



AGENDA

Meeting of the
Scotts Valley Planning Commission
In-Person and Remote Access
Date: May 15, 2025
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/88671741298	The agenda was posted on 5-8-2025 at City Hall, SV Public Works, SV Senior Center and online at www.scottsvalley.gov .
COMMISSIONERS		CITY STAFF MEMBERS
Lori Gentile, Chair Chuck Maffia, Vice Chair David Hodgins, Commissioner Shawn Mosley, Commissioner Steve Simonovich, Commissioner		Taylor Bateman, Community Development Director Rodolfo Onchi, Public Works Director Ben Noble, Contract Planner Cathie Simonovich, City Clerk

MEETING NOTICE AND AGENDA PACKET MATERIALS
Notice regarding Planning Commission Meetings: The Planning Commission meets regularly on the 2nd Thursday of each month (unless otherwise noticed) at 6pm in the City Hall Council Chambers located at 1 Civic Center Drive, Scotts Valley, CA 95066. Agenda and Agenda Packet Materials: The Planning Commission agenda and the complete agenda packet are available for review by 5pm the Friday before the Thursday meeting on the Internet at the City's website: https://www.scottsvalley.gov/129/Agendas-Minutes Public Participation: The meeting will be available in person and on Zoom. For those wishing to participate via Zoom, you can join from a PC, Mac, iPad, iPhone or Android device by entering or clicking on the following URL: https://us02web.zoom.us/j/88671741298 You will be given an opportunity to provide public comment at the appropriate times throughout the meeting via Zoom. How to comment via Zoom: 1. At the appropriate times during the meeting for public comment on items not on the agenda and on specific agenda items, the Planning Commission Chair will announce

that public comment will be accepted. Our usual time limits of three minutes per individual, or five minutes for an individual who is representing a group of three or more, will apply. Please note that per our standard practice, this is not a question and answer time, but simply a time for you to provide comments to the Planning Commission.

2. There is an option on Zoom to raise your hand. Please click on this option when the Chair announces that public comments will be taken. If you are participating via dial-up only, use *9 to raise your hand at the requested time. Zoom places people in line automatically. When it is your turn, you will be un-muted and you will be able to make your comments based on the above time frames. Once your time is up, you will once again be muted and the next person in line will be given their opportunity to speak.

CALL TO ORDER 6:00 PM

(The Planning Commission Chair calls the meeting to order.)

PLEDGE OF ALLEGIANCE

ROLL CALL

(Planning Department staff conduct roll call of the Planning Commission.)

PUBLIC COMMENT TIME

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

ALTERATIONS TO CONSENT AGENDA

(The Commission can remove or add items to the Consent Agenda.)

CONSENT AGENDA

(The Consent Agenda is comprised of items which appear to be non-controversial. Persons wishing to speak on any items may do so raising their hand to be recognized by the Chair. These items will be acted upon in one motion unless they are removed from the consent agenda for discussion by the Commission.)

1. Approve Planning Commission minutes of 3-14-2025

ALTERATIONS TO PUBLIC HEARING AGENDA

(Commission can remove or add items to the Regular Agenda.)

PUBLIC HEARING AGENDA

(Persons wishing to speak on any item may do so by raising their hand to be recognized by the Chair.)

1. Consideration of amendments to Scotts Valley Municipal Code, General Plan, and SB 9 Standards to implement Housing Element programs

ALTERATIONS TO REGULAR AGENDA

(Commission can remove or add items to the Regular Agenda.)

REGULAR AGENDA

(Persons wishing to speak on any item may do so by raising their hand to be recognized by the Chair.)

1. Fiscal Year 2024/25 through 2029/30 Capital Improvement Program;
Consistency with General Plan

DISCUSSION ITEMS AND FUTURE AGENDA ITEMS

(The Planning Commission or Community Development Director may request to schedule items on future agendas.)

WRITTEN COMMUNICATIONS – FOR INFORMATION ONLY DIRECTOR UPDATES

(The Community Development Director may provide any department or city updates that are available.)

ADJOURNMENT

(Adjournment shall be no later than 11pm unless extended by a four-fifths vote of all Planning Commission members or a unanimous vote of the members present per City Municipal Code Section 2.21.010.)

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 Planning Commission 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 Community Development Department at 831-440-5630 five to seven days in advance of the meeting to make arrangements for assistance. If you require the agenda of a Planning Commission meeting be available in an alternative format consistent with a specific disability, please call the Community Development Department. 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.



MINUTES

Meeting of the
Scotts Valley Planning Commission
Date: March 13, 2025
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/88671741298	The agenda was posted on 3-7-2025 at City Hall, SV Senior Center, SV Public Works Building, and on the Internet at www.scottsvally.gov .

CALL TO ORDER 6:00 PM

The Planning Commission meeting was called to order at 6:01 PM.

PLEDGE OF ALLEGIANCE

ROLL CALL

COMMISSIONERS PRESENT:

Lori Gentile, Chair
Chuck Maffia, Vice Chair
David Hodgins, Commissioner
Shawn Mosley, Commissioner
Steve Simonovich, Commissioner

CITY STAFF MEMBERS PRESENT:

Taylor Bateman, Community Development
Director
Sarah Wickle, Senior Planner
Ben Noble, Consultant
Cathie Simonovich, City Clerk

PUBLIC COMMENT TIME

John Lewis, a resident of Scotts Valley, spoke regarding the upcoming Caltrans freeway modernization project. As part of this project, he would like to see Crescent Way connected to surface streets in Scotts Valley to access Scotts Valley by walking, cycling or driving, without having to enter the freeway. Director Bateman noted that he would follow up with Mr. Lewis on this subject.

ALTERATIONS TO CONSENT AGENDA

None.

CONSENT AGENDA

1. Planning Commission Meeting Minutes of 01-23-2025

M/S: Hodgin/Mosley

To approve the Planning Commission Meeting Minutes of 01-23-2025.

Carried 5/0 (AYES: Gentile, Maffia, Hodgin, Mosley, Simonovich)

ALTERATIONS TO REGULAR AGENDA

None.

REGULAR AGENDA

1. Study Session to provide input on Zoning Ordinance amendments to implement Housing Element programs

Consultant Ben Noble led this study session to receive questions and feedback regarding Housing Element implementation items. For each of the three sections in the presentation, Consultant Noble presented the information, received public questions/comments, and then received the Commission's questions/comments.

Item #1 Rezonings to meet the RHNA

Public comment: Ryan Meckel, with Santa Cruz Yes In My Backyard (YIMBY), noted that he had sent a letter asking questions regarding the 30% commercial requirement. Chair Gentile assured Mr. Meckel that the letter has been received, and a response is being prepared.

Commissioner feedback: The Commissioners asked clarifying questions.

Item #2 Residential Development Standards

Public comment: Janine Roeth, with Santa Cruz YIMBY, questioned the parking requirements.

Commissioner feedback: The Commissioners asked clarifying questions and requested that the multifamily homes include reasonable setback.

Item #3 Affirmatively furthering fair housing

Public comment: Rafa Sonnenfeld, with Santa Cruz YIMBY, expressed concern regarding the strategy for the "missing middle" housing.

Commissioner feedback: The Commissioners asked clarifying questions.

DISCUSSION ITEMS AND FUTURE AGENDA ITEMS

None.

**WRITTEN COMMUNICATIONS – FOR INFORMATION ONLY
DIRECTOR UPDATES**

None.

ADJOURNMENT

The meeting adjourned at 7:10 PM.

City of Scotts Valley
PLANNING COMMISSION
STAFF REPORT

Date:	May 15, 2025
Applications:	AZO25-001, GPA25-001
Location:	City-wide
General Plan / Zoning:	All designations/zones
Environmental Status:	Addendum to General Plan Update EIR
Request:	Consideration of amendments to Scotts Valley Municipal Code, General Plan, and SB 9 Standards to implement Housing Element programs
Staff Planner:	Ben Noble, Consultant

STAFF RECOMMENDATION

It is recommended the Planning Commission conduct a public hearing, receive public comment, and adopt the resolution recommending the City Council 1) amend the Scotts Valley Municipal Code Title 17 (Zoning), Title 16 (Subdivisions), General Plan Land Use Element, and SB 9 Standards to implement General Plan Housing Element programs; and 2) adopt an Addendum to the General Plan EIR for the proposed amendments in compliance with the California Environmental Quality Act (CEQA).

BACKGROUND

On December 20, 2023, the City Council adopted the 2023-2031 Housing Element of the General Plan. The Housing Element is the foundation for City housing policy as required by state law. The Housing Element includes programs with specific actions that the City must complete within a specified timeframe.

In 2024 the City Council adopted an initial set of Zoning Code Amendments to implement the Housing Element. Topics addressed in the 2024 amendments included accessory dwelling units, accessory structures, by-right development and design review, among other topics.

On March 13, 2025 the Planning Commission held a study session to provide input on Zoning Code amendments which must be completed in 2025. At this meeting the Planning Commission provided feedback on three topics: 1) rezonings to accommodate the City's regional housing needs allocation (RHNA); 2) development standards that constrain housing production; and 3) affirmatively furthering fair housing. The staff report from the March 13, 2025 meeting is provided as Attachment 3.

As noted at the March 13, 2025 meeting, the City received a letter from Santa Cruz YIMBY dated March 11, 2025 commenting on the materials discussed at the meeting. As discussed below, City staff has considered these comments when preparing the proposed amendments.

On March 28, 2025 the City hosted a meeting with local developers to receive feedback on Housing Element Program H-3.2, which calls for the city to implement land use strategies for "missing middle" housing in Scotts Valley. City staff considered this feedback when preparing the proposed amendments to implement Program H-3.2.

PROPOSED AMENDMENTS

Attachment 1 contains a draft Planning Commission resolution recommending the City Council adopt the proposed amendments to the Zoning Code, Subdivision Ordinance, General Plan Land Use Element, and SB 9 Standards. Exhibits in Attachment 1 contain the proposed amendments, which address the following topics:

- Rezoning for RHNA
- Residential Development Constraints
- Large Lot Development
- Lot Consolidation
- Affirmatively Furthering Fair Housing
- Condominium Conversions
- SB 9 Ordinance Amendments

In Attachment 1, proposed General Plan Amendments are in Exhibit A, proposed Zoning Code and Subdivision Ordinance amendments are in Exhibit B, and proposed amendments to SB 9 standards are in Exhibit C.

Rezoning for RHNA

As discussed in the March 13, 2025 staff report (Attachment 3), Scotts Valley must provide adequate sites to accommodate the City's regional housing needs allocation (RHNA) for the 2023-2031 Housing Element planning period. To provide these sites, Housing Element Program H-1.1 calls for the City to rezone 35 properties to allow a density of up to 40 dwelling units per acre. Development standards on these sites (e.g., building height, lot coverage, setbacks) must allow for this density. As shown in Figures 1 and 2 in the March 13, 2025 staff report, these sites are primarily located on Scotts Valley Drive and Mount Hermon Road.

To implement Housing Element Program H-1.1, the proposed Zoning Code Amendments include the following changes to Chapter 17.41 (Housing Element Opportunity Site Combining District):

- **Permitted Uses:** Allows multifamily dwellings as a permitted use in the HE combining district. On mixed-use rezone sites, residential uses must occupy less than 70 percent of the total gross square feet on the property. On all other sites, residential-only development (no commercial uses on site) is allowed.
- **Development Standards:** Up to 40 dwelling units per acre and 60 percent building coverage is allowed on rezone sites. Building heights greater than 35 feet permitted for pitched roofs and vertical mixed-use buildings.
- **Deviations:** Deviation from development standards is allowed if necessary to accommodate permitted density on the site.

The proposed amendments exclude from the HE combining districts two rezoning sites identified in the Housing Element - 257 Glenwood Drive (San Agustin church) and 90 Lockhart Gulch Road (self-storage facility). The city will consider the rezoning of these properties as part of a separate process later this year.

These proposed Zoning Code Amendments also require an amendment to the General Plan Land Use Element. As shown in Exhibit A of Attachment 1, the proposed Land Use Element Amendment adds notes to Table LU-2 stating that on candidate sites identified in the Sixth Cycle Housing Element, the residential density, commercial building coverage, and potential land uses are as permitted in the Housing Element. The notes also state that 1) a maximum 70 percent residential floor area is permitted on mixed use rezone sites; and 2) there is no limit on the percent of residential floor area on residential rezone sites.

At the March 13, 2025 Planning Commission meeting Santa Cruz YIMBY commented that requiring at least 30 percent commercial uses on mixed use rezone sites is too high and should be reduced or eliminated. Staff recommends maintaining this standard as it is consistent with the certified Housing Element and City goals to maintain commercial uses on Scotts Valley Drive and Mount Hermon Road. The proposed new standard reduces the existing commercial use requirement on these sites from 50 to 30 percent. Analysis of development standards in the Housing Element concluded that the 30 percent commercial requirement on mixed use rezone sites is not a constraint to housing production on these sites. In addition, proposed lot consolidation incentives (discussed below) would allow residential-only development on the mixed-use rezone sites for qualifying 100 percent affordable development projects.

Citywide Residential Development Constraints

Housing Element Program H-1.6 calls for the City to modify residential development standards if needed to reduce constraints to housing production. As discussed in the March 13, 2025 staff report, the proposed Zoning Code Amendments include the following amendments to implement Program H-1.6:

- **Building Coverage:** The maximum building coverage in the C-S and C-SC zoning districts is increased to 50 percent outside of the HE combining district and 60 percent in the HE combining district.

- **Parking:** Required off-street parking spaces for multifamily developments is reduced to 1 space for studios and one-bedroom units, 1.5 spaces for two-bedroom units, and 2 spaces for units with three or more bedrooms.

The proposed building coverage changes are found in Sections 17.20.040 and 17.22.040 and the parking changes are found in Section 17.44.030.F in Exhibit B of Attachment 1.

The proposed Zoning Code Amendments do not include changes to required off-street parking spaces for single-family dwellings (3 per unit). The certified Housing Element found that this standard does not constrain housing production.

Large Lot Development

Housing Element Program H-2.6 states that the City shall adopt a program to facilitate the development of lots larger than ten acres, particularly for the development of affordable housing units. Two sites in the Housing Element sites inventory are larger than 10 acres: 90 Lockhart Gulch Rd (12 acres with existing mini-warehouse facility) and 216 Mount Hermon Road (13.6 acres containing Kings Village shopping center).

The proposed Zoning Code Amendments contain a new section (17.40.060) with incentives for 100 percent affordable residential development on sites greater than 10 acres in the HE combining district. These incentives include deviation from development and subdivision standards, City financial support as available, priority application processing, and City technical assistance.

Lot Consolidation

Program H-2.8 calls for the City to facilitate development on small sites by establishing incentives to consolidate parcels less than one-half acre in size. The Housing Element sites inventory contains 17 parcels less than one-half acres, with eleven parcels on Scotts Valley Drive and three parcels on Mount Hermon Road.

To implement Program H-2.8, the proposed Zoning Code Amendments add new lot consolidation incentives for qualifying residential projects in the HE combining district. To qualify for incentives, a proposed project must meet all of the following criteria:

- The project merges one or more parcels less than one-half acre in size with an adjacent parcel.
- All proposed units are deed restricted affordable (100% affordable).
- The proposed project meets the minimum density standard of 20 units per acre.
- For mixed-use projects, residential uses occupy at least 85 percent of the project's gross floor area.

A proposed project that meets these criteria would be eligible for the following incentives:

- A three percent increase in maximum allowed density.
- A 10 percent reduction in required on-site residential parking.
- For projects on a Mixed Use Rezone site, waived maximum residential floor area requirement.
- Priority application processing and placement on public meeting agendas.

Affirmatively Furthering Fair Housing

As discussed by the Planning Commission on March 13, 2025, the following proposed Zoning Code Amendments implement Housing Element Program H-3.2 to affirmatively further fair housing:

- **Missing middle conversions:** An existing single-family dwelling in racially concentrated areas of affluence (RCAA) may be converted into a duplex or triplex.
- **SB 9 triplexes:** An existing single-family home in RCAA zoned R-1 may be converted into an SB 9 triplex, with additional floor area permitted, if one or more new units on the site are deed restricted affordable.
- **Permits for condominiums and townhomes:** Townhouses and condominiums in RCAA zoned R-1 zone are a permitted use (no conditional use permit required).

The March 13, 2025 staff report provides background information on SB 9, which is the state law that requires cities to allow two primary dwelling units on a single parcel in single-family residential zones.

The proposed amendments contain a new section (17.44.190) with provisions that apply in RCAA. New SB 9 triplex provisions are in Section 17.55.080. These proposed amendments are described in greater detail in the March 13, 2025 Planning Commission staff report (Attachment 3).

Missing Middle Conversion Standards

As noted above, City staff discussed the proposed missing middle conversion standards with a group of local developers on March 28, 2025. Developers noted that requiring two spaces per dwelling for some types of conversions, as originally proposed, may be excessive and discourage conversion projects. Santa Cruz YIMBY also recommended reducing required parking for missing middle conversions. In response to this feedback, staff revised the missing middle parking standards to require one space for studio and one-bedroom units, and two-spaces for units with two or more bedrooms.

The proposed missing middle conversion standards require a minimum 5,000 square feet of lot area per unit. Under this standard, the minimum lot area is 10,000 square feet for a duplex conversion and 15,000 square feet for a triplex conversion. The purpose of this standard is to allow for conversion projects on lots of sufficient size to accommodate additional units and on-site parking while maintaining the existing character of single-family neighborhoods.

Local developers and Santa Cruz YIMBY both suggested that the City reconsider this standard to allow for missing middle conversions on smaller lots. Local developers suggested allowing triplexes on lots less than 15,000 square feet. Santa Cruz YIMBY suggested removing the minimum lot size standards entirely. The Planning Commission may wish to consider these suggestions when reviewing the proposed Zoning Code Amendments.

The Planning Commission should note that the missing middle conversions (and SB 9 triplex) provisions are one of many pathways available to a homeowner to add units to a single-family lot. State ADU law allows up to three ADUs on a lot with a single-family home. SB 9 allows for up to four units on a lot (two primary dwellings, a detached ADU, and a junior ADU). The proposed missing middle conversion and SB 9 triplex provisions go beyond state

requirements by allowing a third primary dwelling on a lot. In addition, missing middle conversions are not subject to a maximum unit size standard which apply to ADU and SB 9 development.

Condominium Conversions

A condominium conversion is the process to convert existing multifamily rental housing into residential condominium units. Scotts Valley has an existing condominium conversion ordinance (Section 17.44.060) with permit requirements and standards for condominium conversions.

Housing Element Program H-3.12 calls for amendments to the existing condominium conversion ordinance to preserve rental housing stock in Scotts Valley. As required by Program H-3.12, the proposed Zoning Code amendments include the following changes to the existing condominium conversion ordinance:

- **Annual Limit:** Limits conversions to five percent of the total housing stock per year.
- **Rent Freeze:** Freezes rents for one year after notification of intent to convert, with limited increases the next year if the subdivision process is not yet completed.
- **Right to Purchase:** Provides tenants with right of first refusal to purchase the unit.
- **Relocation Assistance:** Requires subdivider to prepare a tenant relocation and assistance plan consistent with state and federal law and to provide tenants with a moving allowance of two times the monthly rent.

SB 9 Ordinance Amendments

In 2024, Scotts Valley adopted amendments to Municipal Code Titles 16 (Subdivision) and 17 (Zoning) to implement SB 9. Chapter 16.78 contains SB 9 urban lot split provisions and Chapter 17.55 contain provisions for SB 9 unit development.

In 2025, SB 450 went into effect, which amended state law for SB 9 development and urban lot splits. SB 450 prohibits local jurisdictions from imposing standards on SB 9 development that do not apply uniformly to development in the underlying zone unless these standards are more permissive than the generally applicable standards. SB 450 also limits urban lot split standards to the design or improvement of parcels and establishes new SB 9 application review and approval requirements.

To comply with SB 450, the proposed amendments include the following changes to Subdivision Ordinance Chapter 16.78 and Zoning Code Chapter 17.55:

- **Application Processing:** Adds requirement for the City to act on SB 9 development and urban lot split applications within 60 days with written comments explaining a denied application.
- **Unit Development Standards:** Removes standards for one-unit development that do not apply to all development in single-family zones, including standards for parking buffers, driveways, garage frontages, building massing, building articulation, and other building and site design features. SB 9 development that creates two or more primary dwellings must comply with the Multi-Unit Residential Design Standards, as currently required.

- **Urban Lot Split Standards:** Removes standards not related to the design or improvement of parcels, including standards for parking buffers and compliance with the multi-unit residential design standards.
- **Public Health and Safety Standards:** Limits standards certain standards to urban lots splits only to mirror existing standards that apply generally to residential subdivisions.

SB 9 Public Health and Safety Standards were adopted by City Council resolution and are not contained within the Municipal Code. Proposed changes to these standards are provided in Attachment 1 Exhibit C.

As noted above, local jurisdictions may not impose standards on SB 9 development that do not also apply to single-family homes in the zoning district. An alternative to the proposed amendments is to establish new design standards that apply to all development in single-family zones, including new single-family homes and SB 9 units. This would require significant time and effort and would need to be completed separate from the proposed amendments.

Proposed General Plan Amendment

Given the requirements of SB 450, City staff also recommends adding the following new policy to the General Plan Mobility Element:

“Policy M-3.21: Highway 17 Access Hazards. Any development that would create one or more new dwelling units is not permitted where vehicle access to the site is provided solely from Highway 17 at the following locations as identified in the Highway 17 Access Management Plan (California Department of Transportation, 2016):

- a. Driveway at PM 6.712 (Map ID #24)
- b. Crescent Drive (Map ID #25)
- c. Driveway at PM 6.485 (Map ID #26)
- d. Sawyer Circle (PM: 6.787)”

This new policy would enable the City to prohibit all new unit development, including SB 9 units and ADUs, in identified high traffic hazard areas. This policy is necessary to protect public safety given the hazardous traffic conditions caused by driveways located off Highway 17 as described in Highway 17 Access Management Plan. This policy is also necessary to ensure adequate and safe access and evacuation in case of an emergency in locations prone to wildfire and geologic hazards.

CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA)

To comply with the California Environmental Quality Act (CEQA), an Addendum to the General Plan Update EIR was prepared for the proposed amendments to implement the Housing Element. Under CEQA, the City may prepare an EIR Addendum if the proposed

amendments would not create new or substantially more severe environmental impacts than analyzed in the General Plan Update EIR. Attachment 2 provides the Draft EIR Addendum for the proposed amendments, which concludes that the amendments would not result in any significant impacts not considered under the General Plan Update EIR, and that the City does not need to prepare a Subsequent EIR for the amendments.

PUBLIC NOTICE & COMMENT

On April 25, 2025, public hearing notices were posted at City Hall, the Scotts Valley Branch Library, and the Scotts Valley Senior Center, consistent with State law. As of the date of this staff report no comments have been received on the proposed Zoning Code Amendments.

ATTACHMENTS

1. Resolution No. 1804 recommending the City Council adopt amendments to Scotts Valley Municipal Code, the General Plan, and SB 9 Standards to implement 6th Cycle Housing Element programs.

Exhibit A: General Plan Land Use Element Amendments

Exhibit B: Zoning Code and Subdivision Ordinance Amendments

Exhibit C: SB 9 Standards Amendments

2. Draft Addendum to the General Plan EIR for the Sixth Cycle Housing Element – 2025 Implementation Actions
3. March 13, 2025 Planning Commission Study Session Staff Report

RESOLUTION NO. 1804

RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF SCOTTS VALLEY RECOMMENDING THE CITY COUNCIL APPROVE GENERAL PLAN AMENDMENT NO. GPA25-001 AND MUNICIPAL CODE AMENDMENT NO. AZO25-001 TO IMPLEMENT THE 2023-2031 HOUSING ELEMENT OF THE GENERAL PLAN

WHEREAS, on December 20, 2023, the City Council adopted the 2023-2031 Housing Element of the General Plan (Housing Element);

WHEREAS, the Housing Element contains programs that call for the City to amend Municipal Code Title 17 (Zoning Code) to implement Housing Element goals and policies;

WHEREAS, the Planning Commission held a study session on March 13, 2025 to provide preliminary input on an approach to Zoning Code Amendments to implement the Housing Element;

WHEREAS, City staff used Planning Commission input to prepare amendments to the Scotts Valley Municipal Code Title 17 (Zoning), Title 16 (Subdivisions), SB 9 Standards, and General Plan (“Proposed Amendments”) to implement the Housing Element;

WHEREAS, an Addendum to the General Plan Update Environmental Impact Report (SCH 2020070330) (EIR) was prepared for the Proposed Amendments in accordance with Section 15162 of the California Environmental Quality Act (CEQA) Guidelines. The EIR Addendum demonstrates that none of the conditions requiring preparation of a subsequent EIR or negative declaration have occurred, and that the Proposed Amendments would not result in any significant impacts not considered under the original EIR;

WHEREAS, the proposed amendments and EIR Addendum were reviewed by the Planning Commission at regularly scheduled and noticed meeting on May 15, 2025.

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

SECTION 1: The Planning Commission of the City of Scotts Valley hereby recommends approval of the General Plan Amendment pursuant to the following:

- A. **The General Plan Amendment is consistent with State Law.** The General Plan Housing Element was certified by the California Department of Housing and Community Development (HCD) to be in compliance with state Housing Element law. The proposed amendments to the General Plan Land Use Element are necessary for consistency with the certified Housing Element and the Proposed Amendments that implement the Housing Element.

SECTION 2: The Planning Commission of the City of Scotts Valley hereby recommends approval of the Zoning Code Amendment pursuant to the following

- A. **The Zoning Code Amendment is Consistent with the General Plan.** The Zoning Code Amendments are adopted for the specific purpose of implementing programs in the Housing Element and bringing the City's Zoning Code into conformance with the General Plan. The City has committed in the Housing Element to complete these Zoning Code Amendments by the end of 2025.

SECTION 3: The Planning Commission has reviewed and considered the Addendum to the General Plan Update EIR for the Proposed Amendments and finds that none of the conditions requiring preparation of a subsequent EIR or negative declaration have occurred and that the Proposed Amendments would not result in any significant impacts not considered under the original EIR. No supplemental or subsequent EIR is required because none of the circumstances requiring a supplemental or subsequent EIR exist (CEQA Guidelines Section 15162):

(a) No substantial changes are proposed in the project which will require major revisions of the previous EIR due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects. The proposed amendments do not create any additional environmental impacts.

(b) No substantial changes have occurred with respect to the circumstances under which the project is undertaken. No substantial evidence has been submitted showing any change in the circumstances applicable to the project.

(c) No new information of substantial importance, which was not known and could not have been known with the exercise of reasonable diligence at the time the previous EIR was certified as complete, has been submitted to the City.

SECTION 4: The Planning Commission of the City of Scotts Valley hereby recommends the City Council approve General Plan Amendment GPA25-001 set forth in Exhibit A attached hereto and incorporated herein.

SECTION 5: The Planning Commission of the City of Scotts Valley hereby recommends the City Council approve Municipal Code Amendment AZO25-001 set forth in Exhibit B attached hereto and incorporated herein.

SECTION 6: The Planning Commission of the City of Scotts Valley hereby recommends the City Council approve amendments to the SB 9 standards set forth in Exhibit C attached hereto and incorporated herein.

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 15th day of May, 2025, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

Lori Gentile, Chair

Taylor Bateman, Community Development Director

EXHIBIT A: Proposed General Plan Amendments

1. Proposed revisions to Table LU-2 beginning on page LU-14 in the Land Use Element of the Scotts Valley General Plan (revisions shown in underline strikethrough):

Table LU-2: General Plan Land Use Designations

General Plan Land Use Designation	Corresponding Zoning Designation	Residential Density/ Commercial Building Coverage ^{1,3}	Description	Potential Land Uses ⁴
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	▪ Single-family detached dwellings ▪ Secondary dwelling units ▪ Accessory structures ▪ Public parks and recreation areas

EXHIBIT A: Proposed General Plan Amendments

General Plan Land Use Designation	Corresponding Zoning Designation	Residential Density/ Commercial Building Coverage ^{1,3}	Description	Potential Land Uses ⁴
			open space for recreational activities compatible with a residential environment.	Compatible public, quasi- public, and special 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
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

EXHIBIT A: Proposed General Plan Amendments

General Plan Land Use Designation	Corresponding Zoning Designation	Residential Density/ Commercial Building Coverage ^{1,3}	Description	Potential Land Uses ⁴
				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).⁴
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).⁴
Industrial				

EXHIBIT A: Proposed General Plan Amendments

General Plan Land Use Designation	Corresponding Zoning Designation	Residential Density/ Commercial Building Coverage ^{1,3}	Description	Potential Land Uses ⁴
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
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

EXHIBIT A: Proposed General Plan Amendments

General Plan Land Use Designation	Corresponding Zoning Designation	Residential Density/ Commercial Building Coverage ^{1,3}	Description	Potential Land Uses ⁴
				▪ 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.

(3) On sites listed in Housing Element Table F-10: Scotts Valley 6th Cycle Candidate Sites, excluding APN 023-113-31 and 022-231-18 and properties within the Town Center Specific Plan area, the residential density, commercial building coverage, and potential land uses are as specified in Zoning Code Chapter 17.41 (Housing Element Opportunity Site Combining District).

(4) In the Mixed Use Rezone sites listed in Housing Element Table F-10, residential uses must consist of no more than 70 percent of the total gross square feet of the development. On Residential Rezone sites, there is no limit on the percent of development floor area that may be residential (i.e., residential-only development is allowed).

2. Proposed new General Plan Mobility Element Policy:

Policy M-3.21: Highway 17 Access Hazards. Any development that would create one or more new dwelling units is not permitted where vehicle access to the site is provided solely from Highway 17 at the following locations as identified in the Highway 17 Access Management Plan (California Department of Transportation, 2016):

- a. Driveway at PM 6.712 (Map ID #24)
- b. Crescent Drive (Map ID #25)
- c. Driveway at PM 6.485 (Map ID #26)

EXHIBIT A: Proposed General Plan Amendments

d. Sawyer Circle (PM: 6.787)

EXHIBIT B: SUBDIVISION ORDINANCE AND ZONING CODE AMENDMENTS

Note: The chapters and sections listed below contain proposed amendments, as provided in the following pages. All other Municipal Code sections remain unchanged.

