffic control devices, including Transit Signal Priority (TSP) features.
- Installation of traffic metering systems, detection systems, cameras, changeable message signs and other electronics designed to optimize vehicle, bicycle, or pedestrian flow.
- Timing of signals to optimize vehicle, bicycle, or pedestrian flow.
- Installation of roundabouts or traffic circles.
- Installation or reconfiguration of traffic calming devices.
- Adoption of or increase in tolls.
- Addition of tolled lanes, where tolls are sufficient to mitigate VMT increase.
- Initiation of new transit service.
- Conversion of streets from one-way to two-way operation with no net increase in number of traffic lanes.
- Removal or relocation of off-street or on-street parking spaces.
- Adoption or modification of on-street parking or loading restrictions (including meters, time limits, accessible spaces, and preferential/reserved parking permit programs)
- Addition of traffic wayfinding signage.
- Rehabilitation and maintenance projects that do not add motor vehicle capacity.
- Addition of new or enhanced bike or pedestrian facilities on existing streets/highways or within existing public rights-of-way.

- Addition of Class I bike paths, trails, multi-use paths, or other off-road facilities that serve nonmotorized travel.
- Installation of publicly available alternative fuel/charging infrastructure
- Addition of passing lanes, truck climbing lanes, or truck brake-check lanes in rural areas that do not increase overall vehicle capacity along the corridor.

Significance Threshold and Methodology for Transportation Projects

For projects that increase roadway capacity and are not identified under the Non-Significant Screening Criteria in the prior section, the significance criterion should be a change in regional VMT. A finding of a significant impact would be determined if a transportation project results in a net increase in regional VMT.

4 Appendix A: VMT Analysis Methodology

Travel Demand Models (TDMs) are broadly considered to be amongst the most accurate of available tools to assess regional and sub-area VMT. While the Association of Monterey Bay Area governments (AMBAG) maintains the regional travel demand model as a part of the Metropolitan Transportation Plan/Sustainable Communities Strategy program (MTP/SCS), the jurisdictions in Santa Cruz County maintain their own travel demand model (SCC TDM) for the analysis of local conditions. The latest available version of the SCC TDM was developed in 2020.

The 2019 Base Year model scenario from this model was used for the baseline conditions and 2040 Future Year model scenario is used for cumulative conditions analysis. The four incorporated cities included in the model (City of Capitola, City of Santa Cruz, City of Scotts Valley, and the City of Watsonville) are major contributors of the trips throughout the County during a typical weekday.

As many of the County's daily trips originate from or are destined for areas outside of the County such as the Bay area and Monterey County (external trips), their total length could not be computed solely using the SCC TDM, additional analysis was required. The length of these trips was determined using two main processes, using Big Data and SCC TDM output files. The Big Data firm from which data was obtained was Teralytics, which uses triangulated cell phone data to determine origin-destination locations for vehicle trips, aggregated at the Census Tract level. The data that was obtained from Teralytics summarized the number of trips to and from the County to the surrounding Counties at the Census Tract level for the entire month of October 2019. The distance between each Census Tract in the County and the surrounding Counties was determined by using the TransCAD software, the modeling platform the SCC TDM runs on. The multipath analysis function within the TransCAD software was used to determine the point-to-point distance between the centroid of each Census Tract using the internal pathing algorithm that determines the shortest path along the roadway network between the centroid of each Census Tract pair. The shortest path between each individual Santa Cruz County Census Tract and every non-Santa Cruz County Census Tract that contained at least one trip was multiplied by the share of the total trips to and from each individual Santa Cruz County Census Tract to determine the average trip length to and from the individual County Census Tract. The average trip length was applied to each SCC TDM TAZ within the individual Santa Cruz County Census Tract and multiplied by the number of external trips to and from that TAZ to determine the total external VMT by TAZ.

To calibrate the external distance calculated using the Teralytics data, the distance between the internal Santa Cruz County Census Tracts was calculated. The distances were calculated using the process outlined above which included using the TransCAD pathing algorithm to determine the shortest path between Census Tract centroids. The distances between the internal Santa Cruz County Census Tracts were aggregated down to the SCC TDM TAZs to allow for comparison with the SCC TDM data. One of the SCC TDM output files is the peak-period skim file in which

the shortest path between two SCC TDM TAZs is calculated during congested (peak) periods of the day.