Proposed Amendments to Title 16 (Subdivisions):

- **Chapter 16.78: Urban Lot Splits**

Proposed Amendments to Title 17 (Zoning):

- **Chapter 17.04 Definitions**
 - 17.04.070 Definition of "D" terms.
 - 17.04.230 Definition of "T" terms.
- **Chapter 17.14 R-1 Single-Family Residential Zoning District Regulations**
 - 17.14.020 Permitted uses.
 - 17.14.030 Conditional uses.
- **Chapter 17.20 C-S Service Commercial Zoning District Regulations**
 - 17.20.040 Development standards.
- **Chapter 17.22 C-SC Shopping Center Commercial Zoning District Regulations**
 - 17.22.040 Development standards.
- **Chapter 17.41 Housing Element Opportunity Site Combining District**
 - 17.40.040 Permitted Uses
 - 17.40.050 Development Standards
 - 17.40.050 Lot Consolidation Incentives
- **Chapter 17.44 General And Special Provisions**
 - 17.44.030 Off-street parking and loading requirements.
 - 17.44.060 Condominium conversions and condominiums.
 - 17.44.190 Racially Concentrated Areas of Affluence
- **Chapter 17.55 – SB 9 Residential Development**
 - 17.55.030 Permitting process.
 - 17.55.050 Development standards.
 - 17.55.060 Objective design standards.
 - 17.55.080 SB 9 triplexes.

Title 16: SUBDIVISIONS

Chapter 16.78 URBAN LOT SPLITS

16.78.010 Purpose and intent.

This chapter contains requirements for urban lot splits pursuant to Government Code Section 66411.7. These requirements are necessary to preserve public health, safety, and general welfare, and to promote orderly growth and development. In cases where a requirement in this chapter directly conflicts with Government Code Section 66411.7, the Government Code governs.

16.78.020 Definitions.

- A. SB 9 Residential Development. A residential project on a parcel within a single- family residential zoning district proposed pursuant to Government Code Section 65852.21 and Municipal Code Chapter 17.55 (SB 9 Residential Development).
- B. Urban Lot Split. The subdivision of an existing parcel into two parcels within a single- family residential zoning district proposed pursuant to Government Code Section 66411.7.

16.78.030 Permitting process.

- A. Parcel Map Required. A parcel map is required for all urban lot splits pursuant to Government Code Section 66411.7.
- B. Eligibility. The city shall accept a parcel map application for an urban lot split only if the application complies with all of the following requirements.
 - 1. Zoning District. The existing parcel is located in the R-1 Single-Family Residential, R-R Residential-Rural, or R-MT Residential-Mountain zoning district.
 - 2. Existing Parcel Size. The area of the existing parcel is two thousand four hundred square feet or more.
 - 3. Environmental Resources and Hazards. The parcel satisfies the requirements of Government Code subparagraphs (B) to (K), inclusive, of paragraph (6) of subdivision (a) of Section 65913.4, which prohibits development on sites subject to specified environmental resources and hazards.
 - 4. Affordable and Rental Housing. The proposed urban lot split would not require demolition or alteration of any of the types of housing identified in Government Code paragraph (3) of subdivision (a) of Section 65852.21.
 - 5. Historic Resources. The parcel is not located within a historic district or property included on the State Historic Resources Inventory, as defined in Section 5020.1 of the Public Resources Code.
 - 6. No Prior Urban Lot Split.
 - a. The parcel was not established through a prior urban lot split.
 - b. Neither the owner of the parcel being subdivided nor any person acting in concert with the owner has previously subdivided an adjacent parcel using an urban lot.
- C. Application Contents. A parcel map application for an urban lot split must be filed with the city on an official city application form. Applications shall be filed with all required fees, information, and materials as specified by the city.
- D. Ministerial Approval. The city shall ministerially approve a parcel map for an urban lot split if the application complies with all requirements of this chapter. No public hearing or discretionary review is required.

- E. Subdivision Map Act Compliance. The city shall approve an urban lot split only if it conforms to all applicable objective requirements of the subdivision map except as otherwise provided in this chapter.

F. Time Period for City Action.

1. The City shall approve or deny the urban lot split application within 60 days from the date the City receives a completed application. If the applicant requests a delay in writing, the 60-day time period shall be tolled for the period of the delay.
2. If the City does not approve or deny the completed application within 60 days, the application shall be deemed approved.

FG. Basis for Denial.

1. The city shall deny the urban lot split if either of the following is found:
 - a. The urban lot split fails to comply with any requirement in this chapter. Any such requirement that is the basis for denial shall be specified by the city in writing.
 - b. The building official makes a written finding, based upon a preponderance of the evidence, that the proposed subdivision would have a specific, adverse impact, as defined and determined in paragraph (2) of subdivision (d) of Government Code Section 65589.5 of the Government Code, upon public health and safety ~~or the physical environment and~~ for which there is no feasible method to satisfactorily mitigate or avoid the specific, adverse impact.
2. The city shall not deny an urban lot split solely because it proposes adjacent or connected structures provided that the structures meet building code safety standards and are sufficient to allow separate conveyance.
3. For purposes of this chapter, "sufficient for separate conveyance" means that each attached or adjacent dwelling unit is constructed in a manner adequate to allow for the separate sale of each unit in a common interest development as defined in Civil Code Section 1351 (including a residential condominium, planned development, stock cooperative, or community apartment project), or into any other ownership type in which the dwelling units may be sold individually.

H. Comments for Denied Application.

1. If the City denies an urban lot split application, the City shall provide written comments to the applicant that list the items that are defective or deficient and describe how the application can be remedied by the applicant.
2. Written comments required by Paragraph 1 above shall be provided to the applicant within the time period described in Subsection F (Time Period for City Action) of this section.

GI. Conditions of Approval.

1. Easements. The city shall condition parcel map approval on the dedication of any easements deemed necessary for the provision of public services to the proposed parcels and any easements deemed necessary for access to the public right-of-way.
2. Dedications and Improvements. The city shall not require dedications of rights- of-way or the construction of offsite improvements for the parcels being created as a condition of parcel map approval.
3. Nonconforming Zoning Conditions. The city may not require the correction of nonconforming zoning conditions on the parcel a condition of parcel map approval.

16.78.040 General requirements.

- A. Number of New Parcels. An urban lot split may create no more than two new parcels.
- B. New Parcel Size. The area of each newly created parcel must be:

1. At least one thousand two hundred square feet; and
 2. No smaller than forty percent of the parcel area of the original parcel.
- C. Lot Dimensions and Density. Minimum lot area, width, depth and density standards in the applicable zoning district do not apply to an urban lot split.
- D. Maximum Number of Dwelling Units. No more than two dwelling units, including any accessory dwelling units or junior accessory dwelling units, are permitted on a parcel created by an urban lot split.
- E. Access to Public Right-of-way. The newly created parcels shall provide access to the public right-of-way sufficient to allow development on the parcel to comply with all applicable property access requirements under the California Fire Code section 503 (Fire Apparatus Access Roads) and California Code Regulations Title 14, section 1273.00 et seq. (Intent).
- F. Setbacks. An SB 9 residential development on a parcel created by an urban lot split shall comply with the following setback requirements:
1. Minimum Yards:
 - a. Front: As required in the applicable zoning district.
 - b. Side: Four feet, except that no yard is required for a new side lot line shared between two parcels created through the urban lot split.
 - c. Rear: Four feet.
 2. As provided in Section 17.55.050, an SB 9 residential development that complies with the minimum yard requirement for a single-family dwelling in the applicable zoning district is eligible for greater building height and unit size than is allowed for SB9 residential development that does not comply with the zoning district minimum yard requirement.
 3. Notwithstanding Paragraph 1 above, no setback is required for an existing structure or a structure reconstructed in the same location and to the same dimensions as an existing structure.
- G. Parking. An SB 9 residential development on a parcel created by an urban lot split shall comply with the following parking requirements:
1. Required Parking. A minimum of one off-street parking space shall be provided for each dwelling unit except as provided in Paragraph 2 below.
 2. Exceptions to Required Parking. No off-street parking is required in the following cases:
 - a. The parcel is located within one-half mile walking distance of either a high- quality transit corridor, as defined in subdivision (b) of Section 21155 of the Public Resources Code, or a major transit stop, as defined in Section 21064.3 of the Public Resources Code.
 - b. There is a car share vehicle located within one block of the parcel. A car share vehicle means a motor vehicle that is operated as part of a regional fleet by a public or private car sharing company or organization that meet all the following criteria:
 - (1) Provides hourly or daily service;
 - (2) Vehicle reservations are processed and paid for using an on-line system;
 - (3) Vehicles can be accessed where they are parked without having to go to a different physical location to execute a contract and/or pick up the keys; and
 - (4) Fleet has more than five cars in Scotts Valley and more than twenty cars in Santa Cruz County.

3. Location on Lot. As required by Section 17.44.030(J), driveways and parking spaces shall not proportionately occupy more than three hundred square feet for each ten feet of required front yard setback.
- ~~4. Garages. Required parking spaces may be uncovered for an SB 9 project with two or fewer new units, including accessory dwelling units. Required parking shall be in a garage for the third or fourth unit in an SB 9 project.~~
- ~~5. Landscape Buffer.~~
 - ~~a. Where a parking area with three or more spaces is located across a street or alley from or immediately adjacent to a residential district, a landscape strip not less than five feet in depth shall be planted and permanently maintained along the abutting property line of the parking area.~~
 - ~~b. The landscape strip shall contain a row of landscaping with a minimum planting height of thirty-six inches.~~
 - ~~c. Landscaping shall comply with intersection and driveway vision clearance requirements in Zoning Code Section 17.46.110.E.~~
- H. Residential Land Use. The primary use of an SB 9 development on a parcel created by an urban lot split must be residential.
- I. Owner Occupancy Affidavit.
 1. The applicant for an urban lot split must sign an affidavit stating that the applicant intends to occupy one of the housing units as their principal residence for a minimum of three years from the date of the approval of the urban lot split.
 2. Owner-occupancy is not required if the owner is a community land trust or qualified nonprofit corporation under Sections 214.15 or 402.1 of the Revenue and Taxation Code.
- J. Vacation Rentals Prohibited. An SB 9 residential development on a parcel created by an urban lot split may not be rented for a term of less than thirty-one days.
- K. Public Health and Safety. An urban lot split shall comply with the City of Scotts Valley SB 9 Public Health and Safety and Environmental Resource Protection Standards, which are adopted by City Council resolution and may be amended from time to time.
- L. Municipal Code Compliance.
 1. An urban lot split shall comply with all applicable provisions of the Municipal Code unless otherwise specified in this chapter.
 2. In case of conflict between this chapter and other provisions in the Municipal Code, this chapter governs.
 3. The city shall not impose any objective Municipal Code standard that would physically preclude the construction of two units on either of the resulting parcels or that would result in a unit size of less than eight hundred square feet. The community development director shall grant an exception to the applicable standard to the minimum extent necessary to comply with this section.

16.78.050 Objective standards.

- ~~A. Multi-Unit Residential Design Standards. Parcels created by an urban lot split shall comply with the Multi-Unit Residential Design Standards, which are adopted by city council resolution and may be amended from time to time.~~
- AB. Parcel Line Angles. New parcel lines that abut a street shall maintain right angles to streets or radial to the centerline of curved streets, or be parallel to existing parcel lines.

BC. Street Frontage/Flag Lots.

1. For an urban lot split on a vacant lot that meets the zoning district minimum lot width, each newly created parcel shall have street frontage no less than forty percent of the street frontage of the original parcel. A flag/access easement area of a flag lot may not be used to satisfy this minimum street frontage requirement.
2. For an urban lot split on a vacant lot that does not meet the zoning district minimum lot width or on a lot with an existing home, the newly created parcels shall comply with one of the following:
 - a. Each newly created parcel has street frontage no less than forty percent of the street frontage of the original parcel; or
 - b. The urban lot split creates a flag lot consistent with existing objective flag lot standards in SVMC Section 17.46.060.F. City council approval of the flag lot is not required.

CD. Allowed Exceptions.

1. The city shall not impose any objective standards pursuant to this section that would physically preclude the construction of two units on either of the resulting parcels or that would result in a unit size of less than eight hundred square feet.
2. The community development director shall grant an exception to the applicable standard to the minimum extent necessary to comply with this section.

16.78.060 Deed restrictions.

- A. Before obtaining a building permit for an SB 9 residential development on a parcel created by an urban lot split, the property owner shall file with the county recorder a declaration of restrictions containing a reference to the deed under which the property was acquired by the current owner. The deed restriction shall state that:
 1. The parcel was created by an urban lot split and no further subdivision of the parcel is permitted.
 2. The dwelling unit(s) on the parcel may not be rented for a term of less than thirty-one days.
- B. The above declarations are binding upon any successor in ownership of the property. Lack of compliance shall be cause for code enforcement.
- C. The deed restriction shall lapse upon removal of all dwelling units established on a parcel created under this chapter.

Title 17: ZONING

Chapter 17.04 DEFINITIONS

17.04.070 Definition of "D" terms.

"Duplex" means a building that contains two dwelling units, each with its own exterior entrance. Each unit within a duplex provides complete, independent living facilities for one or more persons, including permanent provisions for living, sleeping, eating, cooking, and sanitation.

"Dwelling" means any building or portion thereof, designed or used as the residence or sleeping place of one or more persons.

"Dwelling, multifamily" means a building, or portion thereof, designed or used for residential purposes by two or more families or housekeeping units. This term includes single-room occupancy facilities and group homes as defined by this chapter.

"Dwelling, primary" means a dwelling unit on a lot that is not an accessory dwelling unit or a junior accessory dwelling unit as defined by this chapter.

"Dwelling, single-family" means a detached building designed or used for residential purposes by one family or housekeeping unit. This term includes a single-family dwelling used as a group home as defined by this chapter.

"Dwelling, townhouse" means a one-family dwelling in a row of at least two such units in which each unit has its own front and rear access to the outside, no unit is located over another unit, and each unit is separated from any other unit by one or more common, fire-resistant walls.

"Dwelling unit" means one or more rooms in a building, or portion thereof, designed, intended to be used, or used for occupancy by one family for living and sleeping purposes and having only one kitchen.

17.04.230 Definition of "T" terms.

"Target population" means adults with low-income having one or more disabilities, including mental illness, HIV or AIDS, substance abuse, or other chronic health conditions, or individuals eligible for services provided under the Lanterman Developmental Disabilities Services Act (Division 4.5 (commencing with Section 4500) of the Welfare and Institutions Code) and may, among other populations, include families with children, elderly persons, young adults aging out of the foster care system, individuals exiting from institutional settings, veterans, or homeless people; as defined in Section 50675.14 of the California Health and Safety Code.

"Temporary structure" means a structure without any foundation or footings and which is removed when the designated time period, activity or use for which the temporary structure was erected has ceased.

"Top of bank" means the edge of the floodway as depicted in Figure 17.04.230. Within the area formed by the edges of a floodway shall lie a stream channel and the portions of the adjacent hundred-year flood plain as required to efficiently carry the flood flows of the stream. This area includes areas A and B as shown on the diagram in Figure 17.04.230. This definition is not intended to be used to define a bank-to-bank easement or offer of dedication for open space and drainage or any other purpose in other ordinances of the city or other titles of this code. "Top of bank" is defined only for purposes of the zoning ordinance codified in this title.

"Tot lot" means an improved and equipped play area for small children (usually up to elementary school age).

Townhouse. See "Dwelling, townhouse"

"Transitional housing" means temporary rental housing intended for occupancy by target populations transitioning to permanent housing that is operated under program requirements calling for the termination of

assistance and recirculation of the assisted unit to another eligible program recipient at some predetermined future point in time, which shall be no less than six months as defined in Section 50675.2 of the California Health and Safety Code.

"Trellis" means a vertical structure or frame constructed of materials including but not limited to lattice work or other similar wood, metal or plastic embellishment used as a screen or as a support for climbing plants. See definition of Fence, open.

"Triplex" means a building that contains three dwelling units, each with its own exterior entrance. Each unit within a triplex provides complete, independent living facilities for one or more persons, including permanent provisions for living, sleeping, eating, cooking, and sanitation.

Chapter 17.14 R-1 SINGLE-FAMILY RESIDENTIAL ZONING DISTRICT REGULATIONS

17.14.020 Permitted uses.

Permitted uses are as follows:

- A. Foster homes where the total number of children, including those of the proprietary family, is six or fewer;
- B. Mobile homes and manufactured housing;
- C. Single-family dwellings;
- D. Accessory uses located on the same site with a permitted use which are incidental to the permitted use, including but not limited to home occupations (subject to the provisions of Section 17.50.040 of this title), the keeping of four cats, four dogs or a combination thereof not to exceed a total of four and private garages and parking areas.
- E. Small family child care homes;
- F. Small community care facilities.
- G. Transitional housing and supportive housing.
- H. Accessory dwelling units and junior accessory dwelling units pursuant to chapter 17.57 and 17.58 of this title.
- I. Townhouses and condominiums conforming to the density requirements of this chapter located in racially concentrated areas of affluence (RCAA). See Section 17.44.190 (Racially Concentrated Areas of Affluence).

17.14.030 Conditional uses.

The following conditional uses shall be permitted upon the granting of a use permit in accordance with the provisions of Section 17.50.020 of this title:

- A. Country clubs and golf courses;
- B. Day care centers;
- C. Foster homes where the total number of children, including those of the proprietary family, exceeds six;
- D. Occupancy of existing dwelling while constructing a replacement dwelling on the same lot;
- E. Private stables, in accordance with Section 17.46.040 of this title;
- F. Public and quasi-public uses, including churches, synagogues and other places of worship, firehouses, parks and playgrounds, schools, and public utility buildings and uses;
- G. Large family child care homes: No person shall operate a large family child care home without obtaining a large family child care home permit in compliance with the standards set forth within Section 17.50.015;
- H. Townhouses and condominiums conforming to the density requirements of this chapter located outside of racially concentrated areas of affluence (RCAA). See Section 17.44.190 (Racially Concentrated Areas of Affluence);
- I. Tract offices and temporary construction trailers.

Chapter 17.20 C-S SERVICE COMMERCIAL ZONING DISTRICT REGULATIONS

17.20.040 Development standards.

The following development standards shall apply in the C-S zoning district:

- A. Minimum lot area: Ten thousand square feet;
- B. Minimum lot width: One hundred feet;
- C. Minimum lot depth: One hundred feet;
- D. Minimum lot frontage: One hundred feet;
- E. Maximum building coverage: ~~fifty~~ Forty-five percent;
- F. Minimum setbacks:
 - 1. Front, twenty feet,
 - 2. Rear, zero feet,
 - 3. Side, zero feet,
 - 4. Interior lot: Where the lot is adjacent to any "R" district, the side yard shall be a minimum of ten feet in width,
 - 5. Corner lot: The exterior side yard of a corner lot shall be a minimum of fifteen feet,
 - 6. Rear yard: There are no rear yard requirements except if abutting an R district; then rear yard shall be a minimum of twenty feet;
- G. No structure shall exceed thirty-five feet in height in the C-S districts. However, if the first floor of the structure is used for parking and is at a natural grade, the thirty-five-foot height limit may be exceeded upon the granting of a use permit by the planning commission, subject to the provisions of Section 17.50.020 of this title. In addition to the findings required in Section 17.50.020, the planning commission also must be able to make the following findings:
 - 1. On a parcel which slopes down from an arterial or collector street, the garage is below the level of the adjacent street(s) or on parcels sloping up from a major street, the garage is below natural grade,
 - 2. The garage will be buffered from view by earthen mounds three feet in height and landscaping, including shrubs, will be installed. The landscaping plan has been prepared showing the buffer and landscaping;
- H. Where a site adjoins any residential zoning district, a solid wall or a fence, vine-covered fence or compact evergreen hedge six feet in height shall be located on the property line except in a required front yard and permanently maintained. In addition, a minimum of five feet adjoining the property line shall be landscaped with plant material and permanently maintained when such landscaping is necessary to insure privacy or to screen views, as determined by the design review board;
- I. Not less than ten percent of the total site area shall be landscaped and permanently maintained;
- J. Not less than ten feet of a required yard adjoining a street shall be landscaped and permanently maintained;
- K. Trash disposal: Each parcel shall provide adequate and accessible trash disposal areas. Such disposal areas shall be screened from public view by masonry or solid wood fencing of at least six feet in height;

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- L. All business, services and processes shall be conducted entirely within a completely enclosed structure, except for off-street parking and loading areas, gasoline service stations, garden shops, Christmas tree sales, open-air markets, outdoor theatrical activities and the sale of nursery products;
- M. Hours of Operation. All commercial activity located on the same site as multiple-family dwellings shall be limited to the hours of operation between seven a.m. and nine p.m., Monday through Friday, and between nine a.m. and six p.m. on Saturdays and Sundays;
- N. Outdoor seating at restaurants will be allowed by permit issued by the planning department under the following conditions:
1. A site plan shall be submitted to the planning department for review and approval;
 2. The plan shall be reviewed and approved by the building department, fire district and police department to insure compliance with federal, state and local laws;
 3. All seating shall be confined to a specific area; and
 4. Failure to maintain the seating within the identified area or interference with the free flow of pedestrians shall be sufficient grounds for revocation of the outdoor seating permit.
- O. Outdoor Storage:
1. Location. Outdoor storage uses are prohibited next to housing;
 2. Development standards. To ensure adequate screening of new outdoor storage uses, design review approval by the planning commission shall be required and processed with the required use permit application. Screening of outdoor storage shall meet the following standards:
 - a. Permanent screening from any adjacent public and private rights-of-way and/or adjacent property;
 - b. Solid or semi-solid fence of brick, stone, tile, masonry units, or wood at least eight feet tall. Chain-link fence may not be acceptable;
 - c. Stored materials not to project above the wall or fence, unless approved;
 - d. Public works department review for adequacy of access;
 - e. Gates securely locked when not in use; and,
 - f. Any other requirements deemed appropriate by the community development director.
 3. Maintenance: All required screening shall be regularly well-maintained in a good and upright condition and shall be repaired or replaced to the original required state if damaged, destroyed, or in need of repair. Screening shall remain in place for as long as the use is allowed on the property.
- P. Accessory Structures. See Section 17.46.130 (Accessory Structures).

Chapter 17.22 C-SC SHOPPING CENTER COMMERCIAL ZONING DISTRICT REGULATIONS

17.22.040 Development standards.

The following development standards shall apply in the C-SC zoning district:

- A. Minimum lot area: Ten thousand square feet;
- B. Minimum lot width: One hundred feet;
- C. Minimum lot depth: One hundred feet;
- D. Minimum lot frontage: One hundred feet;
- E. Maximum building coverage: ~~fifty~~ thirty-five percent;
- F. Minimum setbacks:
 - 1. Front: Twenty feet.
 - 2. Rear: Zero feet.
 - 3. Side: Zero feet.
 - 4. Interior lot: Where the lot is adjacent to any residential district, the side yard shall be a minimum of ten feet in width.
 - 5. Corner lot: The exterior side of a corner lot shall be a minimum of fifteen feet.
 - 6. Rear yard: There are no rear yard requirements exempt if abutting a residential district, then rear yard shall be a minimum of twenty feet;
- G. Maximum height: Thirty-five feet;
- H. [Reserved];
- I. Not less than ten feet of a required yard adjoining a street shall be landscaped and permanently maintained;
- J. All business, services and processes shall be conducted entirely within a completely enclosed structure, except for off-street parking and loading areas, gasoline service stations, garden shops, Christmas tree sales, open-air markets, outdoor theatrical activities and the sale of nursery products;
- K. A minimum of ten percent of the total site area shall be landscaped and permanently maintained; and
- L. Outdoor seating at restaurants will be allowed by permit issued by the planning department under the following conditions:
 - 1. A site plan shall be submitted to the planning department for review and approval;
 - 2. The plans shall be reviewed and approved by the building department, fire district and police department to insure compliance with federal, state and local laws;
 - 3. All seating shall be confined to a specific area; and
 - 4. Failure to maintain the seating within the identified area or interference with the free flow of pedestrians shall be sufficient grounds for revocation of the outdoor seating permit.

Chapter 17.41 HOUSING ELEMENT OPPORTUNITY SITE COMBINING DISTRICT

17.41.010 Purpose

The purpose of the housing element opportunity site (HE) combining district is to facilitate affordable housing production on opportunity sites identified in the General Plan 6th cycle Housing Element.

17.41.020 Applicability.

The HE combining district applies to the following parcels, where located outside of the Town Center Specific Plan area:

- A. ~~Non-vacant~~ sites listed in General Plan 6th cycle Housing Element Table F-10: Scotts Valley 6th Cycle Candidate Sites that were Identified in 5th cycle housing elements.
- B. Vacant sites listed in General Plan 6th cycle Housing Element Table F-10: Scotts Valley 6th Cycle Candidate Sites that were Identified in the 4th and 5th cycle housing elements.
- C. Residential and ~~Mixed-Use~~ Mixed-Use Rezone sites as listed in General Plan 6th cycle Housing Element Table F-10 and shown in Figure F-1, except for APN 023-113-31 and 022-231-18.

17.41.030 Permitting Process

A. Affordable Housing. The following permitting requirements apply to a proposed multiple family residential development project with 20 percent or more of units affordable to lower-income households:

~~A.~~ 1. The proposed project shall be reviewed by the City through a by-right approval process. As used in this section, by-right approval means that project conformance with objective standards is the sole basis to approve or deny the application. The review authority may not consider project conformance with subjective policies or requirements when acting on the application.

~~B.~~ 2. The proposed project requires ministerial design review as provided in Section 17.50.045 (Ministerial Design Review).

3. A project that requires a subdivision map must comply with City subdivision requirements and the California Subdivision Map Act (Government Code Sections 66410 – 66499.40).

B. Other Projects. For proposed development projects not specified in Subsection A (Affordable Housing) above, the permitting requirements are as otherwise required by the zoning ordinance and any applicable state law.

17.41.040 Permitted Uses

A. Residential Uses. Multifamily dwellings are a permitted use in the HE combining district, subject to the following:

1. In the Mixed Use Rezone sites listed in General Plan 6th cycle Housing Element Table F-10, Residential uses must occupy less than 70 percent of the total gross square feet on the property.

2. On Residential Rezone sites, residential-only development (no commercial on site) is ~~allowed~~ permitted.

B. Other Uses. All other permitted, conditionally permitted, and prohibited uses in the HE combining district are as specified by the base zoning.

17.41.050 DensityDevelopment Standards

A. ~~A.~~ For a project that creates one or more new dwelling units on a development site, the minimum density is 20 dwelling units per acre.

The City shall allow at least 16 dwelling units on each development site in the HE combining district, regardless of lot size. Standards. Table 17.41-1 shows development standards in the HE combining district. For standards not listed in Table 17.41-1, the standards of the base zoning apply. Where thea standard in Table 17.41-1 conflicts with the base zoning, Table 17.41-1 governs.- As used in this section, “base zoning” includes requirements in any applicable specific plan.

Table 17.41-1: HE Combining District Standards

	<u>Rezone Sites [1]</u>	<u>All Other Sites [1]</u>
<u>Minimum Density [2]</u>	<u>20 du/ac</u>	<u>20 du/ac</u>
<u>Allowed Units per Site [3]</u>	<u>No less than 16</u>	<u>No less than 16</u>
<u>Maximum Density</u>	<u>40 du/ac</u>	<u>As specified by base zoning</u>
<u>Building Coverage</u>	<u>60%</u>	<u>As specified by base zoning</u>
<u>Height</u>		
<u>Stories</u>	<u>3</u>	<u>As specified by base zoning</u>
<u>Top Plate Height</u>	<u>Residential only: 35 ft.</u> <u>Vertical mixed use: 40 ft. [4]</u>	<u>As specified by base zoning</u>
<u>Roof Height</u>	<u>Additional 6 ft. above max. top plate height for roof with min. 5:12 pitch</u>	<u>As specified by base zoning</u>

Notes:

[1] A “rezone site” means a Residential or Mixed Use Rezone site listed in General Plan 6th cycle Housing Element Table F-10. “All other sites” means a site in the HE combining district that is not a rezone site, except for APN 023-113-31 and 022-231-18.

[2] Applies only to projects that create one or more new dwelling units.

[3] The City shall allow at least 16 dwelling units on each development site regardless of lot size.

[4] Plate height greater than 35 ft. for vertical mixed use development is permitted only if floor to ceiling height of ground floor commercial space is 12 feet or greater.

B. Deviations

- 1. If a development standard that applies to a site in the HE combining district physically precludes construction of the housing development at its proposed density, the applicant may request deviation from the limiting standard in accordance with policies established by the community development department.**
- 2. The applicant must submit reasonable documentation that the existing standard physically precludes the construction of the housing development at its proposed density.**
- 3. The deviation from the standard may be no greater than the minimum needed to achieve the proposed density.**
- 4. For projects reviewed by the City through a by-right approval process, the Ceommunity Ddevelopment Ddirector may defer final decision on a requested deviation to the Planning Commission.**

17.41.050 Lot Consolidation Incentives

A. Eligibility. The City shall grant lot consolidation incentives for development projects in the HE combining district that meet all of the following criteria:

1. The proposed project merges one or more parcels less than one-half acre in size with an adjacent parcel.
2. All proposed units are deed restricted affordable for new fewer than 55 years.
 - a. Rental units shall be made affordable to households earning no more than 80% of the County's Area Median Income (AMI) or less than 55 years.
 - a. Rental units shall be made affordable to households earning no more than 80% of the County's Area Median Income.
 - b. Ownership units shall be made affordable to households earning no more than 120% of AMI;
3. The proposed project complies with the minimum density standard in Table 17.41-1 (HE Combining District Standards) or any applicable specific plan as applied to the newly created parcel.
4. For mixed-use projects, residential uses occupy at least 85 percent of the project's gross floor area.

B. Incentives. A proposed project that meets the eligibility criteria in Subsection A above is entitled to one or more of the following incentives:

1. Deviation from applicable physical development and subdivision standards as necessary to allow the proposed 100 percent affordable development project.
 - a. Deviation from subdivision standards may not conflict with any applicable requirement in the California Subdivision Map Act.
 - b. The applicant must submit reasonable documentation that the existing standard precludes development of the proposed affordable housing project. The deviation from the standard may be no greater than the minimum needed to allow for the proposed project.
2. City funding and financial resources as available, including reduced or waived City fees.
3. Priority application processing and placement on public meeting agendas.
4. City technical assistance to assist with site planning, grant funding, project financing, and subdivision approvals.

17.41.0570 Replacement Units for Non-Vacant Sites

A development project that eliminates existing units affordable to lower income households must replace these units with new affordable units as required in paragraph (3) of subdivision (c) of Government Code Section 65915.

17.41.0860 Sunset

This section shall remain in effect only until December 15, 2031, and as of that date is repealed.

Chapter 17.44 GENERAL AND SPECIAL PROVISIONS

17.44.030 Off-street parking and loading requirements.

F. Schedule of Off-Street Parking Space Requirements.

USE	PARKING SPACES REQUIRED
Single-family dwellings	Each dwelling unit shall have a two-car garage, plus one additional covered or uncovered parking space (a minimum of three parking spaces).
Multi-family dwellings	Studio and 1 bedroom: 1 space 2 bedroom: 1.5 spaces 3+ bedroom: 2 spaces Two parking spaces for each dwelling unit; plus one additional parking space for every five units, or fraction thereof.
Business, professional modified and trade schools and colleges, and crafts, music and dancing schools	Two spaces for each five hundred square feet of gross floor area unless approved by the planning commission.
Commercial service modified enterprises, repair shops, wholesale establishments and retail stores which handle only bulky merchandise such as furniture and household appliances	One space for each five hundred square feet of gross floor unless approved by the planning commission.
Automotive repair and related services	One space for each two hundred fifty square feet of gross floor area.
Business and professional offices area	One space for each two hundred fifty square feet of gross floor area.
Medical and dental office/clinic	Five spaces for each doctor/dentist or one space for each two hundred square feet of gross floor area, whichever is greater, plus additional spaces as may be required for employees and/or conference activities.
Motels, hotels, lodging houses, bed and breakfast establishments, and private clubs providing sleeping accommodations	One space for each living unit or bedroom, whichever is greater, plus one space for each six hundred square feet of office and storage.
Restaurants, bars, soda fountains, cocktail lounges, cafes, night clubs, cafeterias and similar establishments serving food	One space for each sixty square feet of floor area for public accommodation plus one space for each two hundred fifty square of non public accommodation floor area
Research and development, including computer assembly, circuit board assembly and related activities	One space for each two hundred fifty square feet of gross floor area to be provided with initial construction. An additional number of spaces shall be provided so that the total number of spaces is equal to one space per each one hundred square of gross floor area. The additional parking will be parking at a later when needed.
Mini Storage	Four spaces plus additional spaces as may be required by the planning commission.
Churches, theaters, assembly halls, convention centers, auditoriums, dance halls, lodges, social halls, mortuaries and funeral homes	One space per each three and one half fixed seats or one space per fifty square feet of gross floor area, whichever is greater.

Warehouses, storage buildings and storage facilities that must be combined with commercial or industrial uses	One space for each one thousand square feet of gross floor area.
Hospitals, sanitariums, nursing homes and charitable and religious institutions providing sleeping accommodations	One space for each three beds. Where needed, additional spaces for employee parking may be required by the planning commission.
Libraries, museums, art galleries and similar uses	One space for each employee plus additional number of space as may be prescribed by the planning commission.
Open air commercial uses, nurseries, motor vehicle sales lots	One space per one thousand square feet of lot area devoted to sales.
Day care center	One space for each three hundred square feet of gross floor area.
Public and private elementary and junior high schools	Ten spaces plus one space per classroom, plus sufficient space for safe and convenient loading and unloading of students. Where needed, additional spaces for student parking may be prescribed by the planning commission.
Public or private high schools or colleges	One space per ten students plus one per classroom. One space per one employee, including teachers and administrators, plus sufficient space for safe and convenient loading and unloading of students.
Retail sales uses	One space for each two hundred fifty square feet of gross floor area.
Other uses not specified	The number of parking spaces required for any use not specified shall be determined by the planning commission.

17.44.060 Condominium conversions and condominiums.

- A. Intent. Residential condominiums provide for individual ownership of separate dwelling units which usually are proximate to one another. The area surrounding the dwelling units is a common area that is managed and maintained by the individual owners of dwelling units in accordance with the rules of an associated agreement. This mix of individual and common ownership is different from detached single-family residences and apartment house use; in single-family dwellings the dwelling is physically separate and the yard areas are under the more or less complete control of the owner; in conventional apartments there is an implied guarantee of continuous and effective management of the project. The occupant is not the owner of the unit and does not have the financial commitment or problems of use, maintenance or resale associated with ownership. The unique nature of condominium projects tends to magnify the effects associated with higher urban densities to the point where they may have deleterious effects upon the occupant, seller and buyer, who often do not appreciate the implications of condominium living and ownership; this may lead to conditions of mismanagement, neglect and blight that affect the public health, safety, welfare and economic prosperity of the larger community. To ensure that such problems are avoided in both the short and long term, it is the express intent of the city to treat such projects differently from other multiple-family dwelling developments of other structures which are not residential condominium projects. It is found that the implementation of this section requires adoption of special requirements contained in this section for new condominium developments and the conversion of existing community apartment projects to residential condominiums.
- B. Purpose. The purpose of this section is to:

1. Establish requirements and procedures to be followed for the review and approval or disapproval of:
 - a. New condominium project development, and
 - b. The conversion of existing multiple-family rental housing to residential condominiums;
 2. Establish criteria for new condominium developments and condominium conversion projects by requiring conformance to the city's building code and other development standards set forth in this section;
 3. Ensure that the developer of the project provides adequate private outdoor living space, storage and parking space, open space and other amenities;
 4. Provide for planning, unforeseen change and compliance with the city's General Plan and housing element;
 5. Provide:
 - a. A desirable balance of rental and ownership housing within the city, and
 - b. A variety of individual choice of tenure, type, price and location of housing;
 6. Ensure that the project sponsor is attentive to the performance characteristics of the structure and mitigates such problems as vibration and noise transmission which may not be apparent to the buyer without living in the unit but which, if not adequately attenuated, may nevertheless render the living environment within the project insufferable and the transfer of unit ownership difficult;
 7. Ensure that the project sponsor uses contemporary and environmentally sensitive concepts of site planning and architectural design in the construction of a new condominium project and ensure that the project, once completed, maintains its integrity, not only to preserve the long-term financial commitment of the unit owner but to optimize the utilitarian and aesthetic qualities that make the project a viable home for the owner long into the future.
- C. Definitions. For the purposes of this section, certain words and phrases are defined and certain provisions shall be construed as set forth in this subsection unless it is apparent from their context that a different meaning is intended.
1. "Association" means an organization composed of persons who own a condominium unit(s) or right of exclusive occupancy in a community apartment, and who are organized to operate and maintain common areas for condominiums.
 2. "Common area" means the area that is available to the common use of unit owners in an entire project, excepting the individual units therein.
 3. "Community apartment" means one residential unit within a community apartment project. For the purposes of this section "community apartment" means the same thing and shall be treated in the same manner as a unit as defined in subdivision 17 of this subsection.
 4. "Community apartment project," as defined in Section 11004 of the Business and Profession Code, means a development of real property in which an undivided interest in the land is coupled with the right of exclusive occupancy of a designated residential unit located thereon or therein. For the purposes of this title, "community apartment" means the same thing and shall be treated the same way as a residential condominium, as defined in subdivision 14 of this subsection.
 5. "Condominium" means an estate in real property consisting of an undivided interest in common in a portion of a parcel of real property, together with a separate interest in space in a residential building such as an apartment. A condominium may include, in addition, a separate interest in other portions of such real property.
 6. "Condominium documents" means the covenants, conditions and restrictions, the description of the project elements and any other documents establishing a plan for condominium ownership.

7. "Conversion" means a change in the type of ownership of a parcel or parcels of real property, together with the existing attached structures, to that defined as a condominium development or a community apartment project regardless of the present or prior use of such land and structures and whether substantial improvements have been made or are to be made to such structures.
 8. "Covenants, conditions and restrictions" means a written declaration relating to the maintenance, operation, duties and responsibilities of the common owners of the project and may include, but is not limited to those restrictions provided for in Section 1355 of the California Civil Code and as such may hereafter be amended.
 9. "Developer" means the owner or subdivider of real property with a controlling proprietary interest in the proposed project.
 10. "Open space" means open space on the project (exclusive of the required front setback area) which is to be used exclusively for leisure and recreational purposes, for the use and enjoyment of occupants of units on the project and to which such occupants shall have the exclusive right of use and enjoyment. Accessory structures such as swimming pools, recreational buildings and landscaped areas may be included as open space.
 11. "Owner" means the owner of a residential condominium unit.
 12. "Project" means the entire parcel of real property divided or to be divided into condominiums, including all structures thereon.
 13. "Project elements" means condominium units which are to be conveyed, the areas and spaces which are to be assigned to such units and the common areas (including improvements) which are to be shared by the owners of all units.
 14. "Residential condominium" means a condominium for residential purposes.
 15. "Subdivision Map Act" means Division 2 of Title 7 of the California Government Code, commencing with Section 66410 et seq. and as may hereafter be amended.
 16. "Subdivision ordinances" means those ordinances contained in Title 16 of this code and as may hereafter be amended.
 17. "Unit" means the element of a residential condominium project which is not owned in common with the owners of other condominiums in the project or is an apartment in a community apartment project to which an owner of an undivided interest in common in a community apartment project has a right of exclusive occupancy.
- D. General Provisions. The following provisions shall apply to all condominium developments:
1. A condominium development may be located in any zoning district upon the granting of a use permit in accordance with the provisions of this section and Section 17.50.020 of this title.
 2. A condominium development shall include only uses which are either permitted or conditional uses in the zoning district in which the development is located.
 3. In residential condominium developments, the density may not exceed the density prescribed for the zoning district in which the development is located.
- E. Use Permit Application Required. The developer of a new condominium project or a developer who desires to convert an existing multiple-family rental housing or a nonresidential structure to a residential condominium shall first submit an application for a use permit to the planning department. The application shall include, but not be limited to, the following:
1. Written authorization from all owners of parcels within the boundaries of the development;
 2. A complete legal description of the property, including a delineation of the project boundary and a tabulation of gross and net land area, including a title report. The project boundary map should show

the existing topography of the site and the location of all existing easements, structures and other improvements. Significant surface features within the development area, including but not limited to natural ground cover, trees more than six inches in diameter (trunk diameter, variety and size), water courses, rock outcroppings and soil cover, should be included in the description. In addition, the description should include the proposed circulation system, showing the location of all streets (public and private), pedestrian pathways and other circulation facilities;

3. A detailed grading plan, including a transverse and longitudinal section showing natural and proposed grades, including all cut-and-fill slopes and the location of retaining walls, and methods of erosion control;
 4. Proposed land uses, including building locations and types, floor plans, number of units, building elevations (all sides), open space, recreation area, off-street parking, loading and service areas, a conceptual landscaping plan for the project as a whole, a lighting plan, the approximate number and characteristics of the population anticipated and the relationship of the project to surrounding land uses;
 5. A data table showing how the project compares to the minimum standard for the residential district in which it would be located;
 6. Typical detailed sections of the types of wall, floor and ceiling construction that would be used in both common and interior partition walls within the condominium project, including either published data from a recognized and approved testing laboratory or a statement from a licensed acoustical engineer or the city building official as to sound transmission control ("STC," as defined in Chapter 35 of the Uniform Building Code);
 7. A statement of special or unusual seismic, soil or geologic conditions within the development area, if applicable;
 8. A development schedule indicating anticipated dates of construction, including any proposed project phasing;
 9. Any additional information as required by the planning director or planning commission.
- F. Modification of Requirements. Recognizing that the conversion of existing multiple-family residential structures to condominium usage presents unique problems with respect to the requirements of this section, the planning commission is empowered to vary any and all requirements contained herein, provided, that said modifications are consistent with the public health, safety and welfare and will not contravene the purposes and intent of this section. Project characteristics of critical importance in making this determination are the structure(s) and the degree to which the proposal varies from the required standards for the following: parking, private open space, storage space, sound transmission characteristics, fire protection and development criteria.

The planning commission is also empowered to impose conditions on any approval which would require that specified changes designed to bring a structure into compliance with the condominium development standards contained herein be made to the structure proposed for conversion.

Requirement for subdivision application for construction or conversion of a condominium project shall be accompanied by a tentative map application pursuant to Title 16 of this code, unless waived pursuant to Government Code Section 66428.

- G. Development Standards. The following development standards shall apply to all condominium development unless otherwise modified by the planning commission:
1. Parking: All condominium developments shall conform to the parking requirements of this title.
 2. Open space: Each unit within the project shall have an appurtenant private patio, deck, balcony, atrium or solarium with a minimum area of one hundred ~~fifty~~ square feet. Such space shall be designed for the sole enjoyment of the unit owner, shall have at least two weatherproofed electrical convenience

outlets and shall have a shape and size that would allow for optimum usable space. Such space shall be at the same level as and immediately accessible from, a room within the unit. The planning commission may allow variations from the above dimensional standards where it can be shown that the required private open space meets the intent and purpose of this section.

3. Storage space: In addition to guest, linen, food pantry and clothes closets customarily provided, each unit within the project shall have at least two hundred cubic feet of enclosed, weatherproofed and lockable private storage space. The location and design of such space shall be approved by the planning commission and shall not be divided into two or more locations. If such space is located within a common area within the project, the association shall be responsible for the care and maintenance of the exterior surface of the space in order to assure that the surface is maintained in a manner compatible with the architectural treatment of the project.
4. Sound transmission: All permanent mechanical equipment such as motors, compressors, pumps and compactors which is determined by the building official to be a source of structural vibration or structure-borne noise shall be shock mounted with inertia blocks or bases and/or vibration isolators in a manner approved by the building official. Common walls and floors between units shall comply with the city's ordinances governing noise resistance for newly constructed common walls and floors.
5. Fire prevention: Every dwelling unit shall be provided with a smoke detector conforming to Uniform Building Code standards. The detector shall be mounted on the ceiling or wall at a point centrally located in the corridor or area giving access to rooms used for sleeping purposes. Where sleeping rooms are on an upper level, the detector shall be placed at the center of the ceiling directly above the stairway. All detectors shall be located within twelve inches of the ceiling. When activated, the detector shall provide an alarm in the dwelling unit. Draft stops shall be placed in all attics that are determined to be accessible by the building official.
6. Condition of equipment and appliances: Regarding conversion, the developer shall provide a one-year warranty to the buyer of each unit at the close of escrow on any dishwashers, garbage disposals, stoves, refrigerators, hot water tanks and air conditioners that are provided. At such time as the homeowners' association takes over management of the development, the developer shall provide a one-year warranty to the association that any pool and pool equipment and any appliances and mechanical equipment to be owned in common by the association are in operable working condition.
7. Condition of paved areas: Regarding conversion, the developer will make any repairs needed so that the public works department can determine that any paved areas are in satisfactory condition.
8. Condominium development criteria: The following criteria shall be considered in reviewing the overall design and site layout of the project:
 - a. The project should have a comprehensive and integrated design, providing its own open space, off-street parking and amenities for contemporary living. Insofar as the scale of the project allows, open space, walkways and other areas for people should be separated from parking areas, driveways and areas for automobiles.
 - b. Architectural unity and harmony should be achieved both within the project and between the project and the surrounding community so that it does not constitute an adverse disruption to the established fabric of the community.
 - c. The layout of structures and other facilities should minimize street, driveway, curb cut, utility and other public or quasi-public improvements. Additionally, structures should be designed to minimize, within the context of accepted architectural practice, the consumption of natural resources, either directly or indirectly, e.g., gas, water and electricity.
9. Other facilities: Consideration shall be given by the planning commission to the inclusion of the following facilities in the project:

- a. A laundry area shall be provided in each unit or if common laundry facilities are provided, then such facilities shall be subject to the review of the planning commission as to their adequacy.
 - b. In addition to any other parking requirements, at least one space per five units shall be provided for the enclosed storage of recreational vehicles and boats in new construction only. If the requirement cannot be met, a provision shall be placed in the covenants, conditions and restrictions (CC&Rs) precluding the parking of recreational vehicles and boats on the site. Such parking area shall be enclosed.
- H. Approval of Tentative and Final Map. Pursuant to Section 66427 of the Government Code, the city council or planning commission shall not refuse approval of the tentative or final map of a condominium conversion project because of design or location of the buildings shown on the map or plan which are in conformance with the provisions of this section, or because of the manner in which the airspace is to be divided in conveying units within the condominium.
- I. Approval of Declaration of Covenants, Conditions and Restrictions (CC&Rs) and Project Elements. To achieve the purpose of this section, the planning commission shall require that a declaration of covenants, conditions and restrictions (CC&Rs) and project elements relating to the management of the common area and facilities be approved by the planning department and city attorney prior to the approval of the final map. In addition to such covenants, conditions and restrictions that may be required by the Department of Real Estate of the State of California pursuant to Section 1350, et seq. of the California Civil Code or other state laws or policies, such declaration shall be subject to recording and shall provide for the following, none of which, when approved by the planning department or city attorney, shall be amended, modified or changed without first obtaining the written consent of the planning department and city attorney and all of which shall contain a statement to that effect.
 - 1. Conveyance of private open space: The surface area and appurtenant airspace of private open-space areas, including but not limited to the private patio, deck, balcony, solarium or atrium required by this section, and any integral portion of that space that may exceed the minimum area requirements, shall be described and conveyed in the grant deed as an integral part of the unit.
 - 2. Conveyance of private storage areas: The surface and appurtenant airspace of private storage spaces required by this section shall be described and conveyed in the deed as an integral part of the unit.
 - 3. Assignment of off-street parking: Required off- street parking spaces shall be permanently, irrevocably and specifically assigned to particular units within the project on the basis of the parking spaces required per unit pursuant to Section 17.44.030 of this chapter. To the maximum practicable extent, the spaces assigned to each unit shall be contiguous. In no case shall the private storage area of one unit overhang or take its access from the required off-street parking space of another unit. All studio and one-bedroom units shall be assigned one parking space and may rent additional spaces from the association as available. All occupants of a unit with two or more bedrooms may rent one parking space back to the association. All parking spaces, except those specifically designated for parking recreational vehicles, shall be used solely for the purpose of parking motor vehicles and shall not be used for trailers, unmounted campers or similar recreational vehicles.
 - 4. Right of public entry to common area: Officers, agents and employees of the city, the county, the state and the Government of the United States and any department, bureau or agency thereof, shall have the right of immediate access to all common areas of the project at all times for the purpose of preserving the public health, safety and welfare, except in those instances where a common area is accessible only through a private unit.
 - 5. Maintenance of common areas: In order to protect the public health, safety and welfare, provision shall be made for annual assessments for capital improvements. The amount of the regular annual assessment and the procedure for its change shall be specified. The manner in which special assessments may be levied for the construction, reconstruction, repair or replacement of a capital improvement upon the common area shall be specified. Both annual and special assessments may be

collected on a monthly basis. The remedies which the association may bring for the nonpayment of assessments shall be specified and may include penalties for late payment.

6. Utility easements over private streets and other areas: If the condominium project contains private streets, paths or roadways, provision shall be made for public utility easements over the entire private street, path or roadway network. The planning commission may also require public utility easements adjacent to public streets or over other portions of the project to accommodate fire hydrants, water meters, street furniture, storm drainage, sanitary sewers, water and gas mains, electrical lines and similar public improvements and utilities. The planning commission may also require access routes necessary to assure that fire-fighting equipment can reach and operate efficiently in all areas of the project.
 7. Access for construction, maintenance or repairs: Each owner and the association shall have an easement for entry upon any privately owned unit, where necessary, in connection with construction, maintenance or repair for the benefit of the common area or the owners of the units in common.
 8. Contract termination right: Unless otherwise prohibited by law or any local, state or federal regulation, the association shall have the right to terminate the contract of any person or organization engaged by the developer to perform management or maintenance duties three months after the association assumes control of the project, or at that time to renegotiate any such contracts.
 9. Provision for equity in sales: The conditions, covenants and restrictions (CC&Rs) shall contain a provision that the sale of any unit shall not be prevented because of the age, sex or family composition of any potential buyer.
- J. Additional Requirements. In addition to the requirements for a major subdivision, the application for the subdivision of existing multiple-family rental housing as a condominium conversion shall be subject to the additional requirements set forth in subsections K through O of this section.
- K. Code Inspection, Compliance and Disclosure. All units to be under separate ownership or lease after conversion shall be inspected by the city prior to city approval of the final map. Separate ownership shall mean a condominium unit where the entire fee is in one entity, whether individually, in joint tenancy or as tenants in common. All units shall be brought into compliance with the Uniform Building Code effective at the time the units were first constructed. A form containing pertinent information regarding the project, including age and physical and spatial amenities within and in proximity to the condominium complex, shall be filed with and approved by the planning director and shall be provided to prospective condominium buyers.
- L. Utilities. All units to be subdivided shall be provided with separate gas and electric meters and provision shall be made for individual shutoff valves. All units shall also be provided with separate water meters and shutoff valves or with separate shutoff valves for all fixtures in each unit. If it is not possible to have separate water meters, provision shall be made for the equitable sharing of water costs.
- M. Public Report Application. A copy of the proposed application submitted by the applicant to the Department of Real Estate of the state for a subdivision public report on the current forms required by the Department of Real Estate shall be submitted to the city planning department, together with the submittal of the tentative map. Such application need not contain exhibits regarding the availability of utility services or the organizational documents of the project. However, the application for the final subdivision map shall include a full and complete copy of all information submitted to the department of real estate by the applicant.
- N. Notification to Tenants.
1. Developers of condominium conversions shall submit to the planning department the following:
 - a. With the use permit application, a list of the names and addresses of the residents of each unit in the conversion project, certified as to accuracy by the developer as of the date of the application. The developer shall immediately notify the city of any change in the names or addresses on the list as they occur;

- b. Prior to filing a tentative subdivision map, certification that all notices required to be given to and received prior to the filing of such map have been given in the manner and within the time limits specified or referenced in Government Code Section 66427.1 and all other notification requirements of the Subdivision Map Act as amended from time to time.
 - c. Prior to approval of a final subdivision map, certification that all notices specified or referenced in Government Code Section 66427.1 in connection with approval of such map have been given to the persons in the manner and within the time limits specified or referenced therein.
- 2. The city shall provide notification of the public hearing before the planning commission on the use permit and subdivision applications to the tenants of the units in the conversion project pursuant to Section 17.50.090 of this title, as well as to all other persons therein prescribed.
- 3. A copy of the written staff report shall be delivered to the subdivider and to each tenant of the subject property at least three days prior to any hearing on the tentative map.

O. Tenant's Right To Purchase.

- 1. As provided in Government Code Section 66459, each tenant shall receive a nontransferable right of first refusal to purchase the unit.
- 2. The right of first refusal shall extend for 90 days from the date of issuance of the subdivision public report or the beginning of sales, whichever is later.

P. Tenant Relocation Assistance.

- 1. Relocation and Assistance Plan.
 - a. The subdivider shall submit a tenant relocation and assistance plan with the Use Permit and Tentative Map or Tentative Parcel Map application for the condominium conversion.
 - b. The plan shall include the information consistent with the State of California Relocation Assistance Act (Government Code Sections 7260 – 7277) and the Federal Uniform Relocation Assistance and Real Property Policies for Federal and Federally Assisted Programs Act (United States Code Title 42, Chapter 61) as well as those additional provisions in Subparagraphs 2 to 5 below.
- 2. Rent Freeze.
 - a. Upon notification of intent to convert, the then-current rents shall remain in effect for up to 12 months or until the conversion process has been completed or terminated.
 - b. If approval of the Tentative Map or Tentative Parcel Map is still pending at the end of 12 months, the freeze shall apply for another 12 months, allowing for an increase based on the rental component of the Consumer Price Index.
 - c. During such period as any rent freeze is in effect, 30-day eviction notices shall be issued only where a clear breach of the rental agreement exists.
- 3. Moving Allowance.
 - a. Persons who are tenants at the time of the initial notice to convert the project shall be offered a minimum moving allowance of two times the monthly rent in effect at the time the tenant elects to move.
 - b. Such allowance shall be payable only after City approval of the Use Permit and Tentative Map or Tentative Parcel Map. Payment to the tenant shall be within 14 days after the tenant vacates the premises.
- 4. Extended Leases. Tenants who have been displaced from previous conversions of apartments to condominiums in Scotts Valley during the last five years shall be offered a three-year lease from the date of the initial offering of units for sale to the public.

5. Other Tenant Situations. Any non-purchasing tenant who is disabled or has minor children in school or is age 62 or older, living in any unit prior to the time a completed Use Permit and Tentative Map or Tentative Parcel Map application has been accepted as complete by the City shall be given at least six months in which to find suitable replacement housing.

QO. Pest Infestation and Dry Rot Report. The developer shall, prior to approval of the final map, submit to the planning department a copy of the structural pest infestation and dry rot report for all buildings within the proposed project. This report shall be made available to all prospective buyers by the developer.

Any and all actual structural damage shall be repaired or financial provision made for appropriate repair within a specific time period, prior to the approval of final map or properly bonded under the Subdivision Map Act.

RP. Effect On Housing Stock. In reviewing requests for conversion of existing apartment buildings to condominiums, the city shall consider the following:

1. Whether the amount and impact of the displacement of tenants would be detrimental to the health, safety or general welfare of the community;
2. The role that the apartment structure plays in the existing rental housing market;
3. The effect of the conversion on the need and demand for low-cost housing (both rental and ownership housing).

In no case shall apartment conversions be allowed if the rental vacancy rate is below four percent, as determined by the planning department.

SQ. Advertising. The developer shall make no advertising use of any city approval of use, subdivision or occupancy for the project.

IR. Required Findings. Pursuant to Government Code Section 66427.1 as it presently exists or may hereafter be amended, approval of the final map of a conversion of residential real property to a condominium project shall be withheld unless the city council makes all findings required by that section and further finds that:

1. The proposed conversion will not have an adverse effect on the diversity of housing types available in the city.
2. The proposed conversion will not displace a significant percentage of tenants and deplete low-income and moderate- income rental units from the city's housing stock at a time when no equivalent condominium housing is readily available in the city.
3. The proposed conversion would not be detrimental to the health, safety or general welfare of the community and is consistent with the city's General Plan, particularly the housing element.
4. The overall design and construction of the development meets the standards outlined herein.

US. Appeals. Any person who is dissatisfied with any decision made by the planning commission may appeal the same in accordance with the procedures established in Section 17.50.060 of this title.

17.44.190 Racially Concentrated Areas of Affluence.

A. Purpose. This section implements General Plan 6th cycle Housing Element programs to affirmatively further fair housing by taking actions to overcome patterns of segregation and increase access to opportunities for all residents.

B. Applicability. The provisions in this section apply to racially concentrated areas of affluence (RCAA) as identified in 6th cycle Housing Element Figure E-4a.

- C. **Missing Middle Conversions.** Within RCAA, an existing single-family dwelling may be converted into a duplex or a triplex subject to the following:
1. The lot must conform to zoning district minimum lot area standard.
 2. The lot may contain only one existing dwelling unit.
 3. The conversion may only use existing living area in the primary dwelling. Conversion of accessory structures is not permitted.
 4. A minimum lot area of 5,000 square feet is required per unit.
 5. A triplex is permitted only on lots with an average slope of less than 25 percent.
 6. Conversions are not permitted on lot with an existing accessory dwelling unit.
 7. The conversion may not be combined with an SB 9 residential development project or urban lot split (Chapters 17.55 and 16.78).
 8. Off-street parking spaces must be provided as follows:
 - a. One space for a studio or one-bedroom unit.
 - b. Two spaces for a unit with two bedrooms or more.
 9. Parking spaces may not be in the required front yard. The conversion may not add or enlarge an existing driveway curb cut.
 10. Dwelling units must be connected to the municipal water and sewer system.
- D. **SB 9 Triplexes.** An existing single-family home in RCAA zoned R-1 may be converted into an SB9 triplex if one or more new units on the site are deed restricted affordable. See Section 17.55.080 (SB 9 triplexes).
- E. **Condominiums and Townhomes.** Within RCAA, townhouses and condominiums in the R-1 zoning district are a permitted use. See Section 17.14.020 (Permitted uses).

Chapter 17.55 – SB 9 Residential Development

17.55.010 Purpose and intent.

This chapter contains requirements for SB 9 residential developments pursuant to Government Code Section 65852.21. These requirements are necessary to preserve the public health, safety and general welfare, and to promote orderly growth and development. In cases where a requirement in this chapter directly conflicts with Government Code Section 65852.21, the Government Code governs.

17.55.020 Definitions.

- A. SB 9 Residential Development. A residential project on a parcel within a single- family residential zoning district proposed pursuant to Government Code Section 65852.21
- B. Urban Lot Split. The subdivision of an existing parcel into two parcels within a single- family residential zoning district proposed pursuant to Government Code Section 66411.7 and Municipal Code Chapter 16.78 (Urban Lot Splits).

17.55.030 Permitting process.

- A. Building Permit. An SB 9 residential development requires city approval of a building permit.
- B. Ministerial Approval. The city shall ministerially approve a building permit for an SB 9 residential development if the application complies with all requirements of this chapter. No public hearing or discretionary review is required.
- C. Urban Lot Splits. An SB 9 residential development that includes an urban lot split requires city approval of a parcel map pursuant to Municipal Code Chapter 16.78 (Urban Lot Splits).
- D. Eligibility. The city shall accept an application for an SB 9 residential development only if the project complies with the following requirements.
 - 1. Zoning District. The development is located in the R-1 Single-Family Residential, R-R Residential-Rural, or R-MT Residential-Mountain zoning district.
 - 2. Compliance with Chapter. The development complies with all applicable requirements of this chapter.
 - 3. Environmental Resources and Hazards. The development satisfies the requirements of Government Code subparagraphs (B) to (K), inclusive, of paragraph (6) of subdivision (a) of Section 65913.4, which prohibits development on sites subject to specified environmental resources and hazards.
 - 4. Affordable and Rental Housing. The development will not require demolition or alteration of any of the types of housing identified in Government Code paragraph (3) of subdivision (a) of Section 65852.21.
 - 5. Historic Resources. The development is not located within a historic district or property included on the State Historic Resources Inventory, as defined in Public Resources Code Section 5020.1.

E. Time Period for City Action.

- 1. The City shall approve or deny the building permit application within 60 days from the date the City receives a completed application. If the applicant requests a delay in writing, the 60-day time period shall be tolled for the period of the delay.
- 2. If the City does not approve or deny the completed application within 60 days, the application shall be deemed approved.

EE. Basis for Denial.

- 1. The city shall deny an application for an SB 9 residential development if either of the following is found:

- a. The development fails to comply with any requirement in this chapter. Any such requirement that is the basis for denial shall be specified by the city in writing.
 - b. The city's building official makes a written finding, based upon a preponderance of the evidence, that the proposed development would have a specific, adverse impact, as defined and determined in paragraph (2) of subdivision (d) of Government Code Section 65589.5, upon public health and safety ~~or the physical environment and~~ for which there is no feasible method to satisfactorily mitigate or avoid the specific, adverse impact.
2. The city shall not deny an SB 9 residential development solely because it conflicts with the city's density limitations for the applicable zoning district.

G. Comments for Denied Application.

1. If the City denies an application for an SB 9 residential development, the City shall provide written comments to the applicant that list the items that are defective or deficient and describe how the application can be remedied by the applicant.
2. Written comments required by Paragraph 1 above shall be provided to the applicant within the time period described in Subsection B (Time Period for City Action) of this section.

17.55.040 General requirements.

A. Number of Primary Dwelling Units.

1. A maximum of two primary dwelling units are allowed on a parcel.
2. If a parcel is subdivided pursuant to Municipal Code Chapter 16.78 (Urban Lot Splits), a maximum of two primary dwelling units are allowed on each newly created parcel. Up to four units are allowed on the two parcels combined.