To determine a calibration factor for the external trip distances, the distance between TAZs calculated by the SCC TDM was compared to the distances calculated using the Teralytics data. The comparison was completed on a TAZ-by-TAZ basis and the calibration factor was calculated at the County level by averaging the difference in distances between the Teralytics data and the SCC TDM data. It was determined that the distances calculated using the Teralytics data were, on average, 16-percent longer than the distance calculated by the SCC TDM. Therefore, the external trip distances were reduced by 16-percent when calculating the VMT for the external trips.

4.1 Model Zone Structure

VMT was computed at Traffic Analysis Zone (TAZ) level to determine the thresholds as well as to allow for comparisons among different areas throughout the County. There are 696 TAZs within the County, including 364 TAZs within the unincorporated parts of the County.

4.2 Socio-Economic Data

Socioeconomic data (SED) and other model inputs are associated with each TAZ. Out of several different variables in the model SED, the VMT analysis mainly focused on population, the number of households, the number of students, and types of employment that are used in the trip generation component of the model. VMT computation was focused on the number of households in each TAZ and employment variables by 6 industries to determine rest of the trips. Employment variables used in the model are listed below.

Employment by Industry type:

1. Agriculture
2. Construction
3. Industrial and Manufacturing
4. Retail and Food
5. Service (White Collar, non-government jobs)
6. Public Administration (Government jobs)

4.3 Trip Generation

The SCC TDM runs a series of complex steps to estimate daily trip productions and attractions by various trip purposes for each TAZ. The trip purposes are listed below.

Model Trip Purpose:

1. Home-Based Work (HW)
2. Home-Based Other (HO)
3. Home-Based School, K-12 (HK)

4. Home-Based College (HC)
5. Home-Based Shopping (HS)
6. Work-Based Other (WO)
7. Other-Based Other (OO)

The production model uses several variables such as number of workers, household income, age, household size and car availability depending on the trip purpose. Trip productions for every TAZ in the model were compiled separately by each trip purpose. The attraction model uses employment categories for the HW trip purpose, whereas it uses the employment categories and number of students (K-12 and University) for all non-HW trip purposes. The attraction model estimates trip attractions to each TAZ by regression coefficients that vary by employment type. Trip attractions for every TAZ were compiled by each purpose and by each employment type based on these regression coefficients.

4.4 Person Trips, Vehicle Occupancy, Trip Distance

Trip productions and attractions were compiled after the mode choice step, and only auto trips were used for the analysis. After the vehicle trip productions and attractions were computed for each trip purpose, trip lengths were applied for each zone pair from the skim matrices in the model to compute the production and attraction VMT by purpose.

4.5 VMT by Land Use Type

The residential VMT was computed by combining the production VMT for all the Home-Based trip purposes. VMT for non-residential land uses was computed from the attraction VMT by appropriate trip purposes and regression coefficients used in the attraction model.

Residential and non-residential VMT by each TAZ were computed and average VMT were determined by City, County and Region levels to determine City's thresholds.

5 Appendix B: Travel Demand Management Mitigation Strategies

TDM #	TDM Measure	Description	TDM Type	Max VMT Reduction	VMT Reduction Type
Transit Strategies					
1	Transit Stops	Coordinate with local transit agency to provide bus stop near the site. Real time transportation information displays support on-the-go decision making to support sustainable trip making. Only get a reduction on a non-HQT line, cannot get both.	Infrastructure	3%	All
2	Safe and Well-Lit Access to Transit	Enhance the route for people walking or bicycling to nearby transit (typically off-site). Provide Emergency 911 phones along these routes to enhance safety.	Infrastructure	1%	All
3	Implement Neighborhood Shuttle	Implement project-operated or project-sponsored neighborhood shuttle serving residents, employees, and visitors of the project site	Incentive	5%	All
4	Transit Subsidies	Involves the subsidization of transit fare for residents and employees of the project site. This strategy assumes transit service is already present in the project area. Pays for employees to use local transit. This could either be a discounted ticket or a full-reimbursed transit ticket. Include Trolley considerations.	Incentive	5%	All