B. Accessory Dwelling Units.

1. Projects with Urban Lot Split. The following accessory dwelling unit (ADU) rules apply to a parcel created through an urban lot split as provided in Chapter 16.78 (Urban Lot Splits)
 - a. If the parcel contains one primary dwelling unit, one ADU or Junior ADU is also allowed on the parcel.
 - b. If the parcel contains two primary dwelling units, an ADU or Junior ADU is not allowed on the parcel.
2. Projects Without Urban Lot Split. Where a parcel has not been subdivided as provided in Chapter 16.78 (Urban Lot Split), one ADU and/or JADU is allowed on the parcel in addition to the two primary dwelling units.

C. Utility Connections.

1. Each primary dwelling unit shall be served by a separate utility connection for water, sewer, gas, and electrical services.
2. The city shall condition approval of a dwelling unit on the dedication of any easements deemed necessary to provide public services to the unit and access to the public right-of-way.

D. Residential Uses Only.

1. The primary use of a dwelling unit must be residential.
2. Home occupations consistent with Section 17.50.040 (Home Occupations) and other accessory uses are permitted in a dwelling unit.

- E. Vacation Rentals. A dwelling unit may not be rented for a term of less than thirty-one days.
- F. Existing Nonconformities. Establishing a dwelling unit shall not require the correction of an existing legal nonconforming zoning condition on the property.
- G. Public Health and Safety. An SB 9 residential development shall comply with the City of Scotts Valley SB 9 Public Health and Safety and Environmental Resource Protection Standards, which are adopted by city council resolution and may be amended from time to time.
- H. Municipal Code Compliance.
 - 1. An SB 9 development shall comply with all applicable provisions of the Municipal Code unless otherwise specified in this chapter.
 - 2. In case of conflict between this chapter and other provisions in the Municipal Code, this chapter governs.
 - 3. The city shall not impose any objective Municipal Code standard that would physically preclude the construction of two units on either of the resulting parcels or that would result in a unit size of less than eight hundred square feet. The community development director shall grant an exception to the applicable standard to the minimum extent necessary to comply with this section.

(Ord. No. 16.141, § 1, 5-15-2024)

17.55.050 Development standards.

- A. Building Height.
 - 1. For an SB 9 residential development that complies with the minimum yard requirements of the applicable zoning district and combining district, the maximum building height is twenty-five feet.
 - 2. For an SB 9 residential development that does not comply with the minimum yard requirements of the applicable zoning district and combining district, the maximum building height is sixteen feet.
- B. Unit Size.
 - 1. For an SB 9 residential development that complies with the minimum yard requirements of the applicable zoning district and combining district, the maximum unit size is one thousand two hundred fifty square feet per unit.
 - 2. For an SB 9 residential development that does not comply with the minimum yard requirements of the applicable zoning district and combining district, the maximum unit size is eight hundred square feet per unit.
- C. Yards.
 - 1. Minimum yards for an SB 9 residential development are as follows:
 - a. Front: As required in the applicable zoning district
 - b. Side: Four feet, except that no yard is required for a new side lot line shared between two parcels created through an urban lot split.
 - c. Rear: Four feet.
 - 2. As provided in A and B above, an SB 9 residential development that complies with the minimum yard requirement for a single-family dwelling in the applicable zoning district is eligible for greater building height and unit size than is allowed for SB9 residential development that does not comply with the zoning district minimum yard requirement.
 - 3. Notwithstanding Paragraph 1 above, no setback is required for an existing structure or a structure constructed in the same location and to the same dimensions as an existing structure.

D. Separation Between Dwelling Units.

1. No minimum separation is required between dwelling units on a parcel if the structures meet building code safety standards.
2. Dwelling units may be connected if the structures meet building code safety standards and are sufficient to allow a separate conveyance.
3. For purposes of this chapter, "sufficient for separate conveyance" means that each attached or adjacent dwelling unit is constructed in a manner adequate to allow for the separate sale of each unit in a common interest development as defined in Civil Code Section 1351 (including a residential condominium, planned development, stock cooperative, or community apartment project), or into any other ownership type in which the dwelling units may be sold individually.

E. Parking.

1. Required Parking. A minimum of one off-street parking space is required per dwelling unit except as provided in Paragraph 2 below.
2. Exceptions to Required Parking. No off-street parking is required in the following cases:
 - a. The parcel is located within one-half mile walking distance of either a high- quality transit corridor, as defined in subdivision (b) of Section 21155 of the Public Resources Code, or a major transit stop, as defined in Section 21064.3 of the Public Resources Code.
 - b. There is a car share vehicle located within one block of the parcel. A car share vehicle means a motor vehicle that is operated as part of a regional fleet by a public or private car sharing company or organization that meet all the following criteria:
 - (1) Provides hourly or daily service;
 - (2) Vehicle reservations are processed and paid for using an on-line system;
 - (3) Vehicles can be accessed where they are parked without having to go to a different physical location to execute a contract and/or pick up the keys; and
 - (4) Fleet has more than five cars in Scotts Valley and more than twenty cars in Santa Cruz County.
3. Location on Lot. As required by Section 17.44.030(J), driveways and parking spaces shall not proportionately occupy more than three hundred square feet for each ten feet of required front yard setback.
4. Garages. Required parking spaces may be uncovered for an SB 9 project with two or fewer new units, including accessory dwelling units. Required parking shall be in a garage for the third or fourth unit in an SB 9 project.

~~5. Landscape Buffer.~~

- ~~a. Where a parking area with three or more spaces is located across a street or alley from or immediately adjacent to a residential district, a landscape strip not less than five feet in depth shall be planted and permanently maintained along the abutting property line of the parking area.~~
- ~~b. The landscape strip shall contain a row of landscaping with a minimum planting height of thirty-six inches.~~
- ~~c. Landscaping shall comply with intersection and driveway vision clearance requirements in Section 17.46.110.E.~~

~~F. Driveways.~~

~~1. Vacant Lots.~~

~~a. For an SB 9 development on a vacant lot, no more than one driveway curb cut is allowed with a maximum width of twenty feet. Units on two lots created through an urban lot split must share one driveway with access easements recorded as necessary.~~

~~b. The community development director may grant an exception to this requirement when needed for emergency vehicle access.~~

~~2. Non-Vacant Lots.~~

~~a. For an SB 9 project on a lot with an existing home, two driveway curb cuts are allowed only if the existing site layout or other physical constraints physically precludes shared use of a single driveway curb cut.~~

~~b. The maximum width of a second curb cut where allowed is twelve feet.~~

17.55.060 Objective design standards.

~~A. Multi-Unit Residential Design Standards.~~

~~1. An SB 9 residential development that creates two or more new primary dwelling units shall comply with the Multi-Unit Residential Design Standards, which are adopted by City Council resolution and may be amended from time to time.~~

~~2. If one or more new primary dwelling units are added to a lot with an existing SB 9 residential development, the new dwelling unit(s) shall comply with the Multi-Unit Residential Design Standards.~~

~~B. "Faces" Defined. As used in this section, the term "faces" means:~~

~~1. The building feature is parallel or substantially parallel to the street or property line; and~~

~~2. There is no other building located between the building feature and the street or property line.~~

~~C. Single Unit Projects. If an SB 9 residential development creates one new primary dwelling on a lot with an existing dwelling that was not previously established through an SB 9 residential development, the following design standards apply.~~

~~1. Garage Frontage. Where a dwelling with an internal or attached garage is located on the front half of the lot and the garage door faces a street, the garage frontage including the door width shall not exceed fifty percent of the width of the front facade of the building.~~

~~2. Massing. A building wall that faces a street or an adjacent residential use shall not run in a continuous plane of more than twenty-five feet without one or more of the following treatments:~~

~~a. A change in wall plane with a minimum of four feet in depth for the facade.~~

~~b. A front porch or other covered entry feature with a minimum depth of three feet and width of six feet providing access to the dwelling's primary entrance.~~

~~c. An upper story setback of at least six feet in depth for at least eighty percent of the street facing building wall.~~

~~d. A protruding window (such as a bay window) of at least two feet in depth.~~

~~3. Articulation. A building wall that faces a street or an adjacent residential use shall not run in a continuous plane of more than fifteen feet without one of the following treatments included on the facade at every building story:~~

~~a. Window.~~

~~b. Entry door.~~

~~c. Two or more visibly contrasting primary materials and/or colors.~~

~~d. Wall mounted trellises for climbing plants.~~

4. ~~Entries. Primary dwelling entrances must include one of the following:~~
 - a. ~~A recess in the building wall with a minimum width of four feet and depth of three feet.~~
 - b. ~~A covered porch, providing access to the entry, with a minimum dimension of five feet by five feet.~~
5. ~~Roof Forms. Rooflines twenty-five feet or longer that face a street or an adjacent residential use shall be articulated with recessed or projecting gabled roof elements, roof dormers, changes in roof heights, changes in direction or pitch of roof slopes, and other similar methods.~~
6. ~~Windows. Windows that face a street or an adjacent residential use shall comply with one of the following:~~
 - a. ~~All windows shall feature built up profile trim/framing. Trim/framing must project at least two inches from the building wall with material that visually contrasts from the building wall.~~
 - b. ~~Window glass shall be inset a minimum of two inches from the exterior wall or frame surface to add relief to the wall surface.~~
7. ~~Exterior Materials. The primary wall finish material shall be wood, wood shingle, stone, brick, stucco, fiber cement or other cementitious material, or stone. T1-11 siding and all grooved or patterned wood panel or composite wood panel siding are prohibited.~~
8. ~~Private Open Space. Each dwelling unit shall have at least one hundred square feet of private open space. Required private open space shall comply with the following standards:~~
 - a. ~~The open space shall be directly accessible from the dwelling unit.~~
 - b. ~~Balconies shall have a minimum dimension of six feet in depth and width and a minimum floor area of fifty square feet.~~
 - c. ~~Patios shall have a minimum dimension of eight feet in depth and width and a minimum floor area of sixty-four square feet.~~
 - d. ~~Open space may be covered but not fully enclosed. If covered, the minimum floor to ceiling height is eight and one-half feet.~~
 - e. ~~Ground level private open space shall be screened or buffered from adjacent private or common open space and dwellings by landscaping, fencing, walls, trellises, or other screening elements.~~
- B. ~~Accessory Dwelling Units. A new accessory dwelling unit (ADU) included in an SB-9 residential development shall comply with the same design requirements as apply to an ADU that is not established as part of an SB-9 project.~~
- C. ~~Neighbor Privacy.~~
 1. ~~If a building wall faces an adjacent residential use and does not comply with the minimum interior side or rear yard requirements of the applicable zoning district or combining district, windows on the wall must be:~~
 - a. ~~Five-foot minimum sill height above the finished floor;~~
 - b. ~~Clerestory; or~~
 - c. ~~Opaque/frosted glass.~~
 2. ~~Second-story exterior decks and balconies may not face an interior side or rear yard that abuts an adjacent residential use.~~
 3. ~~No portion of a rooftop deck may be closer than twenty-five feet from an interior side or rear yard that abuts an adjacent residential use.~~

17.55.070 Deed restrictions.

- A. Before obtaining a building permit for an SB 9 residential development, the property owner shall file with the county recorder a declaration of restrictions containing a reference to the deed under which the property was acquired by the current owner. The deed restriction shall state that:
 - 1. The maximum size of the dwelling unit is limited to:
 - a. One thousand two hundred fifty square feet for development that complies with the minimum yard requirements of the applicable zoning district and combining district; and
 - b. Eight hundred square feet for development that does not comply with the minimum yard requirements of the applicable zoning district and combining district.
 - 2. The dwelling unit may not be rented for a term of less than thirty-one days.
- B. The above declarations are binding upon any successor in ownership of the property. Lack of compliance shall be cause for code enforcement.
- C. The deed restriction shall lapse upon removal of all dwelling units established under this chapter.

17.55.080 SB 9 triplexes.

- A. **When Allowed.** Notwithstanding any other provision in this chapter, an existing single-family dwelling may be converted into an SB 9 development with three units (SB 9 triplex) if:
 - 1. The existing single-family dwelling is on a parcel in the R-1 zoning district and in racially concentrated area of affluence (see Section 17.44.190); and
 - 2. One or more of the SB9 triplex units are deed restricted affordable to households earning no more than 80% of the County's Area Median Income.
- B. **Standards.** An SB 9 triplex shall comply with the following standards:
 - 1. The floor area of the third unit shall not exceed 800 square feet.
 - 2. The third unit must comply with minimum yard requirements for single-family dwellings in the R-1 zoning district.
 - 3. The third unit is allowed only as a modification to an existing single-family dwelling. The third unit may not be created as a structure detached from the existing single-family dwelling.
 - 4. The third unit may be created by adding new floor area to the existing single-family dwelling.
 - 5. An SB 9 triplex is not allowed on a lot created through an SB 9 urban lot split.

EXHIBIT C:

PROPOSED AMNDMENTS TO SB 9 PUBLIC HEALTH AND SAFETY AND ENVIRONMENTAL RESOURCE PROTECTION STANDARDS

The following standards apply to SB 9 residential development and urban lot split as defined in Municipal Code Sections 17.55.020 and 16.78.020. The term “SB 9 project” as used below refers to a proposed project with an SB 9 residential development, an urban lot split, or both. Other standards and City requirements may also apply to an SB 9 project based on site-specific conditions and proposed project features.

A. Government Code Exclusions

1. **Excluded Sites.** An SB 9 project shall not be located on a site with any of the following environmental resources and hazards as specified in subparagraphs (B) to (K), inclusive, of paragraph (6) of subdivision (a) Government Code Section 65913.4 unless required mitigation, if allowed, is incorporated into the proposed project:
 - a. Prime farmland or farmland of statewide importance
 - b. Wetlands
 - c. Very high fire hazard severity zone
 - d. Hazardous waste site
 - e. Earthquake fault zone
 - f. 100-year flood zone
 - g. Regulatory floodway
 - h. Adopted natural community conservation plan
 - i. Habitat for protected species
 - j. Conservation easement

B. Fire District Requirements

An SB 9 project must comply with 1) the California Fire Code with modifications and amendments as adopted by the Scotts Valley Fire Protection District (“Fire District”); and 2) the Santa Cruz County Fire Prevention Officers Association Fire Prevention Standards as adopted by the Fire District. Before the City approves a building permit or parcel map for an SB 9 project, the applicant must submit documentation from the Fire District that the project complies with all applicable requirements. Fire District requirements that may affect the feasibility of an SB 9 project include the following:

1. **Fire Hydrants:** The number, spacing, and distance from the property. Pursuant to Municipal Code Section 17.55.040.C (Utility Connections), an SB 9 project must be connected to and served by a municipal water service provider (i.e., the Scotts Valley Water District or San Lorenzo Valley Water District). Private wells and tanks used to provide a water supply for fire protection are not allowed.

2. **Fire Flow:** The flow rate and duration of a water supply that serves the project.
3. **Fire Sprinklers:** An automatic fire sprinkler system for each dwelling unit.
4. **Access Road Dimensions:** Minimum width, vertical clearance, and turning radius of roads providing fire apparatus access to the property.
5. **Dead-End Access Roads:** Maximum length of new dead-end roads/driveways serving the property.

C. City Fire Safety Standards

An SB 9 project must comply with the following City fire safety standards. These standards apply to an SB 9 project in addition to Fire District requirements. If Fire District requirements differ from City standards, the City will approve an SB 9 project only if it conforms with City requirements.

1. **Emergency Vehicle Access – Roadway Width.** An ~~SB 9 project~~ urban lot split shall be served by roadways providing emergency vehicle access with a minimum 20-foot width. If an emergency vehicle must utilize a road less than 20 feet wide at any point to access the property, an SB 9 project is not allowed unless the applicant widens the roadway to comply with this standard.
2. **Dead-end Street Length – Urban Lot Splits.** An ~~SB 9~~ urban lot split project is prohibited on a dead-end street where the distance from the start of the street to the lot exceeds the length specified in Municipal Code Section 16.44.020.A. For example, an ~~SB 9 project~~ urban lot split is not allowed on a lot on a dead-end street in the Low Residential General Plan Land Use Category if the lot is more than 700 feet from the start of that dead-end street. If the lot on the dead-end street is less than 700 feet from the start of the street, a proposed lot split would be allowed if it complies with all other applicable standards.
3. **Emergency Vehicle Access – Free of Obstructions.** Required emergency vehicle access shall be maintained free of structures (e.g., locked gates) obstructing emergency vehicle access to development.

D. Geologic Hazard Standards

1. **Hillside Residential Combining District.** The following requirements apply to an SB 9 project within the HR Hillside Residential Combining District (Municipal Code Chapter 17.40).
 - a. The applicant shall submit a site development plan and preliminary geologic and soils investigation report as required by Section 17.40.040.
 - b. On a building site created through an urban lot split, the following apply:
 - (1) The average slope of the lot shall not exceed 40 percent and the average slope of the proposed building envelope shall not exceed 25 percent.
 - (2) A private access roadway to or on the site shall not exceed 150 feet in length or a grade of 15 percent along the length of the pavement.
 - c. On an existing lot of record, the following apply:

- (1) A structure or driveway shall not be located on a building pad with an average slope of 40 percent or more.
 - (2) A driveway to or on a building site shall not exceed a grade of 15 percent along the length of the pavement.
- d. On all sites, the following apply:
 - (1) Portions of a site exceeding 30 percent slope shall not be graded.
 - (2) Visible cut or fill slopes shall not exceed three horizontal to one vertical (3:1)
 - (3) For units greater than 16 feet in height and/or with a floor area greater than 800 square feet, 1 foot shall be added to each side yard for each 1 foot of height above which the top plate line exceeds 15 feet in height.
 - (4) The clearance between ground floor levels and finish grade shall not exceed 4 feet. Five feet is permitted if a landscape and irrigation plan which will screen the subfloor area is submitted with the application for a building permit and landscaping is installed prior to final inspection of the structure.
2. **Landslide Hazard Areas.** The following requirements apply to an SB 9 project in an area with known landslide deposits as shown in General Plan Figure SN-5 Landslide Deposits or on a site with known or suspected landslides as mapped by the United State Geological Survey.
 - a. The applicant shall retain the services of a qualified geotechnical engineer or engineering geologist to prepare a design-level geotechnical investigation. The investigation shall identify project-specific foundation and structural design features needed to mitigate risks associated with landslide hazards.
 - b. The project shall be designed and constructed in accordance with the site preparation, foundation design, structural design, drainage, ground improvement performance testing, pavement design, and other recommendations in the design-level geotechnical investigation unless modified during construction, based on field conditions, by a qualified registered geotechnical or civil engineer.
 - c. Final grading plans shall be reviewed by a qualified registered geotechnical or civil engineer, and any resulting additional recommendations shall be incorporated into the project.
 - d. All site preparation work shall be performed under the observation of the Geotechnical Engineering firm of record. All design and construction shall conform to the requirements of the latest California Building Code.
 - e. All structural design and construction shall be subject to final approval by the City of Scotts Valley Building Official.

E. Circulation Safety Standards

1. **Highway 17 Access Hazards.** An urban lot split ~~SB-9 project~~ is not permitted where vehicle access to the site is provided solely from Highway 17 at the following locations as identified in the Highway 17 Access Management Plan (California Department of Transportation, 2016):
 - a. Driveway at PM 6.712 (Map ID #24)
 - b. Crescent Drive (Map ID #25)
 - c. Driveway at PM 6.485 (Map ID #26)



**Addendum to the General Plan EIR
for the 6th Cycle Housing Element – 2025 Implementation Actions**



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None.

1 Introduction

The Scotts Valley General Plan 6th Cycle Housing Element 2023-2031 (Housing Element) requires that the City adoption and implementation of a number of amendments to the Zoning Ordinance to implement various Housing Element programs (the Project). The City of Scotts Valley has determined that the Project is subject to the guidelines and regulations of the California Environmental Quality Act (CEQA) and has prepared this Addendum to the City's General Plan EIR.

1.1 Statutory Authority and Requirements

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

In accordance with *CEQA Guidelines* Sections 15051 and 15367, the City of Scotts Valley (City) is identified as the Lead Agency for the Project. This document has been prepared in accordance with CEQA Guidelines Sections 15164 (Addendum to an EIR on Negative Declaration) and 15168 (Program EIR) to explain the rationale for determining that the proposed 6th Cycle Housing Element 2023-2031 would not create any new or substantially more severe significant effects on the environment that were not analyzed in the Scotts Valley General Plan Update Environmental Impact Report (EIR).

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

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

substantial evidence.

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

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

As demonstrated in the environmental analysis contained herein in the Addendum, none of the conditions that had been analyzed in the Scotts Valley General Plan EIR would change with adoption of the proposed 6th Cycle Housing Element 2023-2031. Furthermore, no new information of substantial importance meeting the criteria listed in CEQA Guidelines Section 15162 has been identified in the environmental analysis.

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

1.2 Purpose of an Initial Study

The purposes of an Initial Study are to:

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

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

- A description of the project, including the location of the project
- Identification of the environmental setting
- Identification of environmental effects by use of a checklist, matrix, or other method, provided that entries on a checklist or other form are briefly explained to indicate that there is some evidence to support the entries

- Discussion of ways to mitigate significant effects identified, if any
 - Examination of whether the project is compatible with existing zoning, plans, and other applicable land use controls
 - The name(s) of the person(s) who prepared or participated in the preparation of the Initial Study
9. With regards to the context of an Addendum, the Initial Study serves as the basis for substantial evidence that none of the elements of CEQA Guidelines Section 15162 requiring a subsequent EIR are triggered.

1.3 Responsible and Trustee Agencies

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

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

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

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

1.4 Incorporation By Reference

Pertinent documents relating to this Initial Study have been cited in accordance with CEQA Guidelines Section 15150, which encourages incorporation by reference as a means of reducing

redundancy and length of environmental reports. The following documents are hereby incorporated by reference into this EIR. Information contained within these documents has been utilized for this Initial Study. These documents are available for review at the City of Scotts Valley Community Development Department, and online.

1.4.1 Scotts Valley General Plan

The Scotts Valley General Plan (General Plan) is the City's "blueprint" for all future development and conservation within the community. 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 ¹
	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.

CEQA Review

[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).

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).

The General Plan EIR reviewed the following topics: Aesthetics, Air Quality, Biological Resources, Cultural and Tribal Cultural Resources, Geology and Soils, Greenhouse Gas Emissions, Hazards and Hazardous Materials, Hydrology and Water Quality, Land Use and Planning, Noise and Vibration, Population and Housing, Public Services and Utilities, Transportation, and Wildfire.

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 also 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*.

Less Than Significant Impacts

No other significant impacts were identified in the 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.

On November 23, 2023, the Scotts Valley City Council adopted the General Plan to replace the City's previous 1994 General Plan. The Council also adopted a Statement of Overriding Considerations for significant, unavoidable impacts.

1.4.2 Scotts Valley Housing Element

The Housing Element is one of seven mandated elements of the City's General Plan. It identifies the current and future housing needs of the City with proposed actions to facilitate the provision of housing to meet those needs at all income levels. Updates to the Housing Element are required by State law every eight years and reflects the State's housing goal of "attaining decent housing and a suitable living environment for every California family," as well as incorporating the unique concerns of the community. The Housing Element includes programs with actions that the City must complete within a specified timeframe.

For the 6th Cycle, the City of Scotts Valley was allocated a total of 1,220 housing units (also known as the City's Regional Housing Need (RHNA)). The Housing Element update is required to identify strategies and exact parcels to accommodate the entirety of RHNA.

On December 20, 2023, the City Council adopted the City's 6th Housing Element (2023-2031). The Housing Element was subsequently certified by the California Department of Housing and Community Development (HCD) on April 2, 2024.

CEQA Review

The Housing Element was determined by the City, acting as the Lead Agency, to be exempt from further CEQA review per Section 15061(b)(3), given the project consists of activities covered by the “common sense exemption” that CEQA allows when a project would not cause a significant effect on the environment.

This was based on the finding that the Housing Element would not result in any direct or indirect physical changes to the environment. The Housing Element is a policy document and does not provide entitlements to any specific land use projects. It does not make any changes to the General Plan land use map and does not modify any land use designations, allowed densities, or land use intensities currently established in the General Plan. It neither entitles, proposes, nor otherwise requires the construction of new development or rehabilitation of existing development, nor does it change the rate or location of new development.

Rather, the goals, policies, and programs established by the Housing Element only facilitate the development, preservation, and rehabilitation of housing consistent with existing and planned uses, as identified in the General Plan and as mandated under State law. As such, the impacts of the proposed 6th Cycle Housing Element were addressed by the EIR that was certified by the City Council for the General Plan (11/29/23). The proposed modifications to the Housing Element did not create any impacts on the environment that were not previously evaluated as part of the General Plan.

1.4.3 Scotts Valley Municipal Code

The Scotts Valley Municipal Code (Municipal Code), consists of codes and ordinances adopted by the City. These include standards intended to regulate land use, development, health and sanitation, water quality, public facilities, and public safety.

On December 4, 2024, the City Council adopted various Zoning Ordinance amendments that were required by the Housing Element to be completed in 2024. These amendments addressed accessory dwelling units, by-right development, design review criteria, and other topics. The City determined that these amendments were exempt from further CEQA review per Section 15061(b)(3), covered by the “common sense exemption” that CEQA allows when a project would not cause a significant effect on the environment.

The Housing Element requires the City to complete additional Zoning Ordinance amendments in 2025. These include amendments to remove residential development constraints, incentivize development on large lots, incentivize lot consolidation, implement fair housing laws, and other topics. Further amendments that must be completed in 2026 include housing opportunity site rezoning and inclusionary housing ordinance revisions.

Based on the CEQA Guidelines, this Addendum analyzes the potential environmental impacts associated with these amendments.

2 Project Background and Context

2.1 Project Location

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 1 Regional Location](#)).

2.2 Environmental Setting

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 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 total land area) of Scotts Valley is designated residential, which includes both single and multiple-family residences, apartments and condominiums and mobile home parks.

2.3 General Plan and Zoning Designations

Not Applicable (Citywide)

2.4 Purpose and Organization of the Housing Element

The Scotts Valley 6th Cycle Housing Element 2023-2031 (Housing Element) represents an update of the City's 2015-2023 Housing Element. The Housing Element is an integral component of the City's General Plan, as it addresses existing and future housing needs of all types for persons of all economic segment groups in the City. The Housing Element serves as a tool for decision-makers and the public in understanding and meeting housing needs in Scotts Valley. While the law does not require local governments to actually construct housing to meet identified needs, it does allow the City to plan for and accommodate the construction of housing as may be proposed by future development projects.

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

- Chapter 1: Introduction

- Chapter 2: Housing Plan
- Appendix A: Review of Past Performance
- Appendix B: Housing Needs Assessment
- Appendix C: Housing Constraints
- Appendix D: Housing Resources
- Appendix E: Affirmatively Furthering Fair Housing (AFFH)
- Appendix F: Candidate Sites Inventory
- Appendix G: Summary of Community Engagement
- Appendix H: Glossary

Scotts Valley's Housing Element for the 6th cycle planning period of June 30, 2023 to December 15, 2031 describes policies and programs that include:

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

Pursuant to Government Code Section 65583, the Housing Element contains four basic parts:

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

2.5 Regional Housing Needs Assessment

California Government Code Article 10.6, Section 65580 – 65589.8, Chapter 3 of Division 1 of Title 7 sets forth the legal requirements for a housing element and encourages the provision of affordable and decent housing in suitable living environments for all communities to meet statewide goals. The 6th Cycle Housing Element 2023-2031 is a statement by the City of Scotts Valley of its current and future housing needs identified in a policy document that sets forth the City's goals, policies, and programs to address those identified needs.

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

Government Code Article 10.6, Section 65589 – 65589.8, Chapter 3 of Division 1 of Title 7 sets forth the legal requirements for a housing element and encourages the provision of affordable and decent housing in all communities to meet statewide goals. This Addendum and supporting Initial Study evaluates the environmental effects of the adoption and implementation of the Scotts Valley 6th Cycle Housing Element. The planning period is from June 30, 2023 through December 15, 2031.

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

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

California housing element law requires that each city and county develop local housing programs designed to meet their "fair share" of housing needs for all income groups. The California Department of Housing and Community Development (HCD), Housing Policy Division

develops the Regional Housing Needs Assessments (RHNA) for each region of the State, represented by councils of governments.

The Association of Monterey Bay Area Governments (AMBAG) determines the housing allocation for each city and county within its three-county jurisdiction, which includes Santa Cruz County. The City's RHNA is divided into four income categories, which is based on the Santa Cruz County HUD Area Median Family Income (HAMFI) for an assumed family of four, as shown in [Table 1 Regional Housing Needs Allocation 2023-2031](#). The RHNA covers the period of June 30, 2023 through December 15, 2031.

Table 1 Regional Housing Needs Allocation 2023-2031 by Income Category

Income Category	Percent of HUD Area Median Family Income (HAMFI)	Number of Units (per RHNA)
Very Low-Income	0-50% HAMFI	392
Low-Income	51-80% HAMFI	257
Moderate-Income	81-120% HAMFI	154
Above Moderate-Income	>120% HAMFI	417
Total RHNA		1,220

*The Scotts Valley AMI is \$119,300 for a family of four, according to the 2022 HCD Income Limits.

2.6 Residential Sites Inventory

The inventory is detailed in Appendix F: Candidate Sites Inventory of the Scotts Valley 6th Cycle Housing Element 2023-2031.

[Table 2 6th Cycle RHNA Sites Inventory Analysis](#) shows the City's ability to accommodate the 6th Cycle RHNA by income category through a variety of methods, including those listed below. [Figure 2 6th Cycle Housing Element Sites Inventory – All Sites](#) illustrates the location of the sites throughout Scotts Valley. The inventory includes:

- Current capacity on residentially-zoned sites;
- Projects currently in the City's review pipeline;
- Accessory dwelling unit (ADU) projections; and,
- Rezone strategies to accommodate the remaining RHNA.

Table 2 6th Cycle RHNA Sites Inventory Analysis

Strategies		Very Low Income	Low Income	Moderate Income	Above Moderate Income	Total
6 th Cycle RHNA		392	257	154	417	1,220
Existing Residential Capacity		11		6	66	83
Pipeline Projects		51		13	353	417
Projected ADUs		24		12	4	40
Town Center Specific Plan		427		39	191	657
Rezones	Residential	103		24	137	264
	Mixed Use	280		74	351	705
Total		896		168	1,102	2,166
Percent Over RHNA		38%		9%	164%	78%

The 6th Cycle Housing Element 2023-2031 identifies sites evaluated previously for potential environmental impacts in the Scotts Valley General Plan EIR (2024). The 6th Cycle Housing Element 2023-2031 Update identifies a range of inventoried sites that could be developed to meet the City's 6th cycle RHNA throughout Scotts Valley. Some of these sites may differ from those identified in the Scotts Valley General Plan and require land use changes (rezones) that would allow for increased density or other provisions. These rezones are the basis for this CEQA analysis and are described below.

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

3 Project Description

The Project includes amendments to Scotts Valley General Plan and the Scotts Valley Municipal Code (SVMC) to bring the City into compliance with their Housing Element. These include: 1) Rezone 35 residential and mixed-use parcels (Rezone Sites); 2) Revise relevant residential development standards; 3) Revise relevant standards to conform to Housing Element Program H-3.2 Affirmatively Furthering Fair Housing; and 4) Incorporate other various amendments required as part of the Housing Element implementation. These amendments (the Project) are described below.

3.1 Rezone Sites to Meet the RHNA

To provide adequate sites, Housing Element Program H-1.1 requires the City to rezone 35 properties (Rezone Sites) to allow a residential density of 40 units per acre. As shown in [Figures 3 Residential Rezone Sites](#) and [Figure 4 Mixed-Use Rezone Sites](#), seven of these sites are “residential rezones” and 28 sites are “mixed-use rezones.”

For a residential rezone site, the City must allow residential-only development (no commercial component required). For a mixed-use rezone site, the City may require residential development to include a commercial component but must allow projects with up to 70 percent residential floor area.

On all rezone sites, the City must permit up to 40 dwelling units per acre with development standards (e.g., building height, lot coverage, setbacks) that allow for this density. All but three of the rezone sites are currently zoned Service Commercial (C-S). Additional information about the sites can be found in Housing Element Appendix F.

In 2024, the City adopted Zoning Ordinance amendments to create a new Housing Element Opportunity Site (HE) Combining District. The HE Combining District, found in Chapter 17.41 of the SVMC, establishes a by-right permitting process for Housing Element sites required by state law. The HE Combining District applies to the Rezone Sites.

3.1.1 Proposed Rezone Sites Amendments

To implement Housing Element Program H-1.1, the proposed Zoning Code Amendments include the following changes to [Chapter 17.41 Housing Element Opportunity Site Combining District](#):

- **Permitted Uses:** Allows multifamily dwellings as a permitted use in the HE combining district. On mixed-use rezone sites, residential uses must occupy less than 70 percent of the total gross square feet on the property. On all other sites, residential-only development (no commercial uses on site) is allowed.

- **Development Standards:** Up to 40 dwelling units per acre and 60 percent building coverage is allowed on rezone sites. Building heights greater than 35 feet permitted for pitched roofs and vertical mixed-use buildings.
- **Deviations:** Deviation from development standards is allowed if necessary to accommodate permitted density on the site.

These proposed Zoning Code Amendments also require revisions to the General Plan Land Use Element, [Table LU-2: General Plan Land Use Designations](#). Specifically, it would add notes “(3)” pertaining to “Residential Density / Commercial Building Coverage” and “(4)” pertaining to “Potential Land Uses” as follows:

- (3) On sites listed in Housing Element Table F-10: Scotts Valley 6th Cycle Candidate Sites, the residential density, commercial building coverage, and potential land uses are as permitted in the Housing Element.
- (4) In the Mixed Use Rezone sites listed in Housing Element Table F-10, residential uses must consist of no more than 70 percent of the total gross square feet of the development. On Residential Rezone sites, there is no limit on the percent of development floor area that may be residential (i.e., residential-only development is allowed).

These Amendments would affect seven parcels (8.7 acres), identified in [Figure 3 Residential Rezone Sites](#), to permit residential uses ranging up to a density of 40 dwelling units per acre, accommodating 264 units, including 103 lower income units. They would also affect 28 parcels (32.2 acres), identified in [Figure 4 Mixed-Use Rezone Sites](#), to permit mixed-use developments ranging up to a density of 40 dwelling units per acre with up to 70 percent residential, accommodating 705 units, including 280 lower income units.

The proposed new development standard would reduce the existing commercial use requirement on these sites from 50 to 30 percent. Analysis of development standards in the Housing Element concluded that this reduction to 30 percent would help facilitate housing development. In addition, proposed lot consolidation incentives (discussed below) would allow residential-only development on the mixed use rezone sites for qualifying 100 percent affordable development projects.

These amendments would not apply to any parcels located in the Town Center Specific Plan area.

3.2 Citywide Residential Development Constraints

Housing Element [Program H-1.6](#) requires the City to study existing residential development standards and to determine if these standards are a potential constraint to housing production.

Program H-1.6 also states that the City shall adopt Zoning Ordinance amendments, if needed, to address and remove these constraints. These amendments would apply citywide in all areas, including the HE Combining District.

Residential development standards include maximum density, minimum lot size and dimensions, minimum setbacks, maximum building and site coverage, maximum building heights, and minimum on-site parking.

Housing Element Appendix C analyzes governmental constraints to housing production in Scotts Valley, including development standards in the Zoning Ordinance. This analysis concludes that the minimum building coverage standard on C-S and C-SC properties (45 percent and 35 percent, respectively) would constrain mixed-use housing development to 20 units per acre. Required multifamily parking (two parking spaces per multifamily unit, plus one guest space per five units) would constrain multifamily and mixed-use development to 20 units per acre. Other development standards would not constrain residential development at permitted densities.

3.2.1 Proposed Amendments

To implement Housing Element **Program H-1.6**, Sections 17.20.040 and 17.22.040 would be amended to increase the maximum building coverage outside of the HE Combining District from 45 percent to 50 percent in the Service Commercial (C-S) zone and from 35 percent to 50 percent in the Shopping Center (C-SC) zone. Within the HE Combining District, the maximum permitted building coverage would be 60 percent to allow for development at 40 units per acre.

The proposed amendments also includes revisions to Section 17.44.030 to reduce the number of required parking spaces for multi-family dwellings to one space for studios and one-bedroom units, 1.5 spaces for two-bedroom units, and two spaces for units with three or more bedrooms.

3.3 Affirmatively Furthering Fair Housing (AFFH)

Housing Element **Program H-3.2** requires the City to “affirmatively further fair housing” by taking actions to overcome patterns of segregation and increase access to opportunities for all residents. Program H-3.2 requires changes to development regulations that apply uniquely in “racially concentrated areas of affluence” (RCAA). Under state law, RCAA are areas with relatively high percentage of white population and high household incomes.

Figure 5 Racially Concentrated Areas of Affluence (RCAAs) illustrates the RCAA boundary as identified in the Housing Element which includes all residential areas east of Highway 17 and south of Mount Hermon Road using the methodology recommended by the California Department of Housing and Community Development (HCD). These boundaries are established in the Housing Element consistent with state law.

3.3.1 Proposed Amendments

To implement [Program H-3.2](#), the proposed amendments would create a new section in the Zoning Ordinance to address RCAA provisions, which are summarized as follows:

Missing Middle Conversions

Allow conversion of existing single-family residences into “missing middle” housing in lower density residential areas.¹

Within RCAA, an existing single-family home may be converted into a duplex or a triplex with development standards designed to protect the public health and safety and ensure neighborhood compatibility including:

- The lot must conform to zoning district minimum lot area standard.
- The lot may contain only one existing dwelling unit.
- The conversion may only use existing living area in the primary dwelling (e.g., no conversion of accessory structures).
- Minimum lot area of 5,000 sq. ft. per unit (two units max on 10,000 sq. ft. R-1 lot, three units max on 15,000 sq. ft. R-1 lot).
- Three units permitted only on lots with an average slope of less than 25 percent.
- Conversions are not permitted on lot with existing ADUs, however ADUs may be added in the future as permitted by state law.
- The conversion may not be combined with an SB 9 project.
- Two on-site parking spaces must be provided for each unit. Parking spaces may not be in the front setback. The conversion may not add or enlarge an existing driveway curb cut.
- Units must be connected to water and sewer.

SB 9 Triplexes

SB 9 requires cities to permit two primary dwelling units on single-family lots. One accessory dwelling unit (ADU) and one junior accessory dwelling unit (JADU) are also permitted on the lot with the two primary dwelling units. Scotts Valley adopted a local ordinance implementing SB 9 in 2024 (SVMC Chapter 17.55).

The amendment would allow properties eligible for SB 9 unit development provisions to construct triplexes in R-1 zoned single-family neighborhoods identified as RCAAs with the

¹ “Missing middle” housing in this context refers to duplexes and triplexes intended to match the character of single-family residential neighborhoods.

inclusion of at least one deed restricted unit affordable to a very low or low-income household. The third SB 9 unit will be subject to the following development standards:

- Maximum floor area: 800 square feet.
- A third unit is not allowed with an SB 9 urban lot split.
- The third unit is allowed only as a modification to an existing dwelling.
- The third unit may be created by adding new floor area to the existing dwelling (not limited to conversion of existing floor area only).
- The third unit must comply with zoning district setbacks.
- The third unit must comply with all SB 9 standards, including public health and safety and environmental resource protection standards (except as modified above).

Permits for Condominiums and Townhomes

Remove the conditional use permit (CUP) requirement for condominiums and townhomes within R-1 parcels which are identified as RCAAs.

3.4 Other Miscellaneous Amendments

A variety of other amendments to Chapter 17 Zoning of the SVMC would implement other [Housing Element](#) programs. These include the following with the respective implementing program shown in parentheses, where applicable:

- **Mixed Use Development Incentives (H-1.7):** Adopt development incentives, such as, but not limited to, decreasing the commercial component for projects that include a greater number of affordable units, for candidate sites identified for mixed-use rezoning.
- **Large Lot Development Incentives (H-2.6):** Adopt and implement a program to facilitate the development of lots larger than ten acres (including flexibility in zoning)
- **Lot Consolidation Incentives (H-2.8):** Facilitate the consolidation of vacant and underutilized lots or residential development (e.g., reduction in lot size and setback requirements, and/or parking reductions.
- **Condominium Conversion Ordinance (H-3.12):** The City shall adopt a Condominium Conversion Ordinance to preserve the existing, and future, rental housing stock by establishing a maximum percent of the City's total housing stock that can be converted over a certain period of time. The Ordinance shall also establish tenant notification and relocation assistance requirements, limit rent increases once a notice of intent to convert has been filed and give tenants the priority to purchase units.

- **SB 9 Ordinance Amendments:** These amendments consist of various revisions to 17.55 (SB 9 Residential Development), 16.78 (Urban Lot Splits), and the City's SB 9 public health and safety and environmental protection standards to bring the City's SB 9 ordinance into compliance with recently amended state law.
- **Highway 17 Access Hazards:** This amendment would update the General Plan and would prohibit new residential development from solely accessing Highway 17 at specific roadways, as identified in the Highway 17 Access Management Plan (Caltrans, 2016).

3.5 Project Implementation

Based on an analysis by the City and as shown in [Table 3 Comparison of Existing and Project Rezoning Residential Units and Population Capacity](#), implementation of the Project would result in an additional 480 residential units and 605 persons.

Table 3 Comparison of Existing and Project Rezoning Residential Units and Population Capacity

Rezone Sites	# of Parcels	Units	Population ¹
Existing Zoning Capacity			
Residential	7	86	216
Mixed-Use	28	403	1,011
Total	35	489	1,227
Project Zoning Capacity			
Residential	7	264	662
Mixed-Use	28	705	1,770
Total	35	969	1,832
Net Change			
Residential	7	178	446
Mixed-Use	28	302	759
Total	35	480	605

Notes:

1. Assumes an average of 2.51 persons per household.

Source: City of Scotts Valley, March 2025.

As shown in [Table LU-1: General Plan Buildout Summary](#) of the General Plan, the buildout development capacity analysis (2023) assumed an additional 1,199 additional residential units will be constructed between 2022 and the 2045 buildout projection year. Based on an average

household size of 2.51 persons per household (U. S. Census, 2022), this equates to an estimated population increase of approximately 3,000 people. Implementation of the Project would not exceed the development capacity as described the Land Use Element of General Plan. It is also consistent with the City's Housing Element and State requirements to provide additional housing consistent with the City's RNHA allocation.

Furthermore, allowing all parcels to be developed to the maximum density or intensity is not the intention of the General Plan. The intention is to reflect a maximum development envelope or density range under appropriate conditions, and in accordance with applicable 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 the General Plan development build-out analysis represents a maximum development envelope of density based on existing and potential general plan land use designations. Development forecasts involve an analysis of other factors such as environmental constraints, economic and market conditions, historic trends, property ownership, and community preferences.

3.6 Permits and Approvals

The City of Scotts Valley is the Project Applicant. The Project requires the following legislative/discretionary approvals:

- General Plan Amendment
- Zoning Code Amendments
- Subdivision Ordinance Amendments
- Amendments to the City of Scotts Valley SB 9 Standards adopted by City Council Resolution

4 Supplemental Environmental Checklist Form

4.1.1 Project Title

Addendum to the General Plan EIR for the 6th Cycle Housing Element 2023-2031

4.1.2 Lead Agency Name and Address

City of Scotts Valley
One Civic Center Drive
Scotts Valley, CA 95066

4.1.3 Contact

Taylor Bateman
Community Development Director
tbateman@scottsvalley.gov

4.1.4 Project Location

Citywide. See Figure 1 Regional Location.

4.1.5 Project Applicant

None.

4.1.6 General Plan Designation

Citywide.

4.1.7 Zoning

Citywide.

5 Environmental Analysis

In accordance with *CEQA, Public Resources Code* Sections 21000-21178.1, this Initial Study has been prepared to analyze whether any new or more significant environmental impacts could occur from implementation of the Project. The purpose of this Initial Study is to inform the decision makers, affected agencies, and the public of potential environmental impacts associated with the implementation of the Project. This section analyzes the potential environmental impacts associated with the Project.

As demonstrated in Environmental Analysis Sections below, none of the conditions that had been analyzed in the General Plan EIR would change with adoption of the proposed Project. Furthermore, no new information of substantial importance meeting the criteria listed in CEQA Guidelines Section 15162 has been identified.

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

Implementation of the Project would result in a relatively minor increase in allowable density and be consistent with buildout-projections as identified in the General Plan. The Project involves policy-level documents, and as such, does not include any site-specific development designs or proposals. Future development proposals associated with implementation of the Project would be required to comply with: 1) all applicable Scotts Valley General Plan goals, policies, and actions, 2) Federal, State and local regulations and development standards, 3) project-specific conditions and mitigation measures to reduce potential impacts.

Criteria used to analyze potential impacts associated with the proposed project including the following:

- 1) A finding of “New Potentially Significant Impact” means that the project may have a new potentially significant impact on the environment or a substantially more severe impact than analyzed in the previously approved or certified CEQA document that cannot be mitigated to below a level of significance or be avoided.
- 2) A finding of “New Mitigation is Required” means that the project may have a new potentially significant impact on the environment or a substantially more severe impact than analyzed in the previously approved or certified CEQA document and that new mitigation is required to address the impact.
- 3) A finding of “No New Impact/No Impact” means that the potential impact was fully analyzed and/or mitigated in the prior CEQA document and no new or different impacts will result from the proposed activity. A brief explanation is required for all

answers except “No New Impact/No Impact” answers that are adequately supported by the information sources a lead agency cites in the parentheses following each question. A “No New Impact/No Impact” answer is adequately supported if the referenced information sources show that the impact simply does not apply to projects like the one involved (e.g. the project falls outside a fault rupture zone). A “No New Impact/No Impact” answer should be explained where it is based on project-specific factors as well as general standards (e.g., the project will not expose sensitive receptors to pollutants, based on a project-specific screening analysis).

- 4) A finding of “Reduced Impact” means that a previously infeasible mitigation measure is now available, or a previously infeasible alternative is now available that will reduce a significant impact identified in the previously prepared environmental document.
- 5) All answers must take account of the whole action involved, including off-site as well as on-site, cumulative as well as project-level, indirect as well as direct, and construction as well as operational impacts.
- 6) Earlier analyses may be used where, pursuant to the tiering, program EIR, or other CEQA process, an effect has been adequately analyzed in an earlier EIR or negative declaration. Section 15063(c)(3)(D). In this case, a brief discussion should identify the following:
 - a) Earlier Analyses Used. Identify and state where they are available for review.
 - a) Impacts Adequately Addressed. Identify which effects from the above checklist were within the scope of and adequately analyzed in an earlier document pursuant to applicable legal standards, and state whether such effects were addressed by mitigation measures based on the earlier analysis. Describe the mitigation measures which were incorporated or refined from the earlier document and the extent to which they address site-specific conditions for the proposed action.
 - b) Infeasible Mitigation Measures. Since the previous EIR was certified or previous ND or MND was adopted, discuss any mitigation measures or alternatives previously found not to be feasible that would in fact be feasible or that are considerably different from those previously analyzed and would substantially reduce one or more significant effects of the project, but the project proponents decline to adopt the mitigation measures or alternatives.
 - c) Changes in Circumstances. Since the previous EIR was certified or previous ND or MND was adopted, discuss any changes in the project, changes in circumstances under which the project is undertaken and/or "new information of substantial importance" that cause a change in conclusion regarding one or more effects discussed in the original document.
- 7) Lead agencies are encouraged to incorporate into the checklist references to

information sources for potential impacts (e.g. general plans, zoning ordinances). Reference to a previously prepared or outside document should, where appropriate, include a reference to the page or pages where the statement is substantiated.

- 8) Supporting Information Sources. A source list should be attached, and other sources used or individuals contacted should be cited in the discussion.
- 9) This is only a suggested form, and lead agencies are free to use different formats; however, lead agencies should normally address the questions from this checklist that are relevant to a project's environmental effects in whatever format is selected.
- 10) The explanation of each issue should identify:
 - a) the significance criteria or threshold, if any, used to evaluate each question;
 - b) differences between the proposed activity and the previously approved project described in the approved ND or MND or certified EIR; and
 - c) the previously approved mitigation measure identified, if any, to reduce the impact to less than significance.

New Significant Environmental Effects or Substantially More Severe Environmental Effects Compared to Those Identified in the Previous CEQA Document

The subject areas checked below were determined to be new significant environmental effects or to be previously identified effects that have a substantial increase in severity either due to a change in project, change in circumstances or new information of substantial importance, as indicated by the checklist and discussed below.

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

Lead Agency Determination

On the basis of this evaluation:

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

5.1 Aesthetics

ENVIRONMENTAL IMPACTS Issues	New Potentially Significant Impact	New Impact Requiring Mitigation	No New Impact / No Impact	Reduced Impact
Except as provided in Public Resources Code Section 21099, would the project:				
a) Have a substantial adverse effect on a scenic vista?			X	
b) Substantially damage scenic resources, including but not limited to trees, rock outcroppings, and historic buildings within a state scenic highway?			X	
c) In non-urbanized areas, substantially degrade the existing visual character or quality of public views of the site and its surroundings? (Public views are those that are experienced from publicly accessible vantage point). If the project is in an urbanized area, would the project conflict with applicable zoning and other regulations governing scenic quality?			X	
d) Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?			X	

5.1.1 Discussion

Scenic Vistas, Resources, or Viewsheds (a)

Figure OSC-5: [Viewsheds and Scenic Corridors of the General Plan](#) 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.

As described in the General Plan EIR ([Impact AES-1](#)), future development will be required 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 policies that protect existing viewsheds and scenic open spaces, the General Plan concluded that substantial impacts to scenic vistas, resources, and viewsheds are considered **less than significant** and no mitigation is required.

Implementation of the Project would result in a relatively minor increase in allowable density and be consistent with buildout-projections as identified in the General Plan. The Project involves policy-level documents, and as such, does not include any site-specific development designs or proposals. Future development proposals associated with implementation of the Project would be required to comply with: 1) all applicable **Scotts Valley General Plan** goals, policies, and actions, 2) Federal, State and local regulations and development standards, 3) project-specific conditions and mitigation measures to reduce potential impacts.

Conclusion

No New Impact. The changes associated with the Project would not result in any new impacts or increase the severity of impacts in this regard.

Scenic Resources and Visual Character (b and c)

As described in the General Plan EIR (**Impact AES-2**), implementation of the General Plan would result in localized alteration to the existing visual character within the City. Land Use Element Goals LU-1 and LU-4 and associated policies address design quality, compatible development, landscaping, and design guidelines and require high-quality commercial and mixed-use development within the Mount Hermon Road and Scotts Valley Drive corridors.

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, Multi-Unit Residential Design Standards, and the Residential Design Handbook provide guidance regarding the protection and enhancement of aesthetic and visual resources, as applicable.

As such, the General Plan EIR concluded that substantial impacts to scenic resources and visual character is considered **less than significant** and no mitigation is required.

Implementation of the Project would result in a relatively minor increase in allowable density and be consistent with buildout-projections as identified in the General Plan. The Project involves policy-level documents, and as such, does not include any site-specific development designs or proposals. Future development proposals associated with implementation of the Project would be required to comply with: 1) all applicable [Scotts Valley General Plan](#) goals, policies, and actions, 2) Federal, State and local regulations and development standards, 3) project-specific conditions and mitigation measures to reduce potential impacts.

Conclusion

No New Impact. The changes associated with the Project would not result in any new impacts or increase the severity of impacts in this regard.

Light and Glare (d)

Implementation of the Project 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.

As described in the General Plan EIR ([Impact AES-3](#)), [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.

Scotts Valley Municipal Code 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. Additionally, the City Multi-Unit Residential Design Standards Part 2, Section IX.B.5 require that light must be directed downward or towards structures and away from adjacent lots to minimize illumination of adjacent properties and the public right of way.

The General Plan EIR concluded that 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 light and glare are considered [less than significant](#) and no mitigation is required.

Implementation of the Project would result in a relatively minor increase in allowable density and be consistent with buildout-projections as identified in the General Plan. The Project involves policy-level documents, and as such, does not include any site-specific development designs or proposals. Future development proposals associated with implementation of the Project would be required to comply with: 1) all applicable [Scotts Valley General Plan](#) goals, policies, and actions, 2) Federal, State and local regulations and development standards, 3) project-specific conditions and mitigation measures to reduce potential impacts.

Conclusion

No New Impact. The changes associated with the Project would not result in any new impacts or increase the severity of impacts in this regard.

5.2 Agriculture and Forestry Resources

ENVIRONMENTAL IMPACTS Issues	New Potentially Significant Impact	New Impact Requiring Mitigation	No New Impact / No Impact	Reduced Impact
In determining whether impacts to agricultural resources are significant environmental effects, lead agencies may refer to the California Agricultural Land Evaluation and Site Assessment Model (1997) prepared by the California Department of Conservation as an optional model to use in assessing impacts on agriculture and farmland. Would the project:				
a) Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?			X	
b) Conflict with existing zoning for agricultural use, or a Williamson Act contract?			X	
c) Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code section 12220(g)), timberland (as defined by Public Resources Code section 4526), or			X	

ENVIRONMENTAL IMPACTS Issues	New Potentially Significant Impact	New Impact Requiring Mitigation	No New Impact / No Impact	Reduced Impact
timberland zoned Timberland Production (as defined by Government Code section 51104(g))?				
d) Result in the loss of forest land or conversion of forest land to non-forest use?			X	
e) Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use or conversion of forest land to non-forest use?			X	

5.2.1 Discussion (a–e)

None of the Project Rezone Sites (as described in [Chapter 3 Project Description](#)) are located on land that is classified as Prime Farmland, Unique Farmland, or Farmland of Statewide Importance by the Farmland Mapping and Monitoring Program of the California Resource Agency. The remaining Project amendments, while City-wide, are related to future development are limited to residentially and commercially designated properties.

Conclusion

No Impact. The changes associated with the Project would not result in any new impacts or increase the severity of impacts in this regard.

5.3 Air Quality

ENVIRONMENTAL IMPACTS Issues	New Potentially Significant Impact	New Impact Requiring Mitigation	No New Impact / No Impact	Reduced Impact
Where available, the significance criteria established by the applicable air quality management district or air pollution control district may be relied upon to make the following determinations. Would the project:				

ENVIRONMENTAL IMPACTS Issues	New Potentially Significant Impact	New Impact Requiring Mitigation	No New Impact / No Impact	Reduced Impact
a) Conflict with or obstruct implementation of the applicable air quality plan?			X	
b) Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard?			X	
c) Expose sensitive receptors to substantial pollutant concentrations?			X	
d) Result in other emissions (such as those leading to odors adversely affecting a substantial number of people?			X	

5.3.1 Discussion

Air Quality Plan and Air Quality Standards (a)

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.

As described in the General Plan EIR ([Impact AQ-1](#)), 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. Any emissions sources that would be generated as part of a future project would be subject to the MBARD rules and regulations.

The Project does not include any processes or activities that would emit significant air pollutants. The proposed uses would not conflict with the Air Quality Management Plan (AQMP) for the Monterey Bay Region and would not make a considerable contribution to this existing, cumulatively significant ozone impact. The General Plan concluded that impacts would be [less than significant](#).

Implementation of the Project would result in a relatively minor increase in allowable density and be consistent with buildout-projections as identified in the General Plan. The Project

involves policy-level documents, and as such, does not include any site-specific development designs or proposals. Future development proposals associated with implementation of the Project would be required to comply with: 1) all applicable Scotts Valley General Plan goals, policies, and actions, 2) Federal, State and local regulations and development standards, 3) project-specific conditions and mitigation measures to reduce potential impacts.

Conclusion

No New Impact. The changes associated with the Project would not result in any new impacts or increase the severity of impacts in this regard.

Criteria Pollutants (a and b)

Construction Activities

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. The General Plan EIR ([Impact AQ-2](#)) concluded that 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](#).

Furthermore, Standard Conditions of Approval require that development projects reduce dust generation from project grading and construction to minimal levels, the project proponent shall require the grading contractor to implement best management practices (BMPs) for dust control.

Operational

The Project would result in new long-term operational emissions from mobile sources (burning of fossil fuels in cars); energy sources (cooling, heating, and cooking); and area sources (landscape equipment and household products). Mobile source emissions constitute most operational emissions from this type of development project.

As described in the General Plan EIR ([Impact AQ-2](#)), 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 General Plan EIR [Table ER-AQ-2: MBARD Significance Thresholds for Construction and Operational Emissions](#).

Furthermore, 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.

The General Plan EIR concluded that 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.

Cumulatively Considerable Pollutants

As described in the General Plan (**Impact AQ-3**), 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 Final Draft 2026 Subregional Growth Forecast projects population growth in five-year increments to the year 2040. The 2040 population forecast for the City of Scotts Valley by AMBAG is 12,887 persons. Since the General Plan assumes a population buildout of 15,400 (see General Plan **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, the General Plan concluded that this impact would remain **significant and unavoidable**.

Implementation of the Project would result in a relatively minor increase in allowable density and be consistent with buildout-projections as identified in the General Plan. The Project involves policy-level documents, and as such, does not include any site-specific development designs or proposals. Future development proposals associated with implementation of the Project would be required to comply with: 1) all applicable **Scotts Valley General Plan** goals, policies, and actions, 2) Federal, State and local regulations and development standards, 3) project-specific conditions and mitigation measures to reduce potential impacts.

Conclusion

No New Impact. The changes associated with the Project would not result in any new impacts or increase the severity of impacts in this regard.

Furthermore, due to the projected population growth, regional emissions would remain inconsistent with the AQMP. Therefore, cumulatively considerable pollutant impacts associated with the Project would remain significant and unavoidable, and there would be **no new impact**.

Sensitive Receptors (c)

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 equipment and associated heavy-duty truck traffic generates diesel exhaust which is a known toxic air contaminant (TAC). The California Air Resources Board (CARB) has identified diesel exhaust particulate matter as a toxic air contaminant, and assessment of toxic air contaminant cancer risks is typically based upon a 70-year exposure period. Project grading and construction activities that would utilize diesel-powered equipment would expose receptors to possible diesel exhaust for a very limited number of days (approximately 10 days). Because exposure to diesel exhaust would be well below the 70-year exposure period and given the limited and short-term duration of activities that would use diesel equipment, construction-related diesel emissions are not considered significant.

Furthermore, the State is implementing emission standards for different classes of on- and off-road diesel vehicles and equipment that applies to off-road diesel fleets and includes measures such as retrofits. Additionally, Title 13 of the California Code of Regulations (section 2485(c)(1)) prohibits idling of a diesel engine for more than five minutes in any location.

The General Plan EIR (**Impact AQ-4**) concluded that potential exposure of sensitive receptors to diesel emissions and associated risks is considered a **less than significant** impact, and no mitigation measures are required.

Additionally, Standard Conditions of Approval require that prior to issuance of a grading permit, the Director of Public Works and the Building Official shall confirm that the grading permit and specifications stipulate that all off-road construction vehicles/equipment comply with the California Air Resources Board's In-Use Off-Road Diesel Vehicle Regulation.

As described in the Transportation section of the General Plan EIR, 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, the

General Plan EIR concluded that impacts related to sensitive receptors would be **less than significant** and no mitigation is required.

Implementation of the Project would result in a relatively minor increase in allowable density and be consistent with buildout-projections as identified in the General Plan. The Project involves policy-level documents, and as such, does not include any site-specific development designs or proposals. Future development proposals associated with implementation of the Project would be required to comply with: 1) all applicable **Scotts Valley General Plan** goals, policies, and actions, 2) Federal, State and local regulations and development standards, 3) project-specific conditions and mitigation measures to reduce potential impacts.

Conclusion

No New Impact. The changes associated with the Project would not result in any new impacts or increase the severity of impacts in this regard.

Other Emissions (d)

During construction activities, temporary odors from vehicles exhaust and construction equipment engine would occur. However, construction-related odors would be short-term and would cease upon completion. Therefore, no objectionable odors are anticipated from construction activities associated with the project and there would be no impact.

Land uses typically producing objectionable odors include agricultural uses, wastewater treatment plants, food processing plants, chemical plants, composting, refineries, landfills, dairies, and fiberglass molding. The Project does not include any uses that would be associated with objectionable odors. Odor emissions from the project would be limited to odors associated with vehicle and engine exhaust and idling cars.

The General Plan EIR (Impact AG-5) concluded that 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.

Implementation of the Project would result in a relatively minor increase in allowable density and be consistent with buildout-projections as identified in the General Plan. The Project involves policy-level documents, and as such, does not include any site-specific development designs or proposals. Future development proposals associated with implementation of the Project would be required to comply with: 1) all applicable **Scotts Valley General Plan** goals, policies, and actions, 2) Federal, State and local regulations and development standards, 3) project-specific conditions and mitigation measures to reduce potential impacts.

Conclusion

No New Impact. The changes associated with the Project would not result in any new impacts or increase the severity of impacts in this regard.

5.4 Biological Resources

ENVIRONMENTAL IMPACTS Issues	New Potentially Significant Impact	New Impact Requiring Mitigation	No New Impact / No Impact	Reduced Impact
Would the project:				
a) Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?			X	
b) Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by the California Department of Fish and Game or US Fish and Wildlife Service?			X	
c) Have a substantial adverse effect on state or federally protected wetlands (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological			X	
d) Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory			X	

ENVIRONMENTAL IMPACTS Issues	New Potentially Significant Impact	New Impact Requiring Mitigation	No New Impact / No Impact	Reduced Impact
wildlife corridors, or impede the use of native wildlife nursery sites?				
e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?			X	
f) Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?			X	

5.4.1 Discussion

Sensitive Natural Communities, Special Status Species, and Riparian Habitats (a and b)

As described in the General Plan [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. The Element contains a number of policies designed to protect these candidate, sensitive, rare, and/or special-status plant and animal species.

The General Plan EIR concluded that 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.