TDM #	TDM Measure	Description	TDM Type	Max VMT Reduction	VMT Reduction Type
Communication & Information Strategies					
5	Mandatory Travel Behavior Change Program	Involves the development of a travel behavior change program that targets individuals' attitudes, goals, and travel behaviors, educating participants on the impacts of their travel choices and the opportunities to alter their habits. Provide a web site that allows employees to research other modes of transportation for commuting. Employee-focused travel behavior change program that targets individuals' attitudes, goals, and travel behaviors, educating participants on the impacts of their travel choices and the opportunities to alter their habits.	Incentive	4%	All
6	Promotions & Marketing	Involves the use of marketing and promotional tools to educate and inform travelers about site-specific transportation options and the effects of their travel choices with passive educational and promotional materials. Marketing and public information campaign to promote awareness of TDM program with an on-site coordinator to monitor program.	Incentive	4%	All

TDM #	TDM Measure	Description	TDM Type	Max VMT Reduction	VMT Reduction Type
Commuting Strategies					
7	Employer Sponsored Vanpool or Shuttle	Implementation of employer-sponsored employee vanpool or shuttle providing new opportunities for access to connect employees to the project site.	Incentive / Infrastructure	5%	Commute
8	Preferential Carpool / Vanpool Parking Spaces	Reserved carpool / vanpool spaces closer to the building entrance.	Infrastructure	1%	
9	Passenger Loading Zones for Carpool / Vanpool	Provide easy access for carpools or vanpools.	Infrastructure	1%	
10	On-site Carts or Shuttles or bikes	Provide on-site cart or shuttle for employees to travel across campus.	Incentive / Infrastructure	2%	All
11	Emergency Ride Home (ERH) Program	Provides an occasional subsidized ride to commuters who use alternative modes. Guaranteed ride home for people if they need to go home in the middle of the day due to an emergency or stay late and need a ride at a time when transit service is not available. Ecology Action is preferred vendor. This supplemental to the other trip reduction strategies. ADD to 5 and 6	Incentive	4%	Commute
12	On-site Childcare	Provides on-site childcare to remove the need to drive a child to daycare at a separate location.	Infrastructure	4%	All
13	Telecommuting	Four-Ten work schedule results in 20% weekly VMT reduction, 10% trip reduction equals 15% VMT reduction		10%	
14	Alternative work schedule	Alternative Fridays off (Nine-Ten schedule)		10%	

TDM #	TDM Measure	Description	TDM Type	Max VMT Reduction	VMT Reduction Type
Shared Mobility Strategies					
15	Mandatory Ride Amigos-Share Program	Increases vehicle occupancy by providing ride-share matching services, designating preferred parking for ride-share participants, designing adequate passenger loading/unloading and waiting areas for ride-share vehicles, and providing a website or message board to connect riders and coordinate rides. Need a point person form the business on-site.	Incentive	10%	Commute
16 a	Employee/Employer Car Share	Implement car sharing to allow people to have on-demand access to a vehicle, as-needed. This may include providing membership to an existing program located within 1/4 mile, contracting with a third-party vendor to extend membership-based service to an area, or implementing a project-specific fleet that supports the residents and employees on -site.	Incentive	0.7%	All
16 b	Employee/Employer Car Share	Provide an on-site car vehicle for employees to use for short trips. This allows for employees to run errands or travel for lunch.	Incentive	2%	Commute
17	School Carpool Program	Implements a school carpool program to encourage ridesharing for students.	Incentive	15%	School
Bicycle Infrastructure Strategies					
18	Bike Share	Sign up for shared bikes.	Incentive / Infrastructure	7%	All