Implementation of the Project would result in a relatively minor increase in allowable density and be consistent with buildout-projections as identified in the General Plan. The Project involves policy-level documents, and as such, does not include any site-specific development designs or proposals. Future development proposals associated with implementation of the Project would be required to comply with: 1) all applicable [Scotts Valley General Plan](#) goals, policies, and actions, 2) Federal, State and local regulations and development standards, 3) project-specific conditions and mitigation measures to reduce potential impacts.

Conclusion

No New Impact. The changes associated with the Project would not result in any new impacts or increase the severity of impacts in this regard.

Wetlands and Riparian Corridors (c and d)

Isolated wetlands, particularly those associated with riparian corridors and low-lying undeveloped areas, are located throughout the City. The Open Space & Conservation Element contains a number of policies to protect wetlands and riparian corridors including Policy OSC-1.8 and Policy OSC-1.12.

The General Plan EIR concluded that 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 that would mitigate impacts to these resources to a **less than significant** level and no mitigation is required.

Implementation of the Project would result in a relatively minor increase in allowable density and be consistent with buildout-projections as identified in the General Plan. The Project involves policy-level documents, and as such, does not include any site-specific development designs or proposals. Future development proposals associated with implementation of the Project would be required to comply with: 1) all applicable **Scotts Valley General Plan** goals, policies, and actions, 2) Federal, State and local regulations and development standards, 3) project-specific conditions and mitigation measures to reduce potential impacts.

Conclusion

No New Impact. The changes associated with the Project would not result in any new impacts or increase the severity of impacts in this regard.

Tree Preservation (e)

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.

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. Removal of Heritage Trees requires authorization by the Planning Commission, either at project approval or at a separate public hearing held thereafter.

The General Plan EIR concluded that 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.

Implementation of the Project would result in a relatively minor increase in allowable density and be consistent with buildout-projections as identified in the General Plan. The Project involves policy-level documents, and as such, does not include any site-specific development designs or proposals. Future development proposals associated with implementation of the Project would be required to comply with: 1) all applicable **Scotts Valley General Plan** goals, policies, and actions, 2) Federal, State and local regulations and development standards, 3) project-specific conditions and mitigation measures to reduce potential impacts.

Conclusion

No New Impact. The changes associated with the Project would not result in any new impacts or increase the severity of impacts in this regard.

Conservation Plans (f)

As described in the **Open Space & Conservation Element**, there are three designated conservation areas within the General Plan 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.

The General Plan EIR concluded that implementation the respective conservation plans, as well as the policies and actions described in the Open Space & Conservation Element (and other General Plan biological resources protection policies 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.

Implementation of the Project would result in a relatively minor increase in allowable density and be consistent with buildout-projections as identified in the General Plan. The Project involves policy-level documents, and as such, does not include any site-specific development designs or proposals. Future development proposals associated with implementation of the Project would be required to comply with: 1) all applicable **Scotts Valley General Plan** goals, policies, and actions, 2) Federal, State and local regulations and development standards, 3) project-specific conditions and mitigation measures to reduce potential impacts.

Conclusion

No New Impact. The changes associated with the Project would not result in any new impacts or increase the severity of impacts in this regard.

5.5 Cultural Resources

ENVIRONMENTAL IMPACTS Issues	New Potentially Significant Impact	New Impact Requiring Mitigation	No New Impact / No Impact	Reduced Impact
Would the project:				
a) Cause a substantial adverse change in the significance of a historical resource pursuant to in § 15064.5?			X	
b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to § 15064.5?			X	
c) Disturb any human remains, including those interred outside of dedicated cemeteries?			X	

5.5.1 Discussion**Historic and Archaeological Resources**

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.

The [Open Space & Conservation Element](#) contains [Goal OSC-4](#) and related policies designed to protect historic and archeological resources. Furthermore, the City would be required to consult with local tribal groups as part of the CEQA process for any future development, consistent with SB 18.

The General Plan EIR concluded that implementation of these goal and policies, as well as enforcement of the respective City's Municipal Code provisions and State requirements would effectively mitigate potential cultural and historic resource impacts to [less than significant](#) and no mitigation is required.

Implementation of the Project would result in a relatively minor increase in allowable density and be consistent with buildout-projections as identified in the General Plan. The Project involves policy-level documents, and as such, does not include any site-specific development designs or proposals. Future development proposals associated with implementation of the Project would be required to comply with: 1) all applicable [Scotts Valley General Plan](#) goals, policies, and actions, 2) Federal, State and local regulations and development standards, 3) project- specific conditions and mitigation measures to reduce potential impacts.

Conclusion

No New Impact. The changes associated with the Project would not result in any new impacts or increase the severity of impacts in this regard.

Human Remains

Pursuant to section 7050.5 of the Health and Safety Code, if human remains are discovered, 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).

The General Plan EIR concluded that with implementation of existing regulations, the impact would be [less than significant](#), and no mitigation is required.

Implementation of the Project would result in a relatively minor increase in allowable density and be consistent with buildout-projections as identified in the General Plan. The Project involves policy-level documents, and as such, does not include any site-specific development designs or proposals. Future development proposals associated with implementation of the Project would be required to comply with: 1) all applicable [Scotts Valley General Plan](#) goals, policies, and actions, 2) Federal, State and local regulations and development standards, 3) project- specific conditions and mitigation measures to reduce potential impacts.

Conclusion

No New Impact. The changes associated with the Project would not result in any new impacts or increase the severity of impacts in this regard.

5.6 Energy

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

5.6.1 Discussion**Energy Consumption (a and b)**

Energy consumption associated with future construction of the Project would be temporary and short-term. Project design and operation would be required to comply with State Building Energy Efficiency Standards, appliance efficiency regulations, and green building standards. Additionally, the project includes other design features including efficient low-energy lighting, and natural ventilation systems.

The Project would also be required to be built according to City and State energy efficiency standards. Vehicle trips and energy consumption would be less carbon intensive as compared to historic levels due to statewide compliance with future low carbon fuel standard amendments and increasingly stringent Renewable Portfolio Standards.

As concluded in the General Plan EIR, the project 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 consumption.

Implementation of the Project would result in a relatively minor increase in allowable density and be consistent with buildout-projections as identified in the General Plan. The Project involves policy-level documents, and as such, does not include any site-specific development designs or proposals. Future development proposals associated with implementation of the Project would be required to comply with: 1) all applicable [Scotts Valley General Plan](#) goals, policies, and actions, 2) Federal, State and local regulations and development standards, 3) project-specific conditions and mitigation measures to reduce potential impacts.

Conclusion

No New Impact. The changes associated with the Project would not result in any new impacts or increase the severity of impacts in this regard.

5.7 Geology and Soils

ENVIRONMENTAL IMPACTS Issues	New Potentially Significant Impact	New Impact Requiring Mitigation	No New Impact / No Impact	Reduced Impact
a) Directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury, or death involving:			X	
i) 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.			X	
ii) Strong seismic ground shaking?			X	
iii) Seismic-related ground failure, including liquefaction?			X	
iv) Landslides?			X	

ENVIRONMENTAL IMPACTS Issues	New Potentially Significant Impact	New Impact Requiring Mitigation	No New Impact / No Impact	Reduced Impact
b) Result in substantial soil erosion or the loss of topsoil?			X	
c) Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse?			X	
d) 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?			X	
e) 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?			X	
f) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?			X	

5.7.1 Discussion

Earthquake Faults, Landslides, and Seismic Ground Shaking (a, c and d)

Relevant areas of known or suspected geologic hazards, as shown in General Plan [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.

[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.

Additionally, all future development associated with the Project would be required to comply with the California Building Code and [Title 15 – Buildings and Construction](#) of the Scotts Valley Municipal Code.

The General Plan EIR concluded that implementation of the above goal and policies, as well as enforcement of the respective City's Municipal Code provisions and State requirements would effectively mitigate potential seismic impacts to a [less than significant](#) level and no mitigation is required.

Implementation of the Project would result in a relatively minor increase in allowable density and be consistent with buildout-projections as identified in the General Plan. The Project involves policy-level documents, and as such, does not include any site-specific development designs or proposals. Future development proposals associated with implementation of the Project would be required to comply with: 1) all applicable [Scotts Valley General Plan](#) goals, policies, and actions, 2) Federal, State and local regulations and development standards, 3) project-specific conditions and mitigation measures to reduce potential impacts.

Conclusion

No New Impact. The changes associated with the Project would not result in any new impacts or increase the severity of impacts in this regard.

Soil Erosion (b)

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.

The Project would involve grading activities associated with the construction of buildings, infrastructure, and roads. Grading would largely be limited to the respective project site, which would limit the amount of exposed soil area that would be subject to erosion.

General Plan Policy [SN-2.4 Flood Control Facilities](#) requires that all 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.

Measures to control erosion would be incorporated into the construction specifications pursuant to the National Pollution Discharge Elimination System (NPDES) requirements for construction. In addition, to comply with the NPDES requirements for construction, projects

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. Compliance with the erosion control ordinances and acquisition of the NPDES General Permit for construction activities would ensure that soil erosion impacts associated with development pursuant to the project would be less than significant.

The General Plan EIR concluded that 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.

Implementation of the Project would result in a relatively minor increase in allowable density and be consistent with buildout-projections as identified in the General Plan. The Project involves policy-level documents, and as such, does not include any site-specific development designs or proposals. Future development proposals associated with implementation of the Project would be required to comply with: 1) all applicable **Scotts Valley General Plan** goals, policies, and actions, 2) Federal, State and local regulations and development standards, 3) project-specific conditions and mitigation measures to reduce potential impacts.

Conclusion

No New Impact. The changes associated with the Project would not result in any new impacts or increase the severity of impacts in this regard.

Sewage Disposal (d)

All future development associated with the Project would involve disposal of wastewater through the City's existing sanitary sewer system and there would be no septic systems constructed.

Conclusion

No Impact.

Unique Geological Features and Paleontological Resources (e)

Future development could result in the discovery and disturbance of previously unknown or undiscovered paleontological resources. As described in General Plan EIR **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.

The General Plan EIR concluded that 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.

Implementation of the Project would result in a relatively minor increase in allowable density and be consistent with buildout-projections as identified in the General Plan. The Project involves policy-level documents, and as such, does not include any site-specific development designs or proposals. Future development proposals associated with implementation of the Project would be required to comply with: 1) all applicable **Scotts Valley General Plan** goals, policies, and actions, 2) Federal, State and local regulations and development standards, 3) project-specific conditions and mitigation measures to reduce potential impacts.

Conclusion

No New Impact. The changes associated with the Project would not result in any new impacts or increase the severity of impacts in this regard.

5.8 Greenhouse Gas Emissions

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

5.8.1 Discussion

Determining significance for Greenhouse Gas (GHG) emissions 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 are being developed by the California

Air Resources Board (CARB), 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.

Generation of GHG Emissions (a and b)

Construction of the project would result in direct emissions of CO₂, N₂O, and CH₄ from the operation of construction equipment and the transport of materials. MBARD does not have a threshold for construction GHG emissions, which would be one-time, short-term emissions and therefore would not significantly contribute to long-term cumulative GHG emissions impacts of the project.

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.

Additionally, there are a number of policies and actions 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.

The General Plan EIR concluded that implementation of the General Plan would not exceed the criteria for a making a cumulatively considerable contribution to greenhouse gas emissions impacts and global climate change, nor conflict with any GHG plans impacts would be [less than significant](#) and no mitigation is required.

Implementation of the Project would result in a relatively minor increase in allowable density and be consistent with buildout-projections as identified in the General Plan. The Project involves policy-level documents, and as such, does not include any site-specific development designs or proposals. Future development proposals associated with implementation of the Project would be required to comply with: 1) all applicable [Scotts Valley General Plan](#) goals, policies, and actions, 2) Federal, State and local regulations and development standards, 3) project-specific conditions and mitigation measures to reduce potential impacts.

Conclusion

No New Impact. The changes associated with the Project would not result in any new impacts or increase the severity of impacts in this regard.

5.9 Hazards and Hazardous Materials

ENVIRONMENTAL IMPACTS Issues	New Potentially Significant Impact	New Impact Requiring Mitigation	No New Impact / No Impact	Reduced Impact
Would the project:				
a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?			X	
b) Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?			X	
c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?			X	
d) Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?			X	
e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard or excessive noise for people residing or working in the project area?			X	

ENVIRONMENTAL IMPACTS Issues	New Potentially Significant Impact	New Impact Requiring Mitigation	No New Impact / No Impact	Reduced Impact
f) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?			X	
g) Expose people or structures, either directly or indirectly, to a significant risk of loss, injury or death involving wildland fires?			X	

5.9.1 Discussion

Hazardous Substances (a – d)

Implementation of the Project may result in known and unknown hazardous materials being discovered or encountered at specific project sites.

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 City were built prior to 1980 and therefore may have friable asbestos containing materials (ACMs). 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. Therefore, it is likely that many of the older structures contain lead-based paint materials. Future development associated with the Project may include the demolition and removal of some of these structures.

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.

The General Plan concluded that implementation of the General Plan goal and policies, as well as enforcement of the local, State and federal regulations regarding the discover, use and transport of hazards and hazardous materials, would mitigate potential hazards and hazardous materials impacts to a [less than significant](#) level and no mitigation is required.

Implementation of the Project would result in a relatively minor increase in allowable density and be consistent with buildout-projections as identified in the General Plan. The Project

involves policy-level documents, and as such, does not include any site-specific development designs or proposals. Future development proposals associated with implementation of the Project would be required to comply with: 1) all applicable [Scotts Valley General Plan](#) goals, policies, and actions, 2) Federal, State and local regulations and development standards, 3) project- specific conditions and mitigation measures to reduce potential impacts.

Conclusion

No New Impact. The changes associated with the Project would not result in any new impacts or increase the severity of impacts in this regard.

Public Airport or Private Airstrip (e)

The City is not located within two miles of a public airport or public use airport, or within the vicinity of a private airstrip.

Conclusion

No Impact.

Emergency Response (f)

General Plan [Figure SN-6: Evacuation Routes](#), which extend along Mount Herman Road and Scotts Valley Drive and major collector streets. As described in the [Safety & Noise Element, Policy SN-4.1](#) required the City to coordinate emergency operations on a local and regional basis. The City's Emergency Operations Plan as well as emergency plans as prepared by other agencies including the Scotts Valley Fire Protection District and Santa Cruz County, form to basis for emergency preparedness and response.

The General Plan EIR concluded that implementation of [Policy SN-4.1](#) 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.

Implementation of the Project would result in a relatively minor increase in allowable density and be consistent with buildout-projections as identified in the General Plan. The Project involves policy-level documents, and as such, does not include any site-specific development designs or proposals. Future development proposals associated with implementation of the Project would be required to comply with: 1) all applicable [Scotts Valley General Plan](#) goals, policies, and actions, 2) Federal, State and local regulations and development standards, 3) project- specific conditions and mitigation measures to reduce potential impacts.

Conclusion

No New Impact. The changes associated with the Project would not result in any new impacts or increase the severity of impacts in this regard.

5.10 Hydrology and Water Quality

ENVIRONMENTAL IMPACTS Issues	New Potentially Significant Impact	New Impact Requiring Mitigation	No New Impact / No Impact	Reduced Impact
Would the project:				
a) Violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or groundwater quality?			X	
b) Substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the project may impede sustainable groundwater management of the basin?			X	
c) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river or through the addition of impervious surfaces, in a manner which would:			X	
i. Result in substantial erosion or siltation on- or off-site?			X	
ii. Substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or offsite?			X	
iii. 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?			X	
iv. Impede or redirect flood flows?			X	

ENVIRONMENTAL IMPACTS Issues	New Potentially Significant Impact	New Impact Requiring Mitigation	No New Impact / No Impact	Reduced Impact
d) In flood hazard, tsunami, or seiche zones, risk release of pollutants due to project inundation?			X	
e) Conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan?			X	

5.10.1 Discussion

Groundwater Supply and Demand (a and b)

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 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.

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 water quality in the Planning Area.

The General Plan EIR concluded that with implementation of the [Goal OSC-3](#) and associated 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.

Implementation of the Project would result in a relatively minor increase in allowable density and be consistent with buildout-projections as identified in the General Plan. The Project

involves policy-level documents, and as such, does not include any site-specific development designs or proposals. Future development proposals associated with implementation of the Project would be required to comply with: 1) all applicable [Scotts Valley General Plan](#) goals, policies, and actions, 2) Federal, State and local regulations and development standards, 3) project-specific conditions and mitigation measures to reduce potential impacts.

Conclusion

No New Impact. The changes associated with the Project would not result in any new impacts or increase the severity of impacts in this regard.

Stormwater Runoff (c and e)

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.

In cases where a future development project disturbs more than one acre of land, the project applicant is 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, some projects may be subject to state Tier 4 Post-Construction Requirements, which requires development projects to use Low Impact Development (LID) features and facilities to detain, retain, and treat site runoff.

State and local regulations also require future development to prepare a Stormwater Control Plan (SCP) that addresses potential impacts from stormwater runoff. The SCP includes project site-specific best management practices (BMPs) to control erosion and sedimentation and maintain water quality in accordance with the current edition of the City of Scotts Valley Stormwater Technical Guide. The BMPs address the construction and maintenance of storm drain inlets, irrigation and use of pesticides, maintenance of hardscapes, and maintenance of underground stormwater facilities.

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. Additionally, [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.

The General Plan EIR concluded that given [Goal OSC-3](#) and associated policies, and the fact that future project-specific applicants must comply with local and state regulations regarding construction and operations (e.g. SCP and SWPPP), the impacts from stormwater runoff would be [less than significant](#) and no mitigation is required.

Implementation of the Project would result in a relatively minor increase in allowable density and be consistent with buildout-projections as identified in the General Plan. The Project involves policy-level documents, and as such, does not include any site-specific development designs or proposals. Future development proposals associated with implementation of the Project would be required to comply with: 1) all applicable [Scotts Valley General Plan](#) goals, policies, and actions, 2) Federal, State and local regulations and development standards, 3) project-specific conditions and mitigation measures to reduce potential impacts.

Conclusion

No New Impact. The changes associated with the Project would not result in any new impacts or increase the severity of impacts in this regard.

Floodplains, Seiche, Tsunami and Mudflow Related Hazards (d)

The City is not subject to inundation by seiche, tsunami, or mudflow nor located on or near a lake or ocean coastline. Therefore, there would be **no impact**.

5.11 Land Use and Planning

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

5.11.1 Discussion

Physically Divide and Established Community (a)

The City of Scotts Valley is a compact urban community that is surrounded by natural barriers to outward expansion. Developable areas within the City limits are largely built out. As an established community, new development would be considered infill development, both on

limited remaining vacant lands or intensification and/or redevelopment on underutilized parcels.

As described in the [Land Use Element](#), [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.

The General Plan EIR concluded that because future development would be within an established community, impacts would be [less than significant](#), and no mitigation is required.

Implementation of the Project would result in a relatively minor increase in allowable density and be consistent with buildout-projections as identified in the General Plan. The Project involves policy-level documents, and as such, does not include any site-specific development designs or proposals. Future development proposals associated with implementation of the Project would be required to comply with: 1) all applicable [Scotts Valley General Plan](#) goals, policies, and actions, 2) Federal, State and local regulations and development standards, 3) project-specific conditions and mitigation measures to reduce potential impacts.

Conclusion

No New Impact. The changes associated with the Project would not result in any new impacts or increase the severity of impacts in this regard.

Conflict with Any Land Use Plan or Regulation (b)

As shown in [Table LU-1: General Plan Buildout Summary](#), the General Plan assumes a moderate growth rate that is 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.

The General Plan EIR concluded that no substantially new land use designations are proposed, and future development applications would be reviewed for consistency with the General Plan, other relevant City plans, and impacts would be [less than significant](#) and no mitigation is required.

Implementation of the Project would result in a relatively minor increase in allowable density and be consistent with buildout-projections as identified in the General Plan. The Project involves policy-level documents, and as such, does not include any site-specific development designs or proposals. Future development proposals associated with implementation of the

Project would be required to comply with: 1) all applicable [Scotts Valley General Plan](#) goals, policies, and actions, 2) Federal, State and local regulations and development standards, 3) project-specific conditions and mitigation measures to reduce potential impacts.

Conclusion

No New Impact. The changes associated with the Project would not result in any new impacts or increase the severity of impacts in this regard.

5.12 Mineral Resources

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

5.12.1 Discussion

There are no active mines or quarries or known mapped oil or gas fields in the City.

Conclusion

No Impact.

5.13 Noise

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

5.13.1 Discussion

Ambient Noise Levels (a)

Future development associated with the Project would result in temporary increases in ambient noise levels due to construction activities and long-term increases in ambient noise levels due to operations, primarily from traffic.

Construction Noise Levels

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.

The General Plan [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.

The General Plan concluded that with implementation of the General Plan policies and City 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

As described in the General Plan [Safety & Noise Element](#), 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 General Plan [Figure SN-7: Noise Contours](#), future noise levels adjacent to major roadways and Highway 17 would remain relatively unchanged as compared to existing conditions, due to the fact that traffic is the most significant contributor to ambient noise levels and minor increase in traffic associated with future development would not cause a significant change in noise levels.

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 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, **Policy SN-7.5**, requires that 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.

The General Plan EIR concluded that with implementation of the General Plan, as well as future project-level environmental review, exposure to long-term noise levels would be considered **less than significant** and no mitigation is required.

Implementation of the Project would result in a relatively minor increase in allowable density and be consistent with buildout-projections as identified in the General Plan. The Project involves policy-level documents, and as such, does not include any site-specific development designs or proposals. Future development proposals associated with implementation of the Project would be required to comply with: 1) all applicable **Scotts Valley General Plan** goals, policies, and actions, 2) Federal, State and local regulations and development standards, 3) project-specific conditions and mitigation measures to reduce potential impacts.

Conclusion

No New Impact. The changes associated with the Project would not result in any new impacts or increase the severity of impacts in this regard.

Exposure to Groundborne Vibrations (b)

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.

General Plan EIR **Table ER-N-1: Typical Vibration Levels for Construction Equipment**, identifies 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. The General Plan EIR concluded at these distances; 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.

Implementation of the Project would result in a relatively minor increase in allowable density and be consistent with buildout-projections as identified in the General Plan. The Project involves policy-level documents, and as such, does not include any site-specific development designs or proposals. Future development proposals associated with implementation of the Project would be required to comply with: 1) all applicable [Scotts Valley General Plan](#) goals, policies, and actions, 2) Federal, State and local regulations and development standards, 3) project-specific conditions and mitigation measures to reduce potential impacts.

Conclusion

No New Impact. The changes associated with the Project would not result in any new impacts or increase the severity of impacts in this regard.

Airport or Private Airstrip Noise (c)

The Project site is not located within any airport noise impact contours and not located within the vicinity of any private air strip.

Conclusion

No Impact.

5.14 Population and Housing

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

5.14.1 Discussion

Unplanned Population Growth (a)

The General Plan is a long-term planning document that is 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 moderate growth rate that is 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 Initial Study.

The General Plan concluded that 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.

Implementation of the Project would result in a relatively minor increase in allowable density and be consistent with buildout-projections as identified in the General Plan. The Project involves policy-level documents, and as such, does not include any site-specific development designs or proposals. Future development proposals associated with implementation of the Project would be required to comply with: 1) all applicable [Scotts Valley General Plan](#) goals, policies, and actions, 2) Federal, State and local regulations and development standards, 3) project-specific conditions and mitigation measures to reduce potential impacts.

Conclusion

No New Impact. The changes associated with the Project would not result in any new impacts or increase the severity of impacts in this regard.

Displacement of People or Housing

As an established community, new development accommodated by the Project would be considered infill development, both on limited remaining vacant lands or intensification and/or redevelopment on underutilized parcels. Thus, Project development would be within an

established community and would not displace a substantial number of existing people or housing.

Conclusion

No Impact.

5.15 Public Services

ENVIRONMENTAL IMPACTS Issues	New Potentially Significant Impact	New Impact Requiring Mitigation	No New Impact / No Impact	Reduced Impact
Would the project result in:				
a) Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services:				
i) Fire protection?			X	
ii) Police protection?			X	
iii) Schools?			X	
iv) Parks?			X	
v) Other public facilities?			X	

5.15.1 Discussion

Fire and Police Services (a-i and -ii)

Fire and police services in the City are provided by the Scotts Valley Fire Protection District and the Scotts Valley Police Department.

The General Plan [Community Services & Facilities Element](#) found that future 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 set forth measures to provide high-quality emergency services for Scotts Valley and avoid and minimize adverse impacts on police and fire protection services.

The General Plan EIR concluded that given the modest population increase over time and implementation of [Goal CSF-2](#) and associated policies, indirect impacts on police and fire protection services would be [less than significant](#) and no mitigation is required.

Implementation of the Project would result in a relatively minor increase in allowable density and be consistent with buildout-projections as identified in the General Plan. The Project involves policy-level documents, and as such, does not include any site-specific development designs or proposals. Future development proposals associated with implementation of the Project would be required to comply with: 1) all applicable [Scotts Valley General Plan](#) goals, policies, and actions, 2) Federal, State and local regulations and development standards, 3) project-specific conditions and mitigation measures to reduce potential impacts.

Conclusion

No New Impact. The changes associated with the Project would not result in any new impacts or increase the severity of impacts in this regard.

Schools (a-iii)

The Scotts Valley Unified School District (SVUSD) operates the public school system within City of Scotts Valley. SVUSD administers two elementary schools (Vine Hill Elementary and Brook Knoll Elementary), Scotts Valley Middle School, and Scotts Valley High School.

General Plan [Goal CSF-4](#) and associated policies 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.

The General Plan EIR concluded that 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.

Implementation of the Project would result in a relatively minor increase in allowable density and be consistent with buildout-projections as identified in the General Plan. The Project involves policy-level documents, and as such, does not include any site-specific development designs or proposals. Future development proposals associated with implementation of the Project would be required to comply with: 1) all applicable **Scotts Valley General Plan** goals, policies, and actions, 2) Federal, State and local regulations and development standards, 3) project-specific conditions and mitigation measures to reduce potential impacts.

Conclusion

No New Impact. The changes associated with the Project would not result in any new impacts or increase the severity of impacts in this regard.

Parks and Recreation Facilities (a-iv)

The City of Scotts Valley Parks and Recreation Department provides parks, recreation facilities, and recreation programs for the community. The Parks and Recreation Department maintains seven parks and recreational facilities in the City.

General Plan **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.

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.

The General Plan concluded that 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.

Implementation of the Project would result in a relatively minor increase in allowable density and be consistent with buildout-projections as identified in the General Plan. The Project involves policy-level documents, and as such, does not include any site-specific development designs or proposals. Future development proposals associated with implementation of the Project would be required to comply with: 1) all applicable **Scotts Valley General Plan** goals, policies, and actions, 2) Federal, State and local regulations and development standards, 3) project-specific conditions and mitigation measures to reduce potential impacts.

Conclusion

No New Impact. The changes associated with the Project would not result in any new impacts or increase the severity of impacts in this regard.

Other Public Facilities

Implementation of the Project would result in a relatively minor increase in allowable density and be consistent with buildout-projections as identified in the General Plan. The Project involves policy-level documents, and as such, does not include any site-specific development designs or proposals. Future development proposals associated with implementation of the Project would be required to comply with: 1) all applicable [Scotts Valley General Plan](#) goals, policies, and actions, 2) Federal, State and local regulations and development standards, 3) project-specific conditions and mitigation measures to reduce potential impacts.

Conclusion

No New Impact. The changes associated with the Project would not result in any new impacts or increase the severity of impacts in this regard.

5.16 Transportation

ENVIRONMENTAL IMPACTS Issues	New Potentially Significant Impact	New Impact Requiring Mitigation	No New Impact / No Impact	Reduced Impact
Would the project:				
a) Conflict with a program plan, ordinance or policy addressing the circulation system, including transit, roadway, bicycle and pedestrian facilities?			X	
b) Would the project conflict or be inconsistent with CEQA Guidelines section 15064.3, subdivision (b)?			X	
c) Substantially increase hazards due to a geometric design feature (e.g., sharp curves or dangerous			X	

ENVIRONMENTAL IMPACTS Issues	New Potentially Significant Impact	New Impact Requiring Mitigation	No New Impact / No Impact	Reduced Impact
intersections) or incompatible uses (e.g., farm equipment)?				
d) Result in inadequate emergency access?			X	

5.16.1 Discussion

Conflict with City Policies or Programs(a)

The [Mobility Element](#) of the General Plan is 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. The General Plan EIR concluded that there would be no conflict with City policies or programs and therefore there would be [no impact](#).

Implementation of the Project would result in a relatively minor increase in allowable density and be consistent with buildout-projections as identified in the General Plan. The Project involves policy-level documents, and as such, does not include any site-specific development designs or proposals. Future development proposals associated with implementation of the Project would be required to comply with: 1) all applicable [Scotts Valley General Plan](#) goals, policies, and actions, 2) Federal, State and local regulations and development standards, 3) project-specific conditions and mitigation measures to reduce potential impacts.

Conclusion

No New Impact. The changes associated with the Project would not result in any new impacts or increase the severity of impacts in this regard.

Increase Vehicle Miles Travelled (b)

Vehicle Miles Traveled (VMT) is a measure of total vehicular travel that accounts for the number of vehicle trips and the length of those trips. The City of Scotts Valley's [VMT Implementation Guidelines](#) (Kimley-Horn and Associates, August 2023) establishes VMT significance criteria for CEQA analysis.

The VMT Implementation includes screening criteria to avoid unnecessary analysis and findings for non-significant transportation impacts. Small projects that generate less than 110 trips per day are exempt from VMT analysis. However, upon issuance of the building permit, the project would be required to pay a City traffic impact fee.

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 the 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 VMT under CEQA and prohibit such projects unless:

There are no feasible mitigation measures available that would reduce the impact to a less than significant level; and 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, the General Plan EIR concluded that 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](#).

Implementation of the Project would result in a relatively minor increase in allowable density and be consistent with buildout-projections as identified in the General Plan. The Project involves policy-level documents, and as such, does not include any site-specific development designs or proposals. Future development proposals associated with implementation of the Project would be required to comply with: 1) all applicable [Scotts Valley General Plan](#) goals,

policies, and actions, 2) Federal, State and local regulations and development standards, 3) project- specific conditions and mitigation measures to reduce potential impacts.

Conclusion

No New Impact. The changes associated with the Project would not result in any new impacts or increase the severity of impacts in this regard.

It is noted that impacts associated with implementation of the Project 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 remain significant and unavoidable. Therefore, there would be **no new impact**.

Roadway Hazards and Emergency Access (c and d)

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. Therefore, the General Plan EIR concluded that there would be **no impact**.

Access via public roadways to future development associated with the Project would remain unchanged and would be adequate for emergencies.

Conclusion

No Impact.

5.17 Tribal Cultural Resources

ENVIRONMENTAL IMPACTS Issues	New Potentially Significant Impact	New Impact Requiring Mitigation	No New Impact / No Impact	Reduced Impact
Would the project:				
a) 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			X	

ENVIRONMENTAL IMPACTS Issues	New Potentially Significant Impact	New Impact Requiring Mitigation	No New Impact / No Impact	Reduced Impact
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:				
i) 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)?			X	
ii) 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?			X	
b) 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			X	

ENVIRONMENTAL IMPACTS Issues	New Potentially Significant Impact	New Impact Requiring Mitigation	No New Impact / No Impact	Reduced Impact
that is: i) Listed or eligible for listing in the California				

5.17.1 Discussion

Tribal Consultation (a and b)

The California Public Resources Code section 21084.2 establishes that “[a] project with an effect that may cause a substantial adverse change in the significance of a tribal cultural resource is a project that may have a significant effect on the environment.” The requirements for review of impacts to tribal cultural resources (TCR) require that the City provide notice of specific development projects to local Native American tribes in accordance with AB 52 and to determine whether tribal cultural resource(s) are present within the project area, and if so, whether or not those resources would be significantly impacted by the project.

Assembly Bill (AB) 52 requires that California lead agencies consult with a California Native American tribe that is traditionally and culturally affiliated with the geographic area of a project, if so, requested by the tribe. AB 52 also specifies that a project with an effect that may cause a substantial adverse change in the significance of a tribal cultural resource (TCR) is a project that may have a significant effect on the environment. Defined in Section 21074(a) of the Public Resources Code, a TCR is a site feature, place, cultural landscape, sacred place, or object, which is of cultural value to a California Native American tribe and is either listed in or eligible for listing in the California Register of Historical Resources or a local historic register, or the lead agency, at its discretion, chooses to treat the resource as a TCR.

Because the General Plan is a programmatic document that does not propose specific development projects, no consultation is required.

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

Conclusion

No Impact.

5.18 Utilities and Service Systems

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

5.18.1 Discussion

Utilities and Treatment Facilities (a and c)

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

The General Plan EIR concluded that 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.

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

Future development proposals would also be required to install or relocate, as applicable, on-site and off-site water, wastewater, storm drain, street, electricity, natural gas, and telecommunications infrastructure to serve the development.

Implementation of the Project would result in a relatively minor increase in allowable density and be consistent with buildout-projections as identified in the General Plan. The Project involves policy-level documents, and as such, does not include any site-specific development designs or proposals. Future development proposals associated with implementation of the Project would be required to comply with: 1) all applicable **Scotts Valley General Plan** goals, policies, and actions, 2) Federal, State and local regulations and development standards, 3) project-specific conditions and mitigation measures to reduce potential impacts.

Conclusion

No New Impact. The changes associated with the Project would not result in any new impacts or increase the severity of impacts in this regard.

Water Supply (b)

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

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.

The General Plan EIR concluded that projected future water demand would not exceed the potable system capacity and no new infrastructure in support of the new development would be required and impacts would be **less than significant** and no mitigation is required.

Adoption and implementation of the Project would not adversely affect the ability of the domestic water providers - SVWD or the SLVWD - to have sufficient water supplies available during normal, dry, and multiple dry year conditions for future development associated with implementation of the Project.

Implementation of the Project would result in a relatively minor increase in allowable density and be consistent with buildout-projections as identified in the General Plan. The Project involves policy-level documents, and as such, does not include any site-specific development designs or proposals. Future development proposals associated with implementation of the Project would be required to comply with: 1) all applicable **Scotts Valley General Plan** goals, policies, and actions, 2) Federal, State and local regulations and development standards, 3) project-specific conditions and mitigation measures to reduce potential impacts.

Conclusion

No New Impact. The changes associated with the Project would not result in any new impacts or increase the severity of impacts in this regard.

Solid Waste (d and e)

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.

General Plan **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. The General Plan EIR concluded that 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 solid waste disposal facilities and impacts would be **less than significant** and no mitigation is required.

Implementation of the Project would result in a relatively minor increase in allowable density and be consistent with buildout-projections as identified in the General Plan. The Project involves policy-level documents, and as such, does not include any site-specific development designs or proposals. Future development proposals associated with implementation of the Project would be required to comply with: 1) all applicable **Scotts Valley General Plan** goals, policies, and actions, 2) Federal, State and local regulations and development standards, 3) project-specific conditions and mitigation measures to reduce potential impacts.

Conclusion

No New Impact. The changes associated with the Project would not result in any new impacts or increase the severity of impacts in this regard.

5.19 Wildfire

ENVIRONMENTAL IMPACTS Issues	New Potentially Significant Impact	New Impact Requiring Mitigation	No New Impact / No Impact	Reduced Impact
If located in or near state responsibility areas or lands classified as very high fire hazard severity zones, would the project:				
a) Substantially impair an adopted emergency response plan or emergency evacuation plan?			X	
b) 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?			X	
c) 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			X	

ENVIRONMENTAL IMPACTS Issues	New Potentially Significant Impact	New Impact Requiring Mitigation	No New Impact / No Impact	Reduced Impact
result in temporary or ongoing impacts to the environment?				
d) 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?			X	

5.19.1 Discussion

Impair an Adopted Emergency Response/Evacuation Plan (a)

Similar to the [no impact](#) conclusions in the General Plan EIR, implementation of the Project would not directly result in new development nor significant change existing land uses. [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.

Conclusion

No Impact.

Wildfire Risks (b)

Similar to the conclusions in the General Plan EIR, implementation of the Project would not directly result in new development nor significant change existing land uses. [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-1.7: 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.

In February of 2025, California issued a revised map identifying Fire Hazard Severity Zones (FHSZ) in Local Responsibility Areas for the City of Scotts Valley. As shown in [Figure 6 Local Responsibility Area Fire Hazard Severity Zones](#), upland areas surrounding the more urbanized valley floor are identified as “High” or “Moderate” FHSZs and will require compliance with General Plan [Policy SN-1.13](#) and other applicable City and State fire protection requirements.

The General Plan EIR concluded that 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.

Future development associated with the Project would expose people or structures to a significant risk of loss, injury or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands. Implementation the relevant General Plan policies would help reduce impacts.

Implementation of the Project would result in a relatively minor increase in allowable density and be consistent with buildout-projections as identified in the General Plan. The Project involves policy-level documents, and as such, does not include any site-specific development designs or proposals. Future development proposals associated with implementation of the Project would be required to comply with: 1) all applicable [Scotts Valley General Plan](#) goals, policies, and actions, 2) Federal, State and local regulations and development standards, 3) project- specific conditions and mitigation measures to reduce potential impacts.

Conclusion

No New Impact. The changes associated with the Project would not result in any new impacts or increase the severity of impacts in this regard.

Installation or Maintenance of Infrastructure That May Exacerbate Fire Risk (c and d)

As noted above, the General Plan includes goals, policies, and actions relative to state responsibility areas.

The California Department of Forestry and Fire Protection (CAL FIRE) is focused on fire protection and stewardship of over 31 million acres of California's privately-owned wildlands. Preventing wildfires in the State Responsibility Area (SRA) is a key component of CAL FIRE's mission, and in more recent decades, CAL FIRE has adapted to the evolving destructive wildfires and succeeded in significantly increasing its efforts in fire prevention. CAL FIRE's Fire Prevention Program consists of multiple activities including wildland pre-fire engineering, vegetation management, fire planning, education and law enforcement. Typical fire prevention projects

include brush clearance, prescribed fire, defensible space inspections, emergency evacuation planning, fire prevention education, fire hazard severity mapping, and fire-related law enforcement activities. The Office of the State Fire Marshall has the responsibility for Fire and Resource Assessment Program (FRAP), inclusive of the fund preparing the Fire Hazard Severity Zone (FHSZ) mapping.

CAL FIRE has mapped the relative wildfire risk in areas of large population by intersecting residential housing density with proximate fire threat according to three risk levels, namely Moderate, High, and Very High. Wildfires are large-scale brush and grass fires in undeveloped areas. As shown in General Plan EIR [Figure SN-1: Fire Hazard Area](#), portions of the hillside areas of the City are located in Fire Hazard Areas within a Local Responsibility Area (LRA). Per the updated CAL Fire Santa Cruz County State Responsibility Area (SRA) Fire Hazard Severity Zones dated June 15, 2023, the City of Scotts Valley is not located within a Local SRA but is located within a Fire Protection Responsibility Area (Non-SRA) – Local Responsibility Area.² The City of Scotts Valley is outside a State Responsibility Area (SRA) per Fire Hazard Severity Zones viewer in State Responsibility Area.³

The General Plan EIR concluded that 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.

Implementation of the Project would result in a relatively minor increase in allowable density and be consistent with buildout-projections as identified in the General Plan. The Project involves policy-level documents, and as such, does not include any site-specific development designs or proposals. Future development proposals associated with implementation of the Project would be required to comply with: 1) all applicable [Scotts Valley General Plan](#) goals, policies, and actions, 2) Federal, State and local regulations and development standards, 3) project- specific conditions and mitigation measures to reduce potential impacts.

Conclusion

No New Impact. The changes associated with the Project would not result in any new impacts or increase the severity of impacts in this regard.

² CAL FIRE, [Fire Hazard Severity Zones in State Responsibility Area - Santa Cruz County \(ca.gov\)](#), accessed March 27, 2025.

³ CAL FIRE, [Fire Hazard Severity Zones \(ca.gov\)](#), accessed March 27, 2025

5.20 Mandatory Conclusion of Significance

ENVIRONMENTAL IMPACTS Issues	New Potentially Significant Impact	New Impact Requiring Mitigation	No New Impact / No Impact	Reduced Impact
Does the project:				
a) Have the potential to substantially degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, substantially reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?			X	
b) Does the project have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects)?			X	
c) Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?			X	

5.20.1 Discussion

As discussed in the individual sections, the Project would not degrade the quality of the environment, including effects on animals or plants.

As described in the Biological Resources section, the project would comply with the City of Scotts Valley Zoning Ordinance [Section 17.44.080 Tree Protection Regulation](#) which regulates the protection and removal of protected trees.

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. This includes retaining a Professional Archaeologist on an “on-call” basis during ground disturbing construction to review, identify and evaluate any potential cultural resources that may be inadvertently exposed during construction.

As described in the environmental resource sections of this Initial Study, the project would not have environmental effects that would cause substantial adverse effects on human beings, either directly or indirectly.

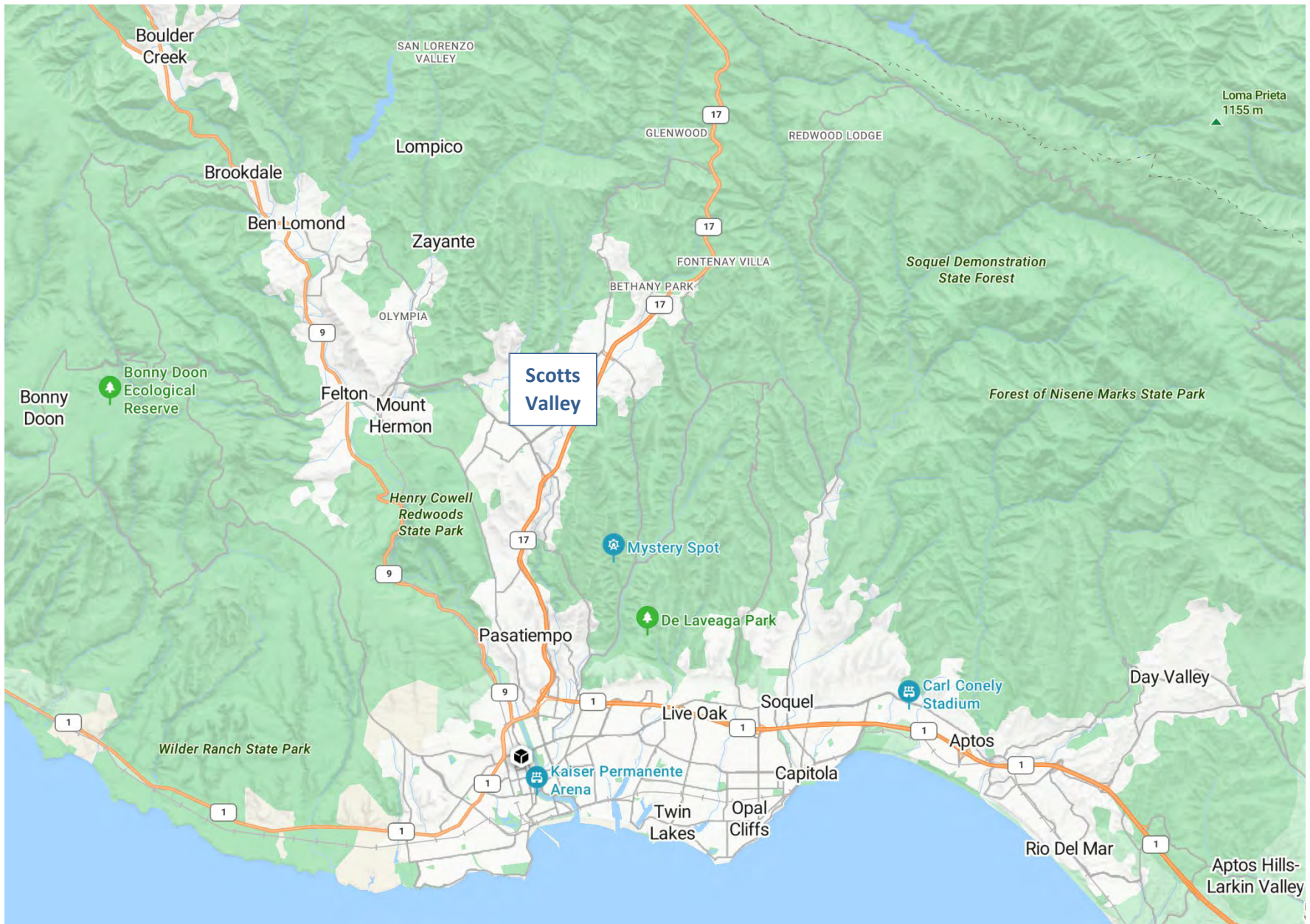
The Project would result in temporary air quality and noise impacts during construction. With the implementation of the identified Standard Conditions of Approval, and consistency with adopted City policies, construction impacts associated with future development would be mitigated to a less than significant level. As described above, these impacts would be temporary, and the project would not have cumulatively considerable impacts on air quality and noise impacts.

The Project would not cause a significant impact on the environmental resources and would not contribute to cumulative impacts to these resources. Therefore, the project would not cause a cumulatively considerable impact and no mitigation is required.

Implementation of the Project would result in a relatively minor increase in allowable density and be consistent with buildout-projections as identified in the General Plan. The Project involves policy-level documents, and as such, does not include any site-specific development designs or proposals. Future development proposals associated with implementation of the Project would be required to comply with: 1) all applicable [Scotts Valley General Plan](#) goals, policies, and actions, 2) Federal, State and local regulations and development standards, 3) project- specific conditions and mitigation measures to reduce potential impacts.

Conclusion

No New Impact. The changes associated with the Project would not result in any new impacts or increase the severity of impacts in this regard.



Source: Microsoft Bing Maps, 2025

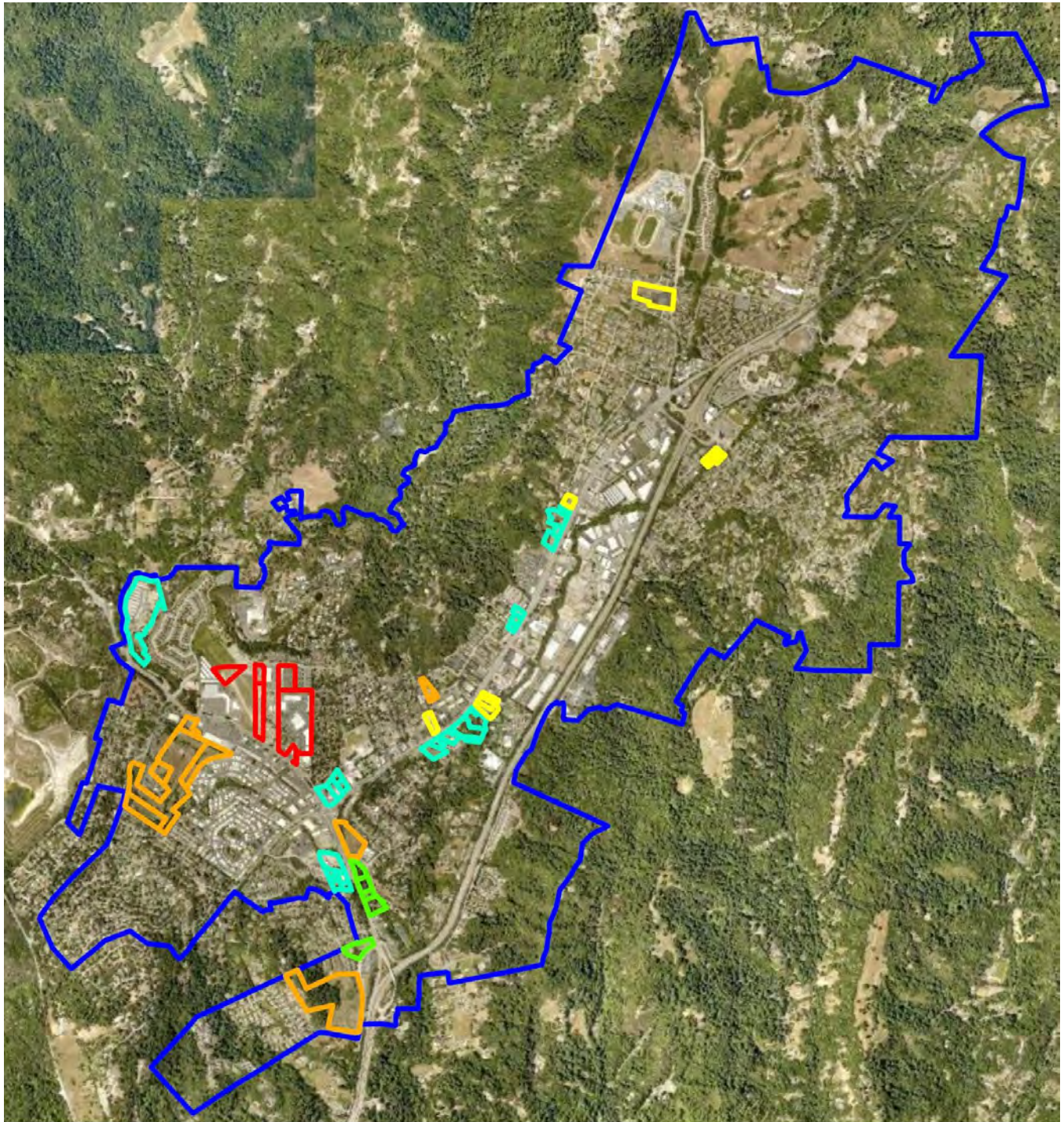


Not to scale

Figure 1 Regional Location

Addendum to the General Plan EIR for the 6th Cycle Housing Element 2023-2031

Initial Study



Site Categories

- Pipeline Project
- Town Center
- Existing Residential Capacity
- Mixed-Use Rezone
- Residential Rezone

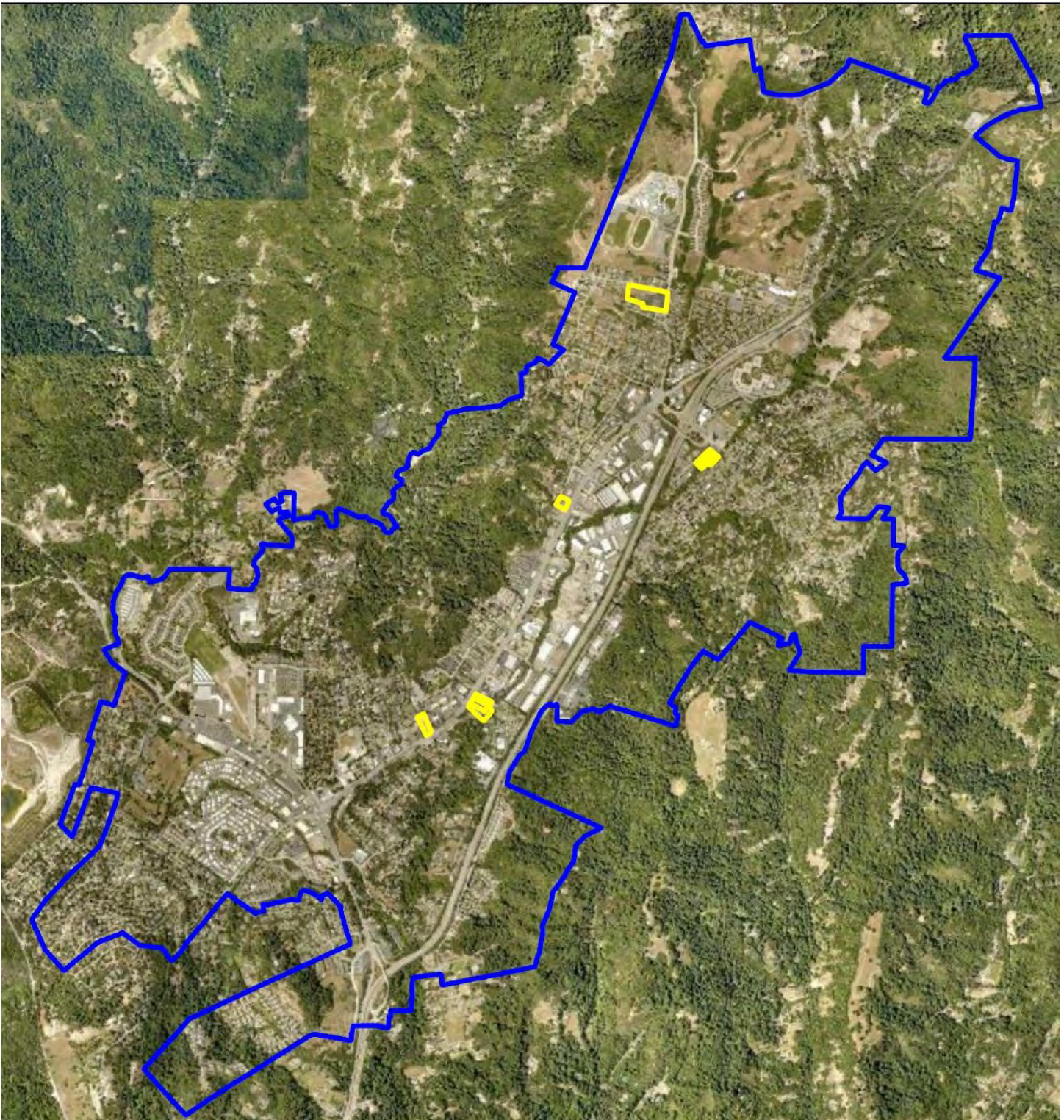
Source: City of Scotts Valley 6th Cycle Housing Element 2023-2031, 2023



Figure 2: 6th Cycle Housing Element Sites Inventory – All Sites

Addendum to the General Plan EIR for the 6th Cycle Housing Element 2023-2031

Initial Study



 Residential Rezone

Source: City of Scotts Valley 6th Cycle Housing Element 2023-2031, 2023

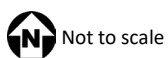
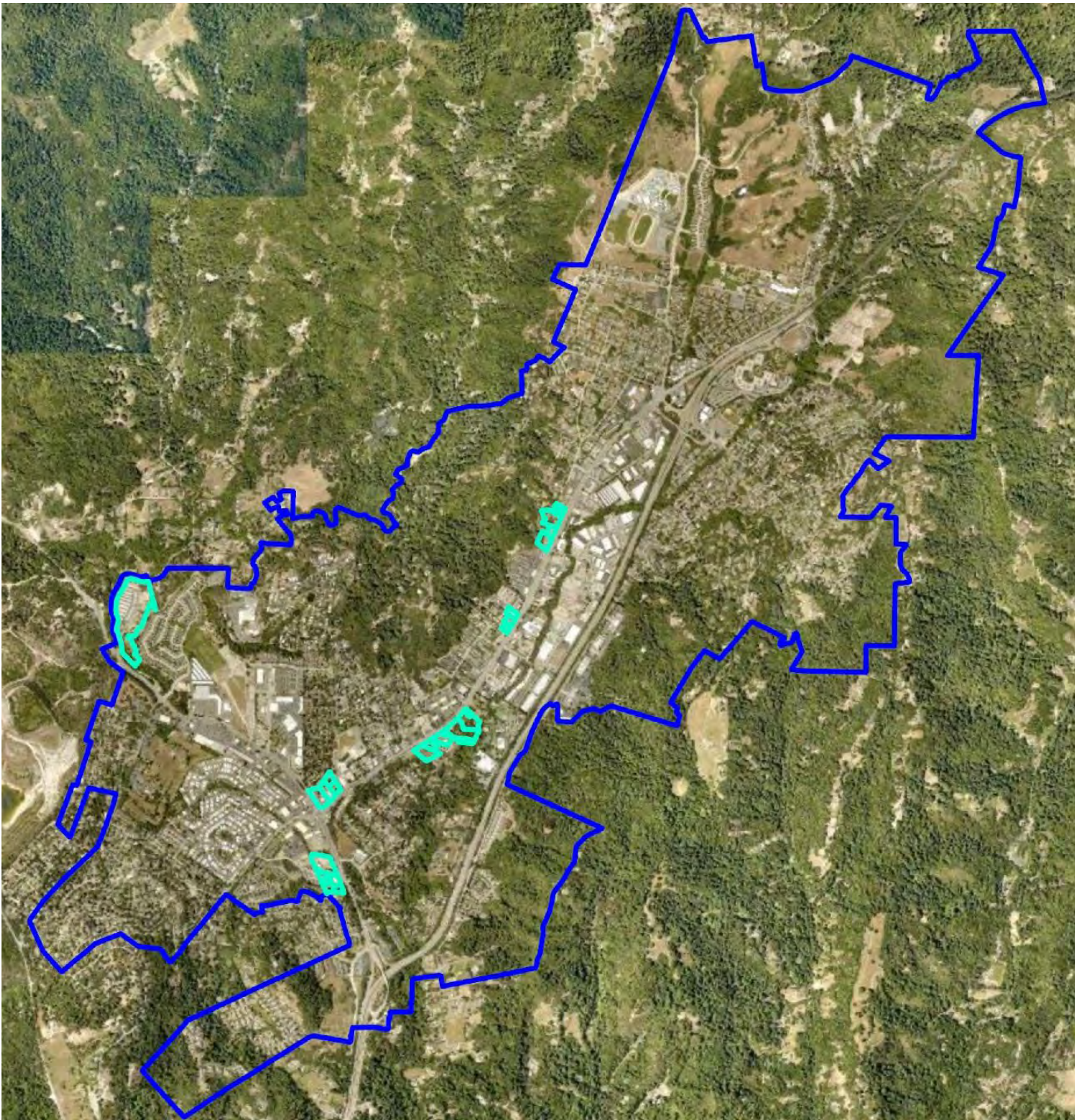


Figure 3 Residential Rezone Sites

Addendum to the General Plan EIR for the 6th Cycle Housing Element 2023-2031
Initial Study



 Mixed-Use Rezone

Source: City of Scotts Valley 6th Cycle Housing Element 2023-2031, 2023

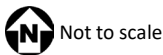
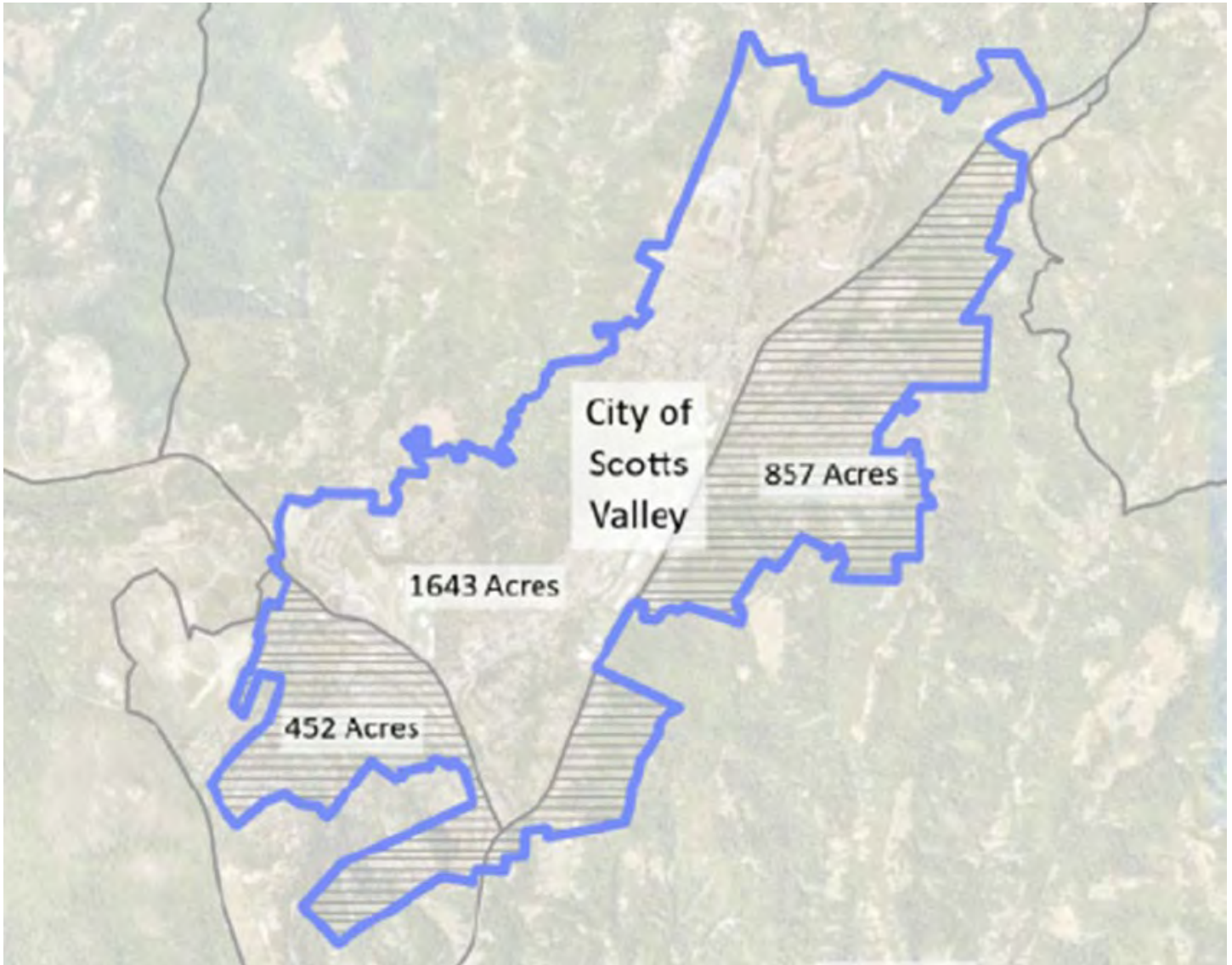