TDM #	TDM Measure	Description	TDM Type	Max VMT Reduction	VMT Reduction Type
19	Implement/Improve On-street Bicycle Facility	Implements or provides funding for improvements to corridors and crossings for bike networks identified within a one-half mile buffer area of the project boundary, to support safe and comfortable bicycle travel.	Infrastructure	4%	All
20	Include Bike Parking in excess of City Code	Implements long-term bicycle parking to support safe and comfortable bicycle travel by providing parking facilities at destinations	Infrastructure	2%	All
21	Include Secure Bike Parking and Showers in excess of City Code	Implements additional end-of-trip bicycle facilities to support safe and comfortable bicycle travel.	Infrastructure	2%	All
22	Bicycle Repair Station / Services	On-site bicycle repair tools and space to use them supports on-going use of bicycles for transportation.	Infrastructure	2%	All
Neighborhood Enhancement Strategies					
23	Traffic Calming Improvements	Implements traffic calming measures throughout and around the perimeter of the project site that encourage people to walk, bike, or take transit within the development and to the development from other locations.	Infrastructure	1%	All
24	Pedestrian Network Improvements	Implements pedestrian network improvements throughout and around the project site that encourages people to walk.	Infrastructure	2%	All
Miscellaneous Strategies					
25	Virtual Care Strategies for Hospitals/Health care providers/MOB/Clinic	Resources to allow patients to access healthcare services or communicate with healthcare staff through online or off-site programs.	Infrastructure	5%	Hospital Visitors

TDM #	TDM Measure	Description	TDM Type	Max VMT Reduction	VMT Reduction Type
26	On-site Affordable Housing	Provides on-site affordable housing in excess of inclusionary rates % of units is the % reduction developer can get.	Infrastructure	4%	All
Parking Strategies					
27	Reduce Parking Supply	Changes on-site parking supply to provide less than the amount required by municipal code. Permitted reductions could utilize mechanisms such as TOC, Density Bonus, Bike Parking ordinance, or locating in a Specific Plan Area.	Infrastructure	10%	All
28	Unbundle Parking	Unbundles parking costs from property costs, requiring those who wish to purchase parking spaces to do so at an additional cost. Implementation of residential permit parking zones for long-term use of on-street parking in residential area at the expense to the developer.	Incentive	10%	Residential
29	Parking Cash-Out	Provide employees a choice of forgoing current parking for a cash payment to be determined by the employer. The higher the cash payment, the higher the reduction.	Incentive	5.0%	Commercial Only
30	Residential Area Parking Permits	Implement a neighborhood permit program at a neighborhood level.	Incentive	0.25%	Residential
31	Parking Management Strategies	Strategies to encourage efficiency in parking facilities and improve the quality of service to parking users	Incentive	1%	Valet

RESOLUTION NO. 1789

RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF SCOTTS VALLEY RECOMMENDING THE CITY COUNCIL ADOPT A VEHICLE MILES TRAVELED (VMT) POLICY INCLUSIVE OF ESTABLISHING VMT AS THE APPROPRIATE METRIC FOR EVALUATING TRANSPORTATION-RELATED IMPACTS UNDER CEQA, ESTABLISHING VMT THRESHOLDS OF SIGNIFICANCE, ESTABLISHING SCREENING CRITERIA, AND ESTABLISHING TRANSPORTATION DEMAND MANAGEMENT (TDM) STRATEGIES

WHEREAS, the California Environmental Quality Act (CEQA) requires public agencies responsible for approval of land use projects and construction of transportation projects to assess their anticipated environmental impacts and to select project alternatives or implement mitigation measure that lessen those impacts where feasible. Known as a "lead agency" under CEQA, a public agency with the discretionary authority to approve or deny a project (or to carry it out directly) generally must analyze the proposed project's impacts to the physical environment, identify alternatives and mitigation measures, and approve a project alternative and/or mitigation measures that substantially reduce significant impacts, unless those measures are infeasible due to economic, social, or other conditions; and

WHEREAS, in 2013, state law was changed with the passage Senate Bill (SB) 743 (Steinberg) to update the way transportation impacts are analyzed under CEQA for new land use and transportation projects. Previously, transportation analyses had been based on automobile delay, typically measured as "level of service," or LOS. SB 743 also required the Governor's Office of Planning and Research (OPR) to develop a new metric for evaluating transportation impacts other than LOS to more appropriately balance the needs of congestion management with statewide goals related to infill development, promotion of public health through active transportation, and reduction of greenhouse gas emissions;

WHEREAS, in 2018, OPR released updates to the state's CEQA Guidelines to implement SB 743 by replacing LOS with VMT as the most appropriate measure of a project's transportation impacts; this update was formally certified and adopted by the California Natural Resources Agency and codified as section 15064.3 of the CEQA Guidelines. Simultaneously, OPR released a Technical Advisory on Evaluating Transportation Impacts in CEQA. The Technical Advisory includes recommendations for thresholds of significance for evaluating impacts of office, residential and retail developments, and provides screening criteria for identifying the types of projects that can be presumed to have a less than significant impact;

WHEREAS, as of July 1, 2020, all lead agencies are required to use VMT to measure transportation impacts, in accordance with section 15064.3 of the CEQA Guidelines;

WHEREAS, in order to comply with SB 743, the City of Scotts Valley joined the Cities of Capitola, Santa Cruz, and Watsonville and the County of Santa Cruz to collectively approach this new paradigm of measuring transportation impacts for the purposes of conducting environmental review. The Cities and County hired Kimley Horn & Associates, a transportation consulting firm, to assist with the necessary work, including updating

baseline traffic conditions, updating, and running the county-wide Travel Demand Model, creating screening maps, and producing thresholds of significance for the Santa Cruz region. This work forms the foundation of the City's draft VMT Policy, and was used by other jurisdictions within our region that have adopted VMT thresholds of significance and SB 743 guidelines in conformance of with section 15064.3 of the CEQA Guidelines and OPR's Technical Advisory;

WHEREAS, CEQA Guidelines section 15064.7(b) allows lead agencies to adopt thresholds of significance for the lead agency's general use in its environmental review process;

WHEREAS, the City intends to adopt a VMT Policy, inclusive of establishing VMT thresholds of significance, based on a data-driven evaluation, in order to meet the intent of State legislation;

WHEREAS, the adoption of a VMT Policy, including the VMT Mitigation Banking Program, is not a "project" as defined in section 15378 of the CEQA Guidelines and Public Resources Code section 21065, as this is not a "project" that may cause a direct, or reasonably foreseeable indirect, physical change in the environment. The VMT Policy is an administrative activity of the City, providing guidance to property owners, project developers, applicants and proponents for determining the significance of transportation impacts of land use projects. The VMT Policy would not approve any specific development and would therefore not lead to any particular physical change to the environment. Moreover, even if found to be a "project," the VMT Policy is exempt under the "common sense" exception (14 Cal. Code Regs. § 15061(b)(3)) because it can be seen with certainty that there is no possibility that the action of adopting the Policy would have a significant effect on the environment.

NOW, THEREFORE, BE IT RESOLVED by Planning Commission as follows:

1. It is hereby recommended that the City Council adopt the draft VMT Policy set forth in Exhibit "1" attached hereto and incorporated herein, inclusive of establishing VMT as the City's thresholds of significance for transportation-related environmental impacts pursuant to CEQA, as follows:

Land Use	VMT Threshold	Basis
Residential	10.0 VMT/capita [1]	15% below the existing City's average VMT per capita.
Office	7.4 Work VMT/Employee [2]	15% below existing Santa Cruz County-wide average Work VMT per employee.
Retail	Net regional change	Using Santa Cruz County as the basis.
Industrial	11.0 Work VMT/Employee [2]	15% below existing county-wide average Work VMT per employee.
Other Employment	Work VMT/Employee [2]	15% below existing county-wide average Work VMT per employee for similar land uses.
Other Customer	Net regional change	Using Santa Cruz County as the basis.
Transportation Projects	Net increase to countywide VMT	Using Santa Cruz County as the basis.

Notes:

1. Residential VMT specifically applies to all Home-Based trips residential trips as represented in the Travel Demand Model.
2. Work VMT specifically applies to commute trips as represented in the Travel Demand Model.

2. It is further recommended that the City Council authorize the Community Development Director to update the VMT thresholds of significance for land use projects and plans, as necessary and appropriate to reflect current conditions, provide any update is consistent with the intent of SB 743 and in compliance with procedural and substantive requirement of CEQA and all other applicable state and local laws.

The above and foregoing resolution was duly and regularly adopted and passed by the Planning Commission of the City of Scotts Valley at a regular meeting held on the 16th day of November, 2023, by the following vote:

AYES:
NOES:
ABSENT:
ABSTAIN:

_____
Lori Gentile, Chair

_____
Taylor Bateman, Community Development Director