Figure 4 Mixed-Use Rezone Sites
Addendum to the General Plan EIR for the 6th Cycle Housing Element 2023-2031
Initial Study



Source: City of Scotts Valley 6th Cycle Housing Element 2023-2031, 2023

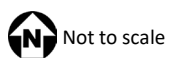
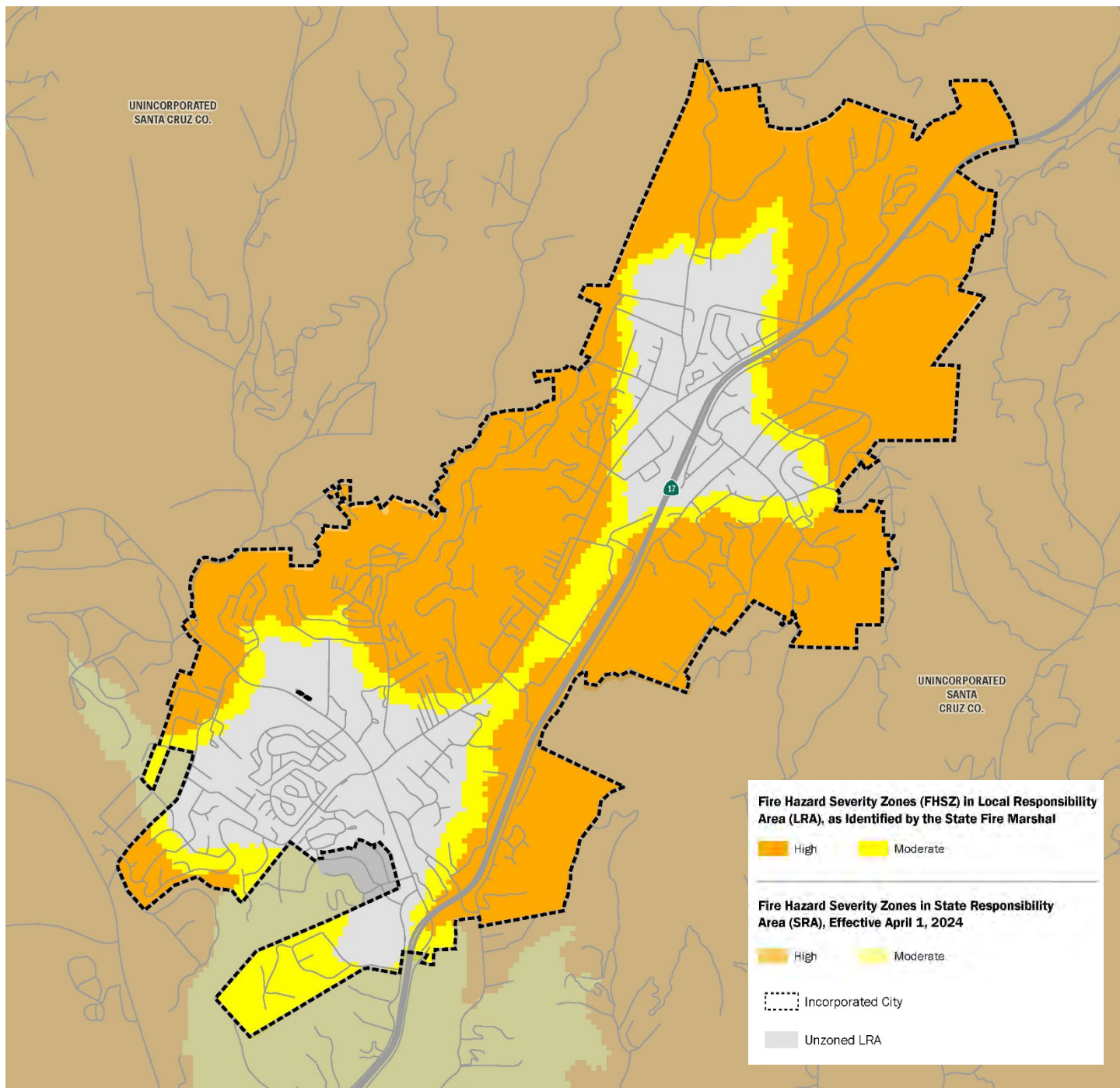


Figure 5 Racially Concentrated Areas of Affluence (RCAs)

Addendum to the General Plan EIR for the 6th Cycle Housing Element 2023-2031

Initial Study



Source: Cal Fire, 2025



Not to scale

Figure 6 Local Responsibility Area Fire Hazard Severity Zones

Addendum to the General Plan EIR for the 6th Cycle Housing Element 2023-2031

Initial Study

**City of Scotts Valley
PLANNING COMMISSION
STAFF REPORT**

Date: March 13, 2025

Location: City-wide

General Plan/Zoning: All designations/zones

Request: Hold study session to provide input on Zoning Ordinance amendments to implement Housing Element programs

Staff Planner: Ben Noble, Consultant

STAFF RECOMMENDATION

The City is preparing amendments to the Zoning Ordinance to implement Housing Element programs. Staff requests Planning Commission feedback on a recommended approach to these amendments.

BACKGROUND

On December 20, 2023, the City Council adopted the 2023-2031 Housing Element of the General Plan (Housing Element). The Housing Element is the foundation for City housing policy as required by state law. The Housing Element includes programs with actions that the City must complete within a specified timeframe.

On December 4, 2024, the City Council adopted Zoning Ordinance amendments required by the Housing Element to be completed in 2024. These amendments addressed accessory dwelling units, by-right development, design review criteria, and other topics.

The Housing Element requires the City to complete additional Zoning Ordinance amendments in 2025. These include amendments to remove residential development constraints, incentivize development on large lots, incentivize lot consolidation, implement fair housing laws, and other topics. Further amendments that must be completed in 2026 include housing opportunity site rezoning and inclusionary housing ordinance revisions.

DISCUSSION

City staff is in the process of drafting the Zoning Ordinance amendments required by the Housing Element. Later this year, the Planning Commission will review all Zoning Ordinance amendments which must be completed in 2025.

To assist with the Zoning Ordinance amendment drafting process, staff requests preliminary Planning Commission feedback on amendments that address the following three topics:

1. Rezoning to Meet the RHNA
2. Residential Development Standards
3. Affirmatively Furthering Fair Housing

For each topic, the discussion below provides background information and proposes an approach. Staff request Planning Commission feedback on the proposed approach for each topic. Staff will use this input to help prepare draft Zoning Ordinance amendments for Planning Commission review at a future meeting.

Topic 1: Rezoning to Meet the RHNA

Scotts Valley has a regional housing needs allocation (RHNA) of 1,220 units for the 2023-2031 planning period. State law requires the Housing Element to identify adequate sites to accommodate this RHNA across all income levels. To provide adequate sites, Housing Element Program H-1.1 requires the City to rezone 35 properties to allow a residential density of 40 units per acre.

As shown in Figures 1 and 2, seven of these sites are “residential rezones” and 35 sites are “mixed-use rezones.” On a residential rezone site, the City must allow residential-only development (no commercial component required). On a mixed-use rezone site, the City may require residential development to include a commercial component but must allow projects with up to 70 percent residential floor area. On all rezone sites, the City must permit up to 40 dwelling units per acre with development standards (e.g., building height, lot coverage, setbacks) that allow for this density.

All but three rezone sites are currently zoned Service Commercial (C-S). Additional information about the sites can be found in Housing Element Appendix F.

Figure 1: Residential Rezone Sites



Figure 2: Mixed Use Rezone Sites



 Mixed-Use Rezone

Proposed Amendments:

In 2024 the City adopted Zoning Ordinance amendments with a new Housing Element Opportunity Site (HE) combining district. The HE combining district, found in Chapter 17.41, establishes a by-right permitting process for Housing Element sites where required by state law. The HE combining district, as established in 2024, applies to the 35 rezone sites.

To implement Housing Element Program H-1.1, the proposed approach would modify the HE combining district to 1) allow a maximum density of 40 units per acre on the 35 rezone sites;

and 2) adjust other development standards as needed to accommodate this density. As required by Program H-1.1, the following provisions will apply to the rezone sites:

- Maximum density: 40 du/ac.
- Required commercial component on mixed-use rezone sites, with at least 30 percent total project floor area commercial.
- Allowed residential-only development (no commercial) on residential rezone sites.
- Increased building coverage from 45 percent to 60 percent to accommodate residential densities of up to 40 du/ac. Building coverage means the percentage of the lot occupied by a main or accessory building.
- Increased height to allow four-story development on parcels fronting Scotts Valley Drive and Mount Hermon Road (to accommodate 40 du/ac).
- Ability for applicant to request deviation from development standards that physically preclude construction of the housing development at its proposed density (maximum 40 du/ac).

The above provisions would apply only to the rezone sites. As discussed below, different standards apply to properties that are not rezone sites.

Topic 2: Residential Development Standards

Housing Element Program H-1.6 calls for the City to study existing residential development standards and to determine if these standards are a potential constraint to housing production. Program H-1.6 also states that the City shall adopt Zoning Ordinance amendments, if needed, to address and remove these constraints. These amendments would apply citywide in all areas, not just on the rezone sites or in the HE combining district.

Residential development standards include maximum density, minimum lot size and dimensions, minimum setbacks, maximum building and site coverage, maximum building heights, and minimum on-site parking.

Housing Element Appendix C analyzes governmental constraints to housing production in Scotts Valley, including development standards in the Zoning Ordinance. This analysis concludes that the minimum building coverage standard (45 percent and 35 percent, respectively) constrains mixed-use housing development at 20 units per acre. Required multifamily parking (two parking spaces per multifamily unit, plus one guest space per five units) also constrains multifamily and mixed-use development at 20 units per acre. Other development standards do not constrain residential development at permitted densities.

Proposed Amendments:

To implement Housing Element Program H-1.6, the proposed amendments would increase the maximum building coverage in the C-S and C-SC zones to 50 percent (outside of the HE combining district). Within the HE combining district (as discussed above), the maximum permitted building coverage would increase to 60 percent to allow for development at 40 units per acre.

The proposed amendments also include changes to required parking spaces. Table 1 shows existing and proposed residential parking requirements. No changes are proposed for single-family dwellings and townhomes. As required by Program H-1.6, two spaces would be

required for multifamily dwellings with three or more bedrooms. One space would be required for studio and one-bedroom units, and 1.5 spaces for two-bedroom units.

Table 1: Existing and Proposed New Required Parking Spaces

	Existing	Proposed New
Single-family Dwellings	3 spaces per unit (2-car garage + 1 additional covered or uncovered space)	No change
Townhomes*	2 spaces per unit plus one additional space for every five units	No change
Multifamily dwellings**	2 spaces per unit plus one additional space for every five units	Studio and 1 bedroom: 1 space 2 bedroom: 1.5 spaces 3+ bedroom: 2 spaces

*The Zoning Ordinance defines a townhome as “a one-family dwelling in a row of at least two such units in which each unit has its own front and rear access to the outside, no unit is located over another unit, and each unit is separated from any other unit by one or more common, fire-resistant walls.” This definition includes all townhomes regardless of the underlying form of ownership (e.g., fee simple, condominium).

**The Zoning Ordinance defines a multifamily dwelling as “a building, or portion thereof, designed or used for residence purposes by two or more families or housekeeping units,” This definition includes duplexes, triplexes, and apartment buildings.

When considering proposed changes to multifamily parking standards, the Planning Commission may wish to consider parking requirements in other Santa Cruz County jurisdictions, as shown in Table 2.

Table 2: Parking Requirements in Other Santa Cruz County Jurisdictions

	Resident Parking	Guest Parking
Santa Cruz		
Studio, 1 bdrm	1 per unit*	10% of required resident spaces for 5+ units
2+ bdrm	2 per unit*	
Capitola		
500 sq. ft. or less	1 per unit	None
501 – 750 sq. ft.	1.5 per unit	
751 sq. ft. or more	2 per unit	
Santa Cruz County		
Townhomes, 1 bdrm	1 per unit	20% of required resident parking
Townhomes, 2+ bdrm	2 per unit	
Multifamily, <750 sf	1 per unit	20-30% of required resident parking (none in transit priority area)
Multifamily, >750 sf	2 per unit, 1.5 in transit priority area	
Watsonville		
1-3 bdrm	2 per unit	

	Resident Parking	Guest Parking
4 bdrm	3 per unit	1 per 4-8 bedrooms depending on project size
5+ bdrm	4 per unit	

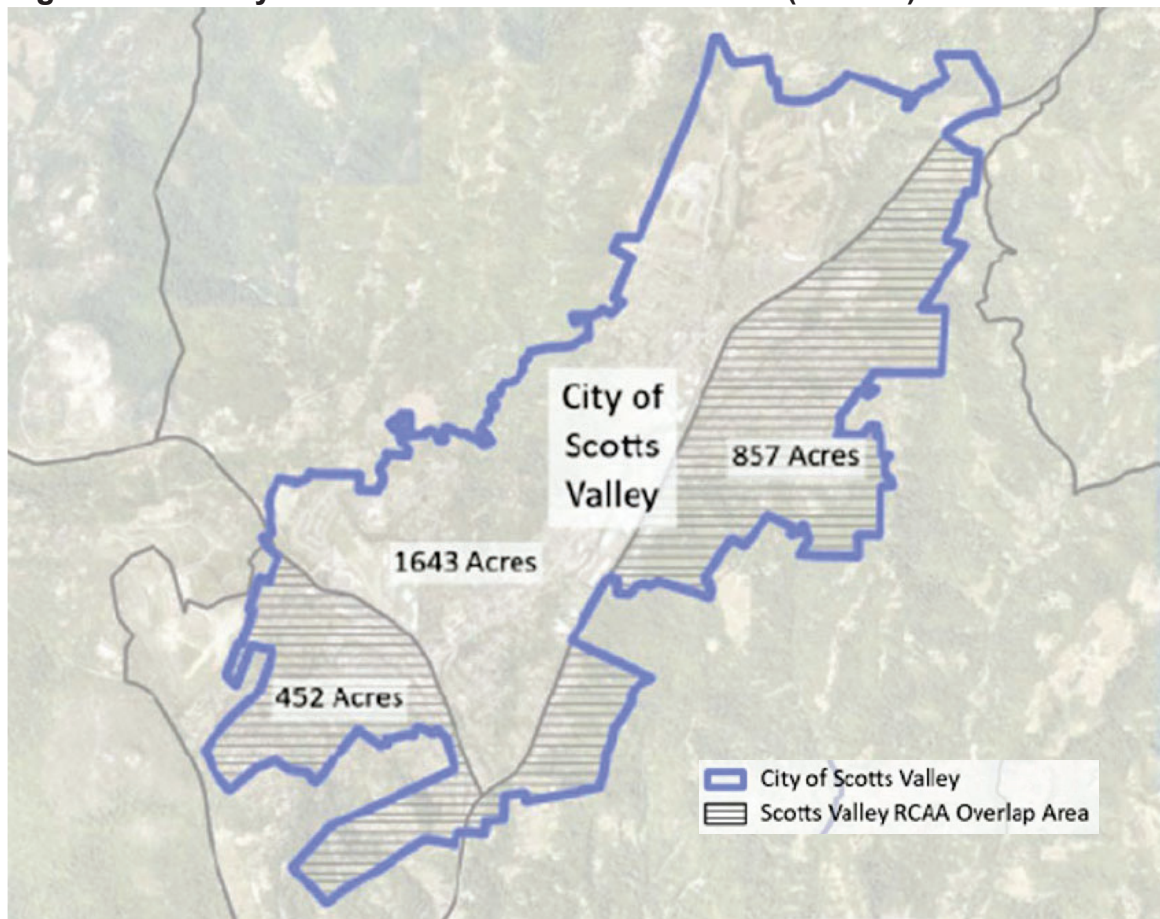
*Housing Element policy to eliminate parking minimums citywide by January 2028.”

Topic 3: Affirmatively Furthering Fair Housing

As required by state law, Housing Element Program H-3.2 calls for the City to “affirmatively further fair housing” by taking actions to overcome patterns of segregation and increase access to opportunities for all residents. Program H-3.2 requires changes to development regulations that apply uniquely in “racially concentrated areas of affluence” (RCAA). Under state law, RCAA are areas with relatively high percentage of White population and high household incomes.

Figure 2 shows the RCAA boundary as identified in the Housing Element. RCAA in Scotts Valley includes all residential areas east of Highway 17 and south of Mount Hermon Road. The City identified these RCAA boundaries using the methodology recommended by the California Department of Housing and Community Development (HCD). These boundaries are established in the Housing Element consistent with state law and cannot be changed as part of the proposed Zoning Ordinance amendments.

Figure 2: Racially Concentrated Areas of Affluence (RCAAs)



Housing Element Program H-3.2 requires the following changes to development regulations within RCAA:

1. **Missing Middle Conversions:** Allow conversion of existing single-family residences into “missing middle” housing in lower density areas. In this context, missing middle housing means duplexes and triplexes designed to match the character of single-family residential neighborhoods.
2. **SB 9 Triplex:** Allow SB9 projects with three primary dwellings on a lot if at least one unit is deed restricted affordable to low-income households. SB9 is the state law that requires cities to permit two primary dwelling units on single-family lots. Under SB 9, one accessory dwelling unit (ADU) and one junior accessory dwelling unit (JADU) are also permitted on the lot with the two primary dwelling units. Scotts Valley adopted a local ordinance implementing SB9 ordinance in 2024 (SVMC Chapter 17.55).
3. **Permits for Townhomes and Condominium:** Remove the conditional use permit (CUP) requirement for condominiums and townhomes on R-1 parcels.

Proposed Amendments:

To implement Program H-3.2, the proposed amendments would create a new chapter in the Zoning Ordinance with all RCAA provisions. These provisions would address missing middle conversions, SB 9 triplexes, and permits for condominiums and townhomes, as follows:

1. **Missing Middle Conversions.** Within RCAA, an existing single-family home may be converted into a duplex or a triplex with standards to protect the public health and safety and ensure neighborhood compatibility. Standards will include the following:
 - The lot must conform to zoning district minimum lot area standard.
 - The lot may contain only one existing dwelling unit.
 - The conversion may only use existing living area in the primary dwelling (e.g., no conversion of accessory structures).
 - Minimum lot area of 5,000 sq. ft. per unit (2 units max on 10,000 sq. ft. R-1 lot, 3 units max on 15,000 sq. ft. R-1 lot).
 - Three units permitted only on lots with an average slope of less than 25 percent.
 - Conversions are not permitted on lot with existing ADUs, however ADUs may be added in the future as permitted by state law.
 - The conversion may not be combined with an SB 9 project.
 - Two on-site parking spaces must be provided for each unit. Parking spaces may not be in the front setback. The conversion may not add or enlarge an existing driveway curb cut.
 - Units must be connected to water and sewer.
 - Development must comply with public health and safety and environmental resource protection standards (e.g., fire safety, habitat protection).
2. **SB 9 Triplexes.** Within RCAA zoned R-1, an existing single-family home may be converted into an SB9 triplex if one or more new units on the site are deed restricted affordable to a very low or low-income household. The third SB 9 unit is subject to the following provisions:
 - Maximum floor area: 800 square feet.

- A third unit is not allowed with an SB 9 urban lot split.
- The third unit is allowed only as a modification to an existing dwelling.
- The third unit may be created by adding new floor area to the existing dwelling (not limited to conversion of existing floor area only).
- The third unit must comply with zoning district setbacks.
- The third unit must comply with all SB 9 standards, including public health and safety and environmental resource protection standards (except as modified above)

3. **Permits for condominiums and townhomes.** Within RCAA, townhouses and condominiums in the R-1 zone are a permitted use (no conditional use permit required).

NEXT STEPS

Based on feedback received from the Planning Commission, staff and consultants will prepare draft Zoning Ordinance amendments for Planning Commission review. The amendments will include additional details beyond the proposals contained in this report. The Planning Commission will hold a future public hearing to make a recommendation to the City Council on the amendments. Following Planning Commission recommendation, the City Council will hold a public hearing to consider adoption of the amendments.

City of Scotts Valley PLANNING COMMISSION STAFF REPORT

DATE: May 15, 2025

TO: Planning Commission

FROM: Rodolfo Onchi, Public Works Director/City Engineer

SUBJECT: **FY 2025/26-2029/30 CAPITAL IMPROVEMENT PROGRAM;
CONSISTENCY WITH GENERAL PLAN**

SUMMARY OF ISSUE

State Law requires cities to adopt a Capital Improvement Program (CIP) that conforms with the General Plan. The CIP is a list of the proposed projects recommended for planning, initiation, or construction during the ensuing fiscal year(s). The CIP is developed by the Public Works Department as a five-year program and updated annually. The Planning Commission reviews the CIP to ensure that the City projects proposed during the ensuing fiscal year conform to the General Plan. The Planning Commission must report the findings to the City Council.

Public Works has prepared the attached five-year CIP encompassing fiscal years 2025-26 to 2029-30. The program is broken down by fiscal year, starting with FY 2025-26. Staff has found consistency with the Scotts Valley General Plan for fiscal year 2025-26 proposed CIP for the Planning Commission to review and recommend to City Council.

Projects have been given a priority level and have been categorized as an A, B, or C priority.

- Priority A - projects essential/critical to health and safety or legal/regulatory requirements.
- Priority B - projects important to maintaining health and safety or maintaining quality of life, but not critical.
- Priority C - projects deferrable and would only be implemented to the extent that higher priority projects are first funded.

Starting in FY 2025-26, projects are broken into two main components:

- Major Capital Projects, those of typically large-scale or one-time projects with longer useful life spans
- Capital Outlay, those of typically deferred maintenance, vehicle/equipment replacements, technology upgrades, and smaller facility repairs.

The City Council will review the CIP plan at their May 21, 2025, meeting.

Specifically, this Five-Year CIP Plan addresses numerous City Council priorities, including:

- Expanding the existing tertiary treatment system and adding an MBR (membrane bioreactor) package plant to prevent process upsets and meet the City's recycled water demand.
- Improve roadway conditions with a focus on collector streets as identified in the City's Pavement Management Program.
- Advance active transportation planning, including improvements on Scotts Valley Drive, Granite Creek Overpass, and Mount Hermon Road.
- Explore options for City building spaces to meet the future needs of the City.

Consistency with the General Plan is determined by identifying listed goals, objectives or policies that apply to each CIP project. Project categories: Wastewater, Transportation, Storm Drain, Parks, General Facilities, and Equipment have one or more overarching goals in the general plan that apply to all projects listed in the category.

Wastewater & Storm Drain

Goal CSF-1: To provide reliable and cost-effective water, wastewater, and solid waste management services that is sustainably managed; and

Goal OSC-3: To preserve surface and ground water supplies, reduce stormwater runoff and improve water quality in the Planning Area.

Transportation

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

Parks

Goal CSF-3: To provide ample, safe, and well-maintained park and recreation facilities and programs that serve the needs of the community.

General Facilities and Equipment

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; and,

Goal CSF-2: To provide high-quality emergency services for Scotts Valley residents, businesses, and visitors.

FISCAL IMPACT

There is no fiscal impact related to the discussion of the draft Five-Year CIP. Projects are adopted and funded in the fiscal year in which they are programmed. Funding sources have been defined for projects listed in the FY 2025-26 project year.

STAFF RECOMMENDATION

1. The Planning Commission holds a meeting on the Five-Year CIP to determine its consistency with the Scotts Valley General Plan.
2. The Planning Commission adopts the attached Resolution, which recommends City Council adopt the CIP and find the plan consistent with the Scotts Valley General Plan.

TABLE OF CONTENTS

1. Resolution No. 1805 Recommending the City Council Adopt the FY 2025-26 CIP
2. Five-Year Capital Improvement Plan

RESOLUTION NO. 1805

**RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF SCOTTS VALLEY
RECOMMENDING THE CITY COUNCIL ADOPT THE FY 2025-26 CAPITAL
IMPROVEMENT PROGRAM**

WHEREAS, the Public Works Department of the City of Scotts Valley has prepared the Capital Improvement Program plan for the City of Scotts Valley for FY 2025-26 to 2029-30; and

WHEREAS, on May 15, 2025, the Planning Commission reviewed the proposed Capital Improvement Program for conformity with the adopted 2023 General Plan, as required by State law.

NOW, THEREFORE, THE PLANNING COMMISSION OF THE CITY OF SCOTTS VALLEY hereby finds the proposed FY 2025-26 Capital Improvement Program for the City of Scotts Valley conforms to the adopted 2023 General Plan goals, policies and programs, as described, and recommends the City Council adopt the FY 2025-26 Capital Improvement Program.

The above and foregoing resolution was duly adopted by the Planning Commission of the City of Scotts Valley at a regular meeting held on the 15th of May 2025 by the following votes:

AYES:

NOES:

ABSTAIN:

ABSENT:

Lori Gentile, Chair

Taylor Bateman, Community Development Director

MAJOR CAPITAL PROJECTS

	Priority	Description	Funding Source	FY 2025-26	FY 2026-27	FY 2027-28	FY 2028-29	FY 2029-30
Wastewater								
	A	Wastewater Master Plan	WWTP-C	\$ 350,000.00		\$ -	\$ -	\$ -
	A	Clarifier Superstructure & Walkways	WWTP-C	\$ 550,000.00			\$ -	\$ -
	B	Effluent Pump Replacement	WWTP-C	\$ 275,000.00	\$ 275,000.00	\$ 275,000.00		
	A	Collection System Lift Stations	WWTP-C	\$ 200,000.00	\$ 50,000.00	\$ 50,000.00	\$ 50,000.00	
	A	Collection System Pipeline Upgrades	WWTP-C	\$ 300,000.00	\$ 300,000.00	\$ 300,000.00		
	A	MBR Upgrade	WWTP-C	\$ 250,000.00				
Wastewater TOTAL				\$ 1,925,000.00	\$ 625,000.00	\$ 625,000.00	\$ 50,000.00	
Transportation								
	A	Annual Street Maintenance/Resurfacing	GT/SB1/Meas D	\$ 1,500,000.00	\$ 1,000,000.00		\$ 1,000,000.00	
	B	Janis Way Digout, Overlay, Sidewalk, Bike Lanes	Measure D			\$ 250,000.00		
	A	Mount Hermon Road Improvements	Measure D/ RTC Grant	\$ 723,000.00				
	B	Bean Creek Road Pavement Rehab - Phase 2	Measure D		\$ 300,000.00			
	B	Lockwood Lane Street Improvements	Measure D			\$ 100,000.00		
	A	Granite Creek Overcrossing	RSTPX/SB-1	\$200,000	\$523,000			
	B	Scotts Valley Drive - Pedestrian Safety Lighting	CIP				\$ 300,000.00	
	B	Traffic Signal Upgrade	CIP			\$250,000		\$250,000
	A	Scotts Valley Drive Corridor Improvements	RTC/SB1/Measure D	\$ 1,500,000.00				
Transportation TOTAL				\$ 3,923,000.00	\$ 1,823,000.00	\$ 600,000.00	\$ 1,300,000.00	\$ 250,000.00
Storm Drains								
	A	Storm Drain Trash Capture System	CIP		\$150,000	\$200,000		
	B	Pinecone Drive Draining Improvements	CIP	\$25,000	\$100,000			
	A	* Scotts Valley Drive - Culvert Repair	CIP	\$150,000	\$850,000			
	A	*Granite Creek - Culvert Repair	CIP	\$ 100,000.00				
	A	North Scotts Valley Drive (South Of Redwood Vista) -	CIP		\$ 30,000.00	\$ 200,000.00		
	B	Hacienda Road Storm drain extension	CIP	\$ 100,000.00				
Storm Drains TOTAL				\$ 375,000.00	\$ 1,130,000.00	\$ 400,000.00	\$ -	\$ -
Parks								
	A	Skypark Play Structure Replacement	HUD	\$ 757,000.00				
	A	Shugart Park Buildout	Parks DIF	\$500,000	\$2,154,863			
Parks TOTAL				\$ 1,257,000.00	\$ 2,154,863.00	\$ -	\$ -	\$ -
General Facilities								
	A	Public Works Facility Improvements	CIP	\$200,000	\$1,300,000	\$ -	\$ -	\$ -
General Facilities TOTAL				\$200,000	\$1,300,000	\$0	\$0	\$0
				\$ 7,680,000.00	\$ 7,032,863.00	\$ 1,625,000.00	\$ 1,350,000.00	\$ 250,000.00

CAPITAL OUTLAY PROJECTS

	Priority	Description	Funding Source	FY 2025-26
CAPITAL OUTLAY - WASTEWATER ENTERPRISE FUNDS				
	B	Generator Transfer Switch and UPS upgrades	WWTP-C	\$ 40,000.00
	B	Wastewater Dump Truck	WWTP-C	\$ 200,000.00
	B	Breaker Replacement: Thermographic / Neta	WWTP-C	\$ 100,000.00
CAPITAL OUTLAY - GOVERNMENT FUNDS				
	A	Annual Citywide Street Striping ¹	Gas Tax	\$ 100,000.00
	A	IT Network Firewall Replacement	Equip. Replacement	\$ 150,000.00
	C	Equipment Trailer	Equip. Replacement	\$ 27,500.00
	C	Tractor Implements	Equip. Replacement	\$ 25,000.00
	A	Police Patrol Vehicle	Police SLES	\$ 80,000.00
	B	5 Electric gate repair/replacements	Equip. Replacement	\$ 30,000.00
	C	ADA Improvements - Phase 1	Lennar	\$ 116,300.00
	B	Recreation Building Exterior Paint/Siding	Lennar	\$ 100,000.00
	B	Parks Lighting Project	Lennar	\$ 65,000.00
	B	Basketball Courts Resurfacing Hocus Pocus	Lennar	\$ 50,000.00
	B	Tennis Court Lights	Lennar	\$ 45,000.00
	B	Community Center Doors	Lennar	\$ 35,000.00
	B	Siltanen Retaining Wall	Lennar	\$ 30,000.00
	B	Parks Buildings Roofing	Measure Q	\$ 50,000.00
	C	Siltanen Gazebo	Measure Q	\$ 45,000.00
	B	Glenwood Retain Wall Culvert	Measure Q	\$ 25,000.00
CAPITAL OUTLAY - FUTURE UNFUNDED PROJECTS				
	N/A	Maintenance Vac Truck	Equip Replacement	*
	N/A	Boom Truck	Equip. Replacement	*
	N/A	Police Dept Locker Room	Police Build.DIF	*
	N/A	Siltanen Park - Bleacher Upgrades / Replacements	Future Measure Q	*
	N/A	Community Center Floors	Unfunded	*
	N/A	Community Center Paint	Unfunded	*
	N/A	Maddorsa Repaving	Unfunded	*
	N/A	Siltanen Snack Shack	Unfunded	*
	N/A	Skypark Park Irrigation System Replacement	Unfunded	*
	N/A	ADA Improvements - Phase 2	Unfunded	*
	N/A	SV Drive Lights	Unfunded	*
<i>*Specific year and funding sources have not been identified</i>				