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## Staff Report to the Zoning Administrator

Application Number: **121123**

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**Applicant:** John Swift c/o Hamilton-Swift  
**Owner:** William E. Davis  
**APN:** 026-641-01

**Agenda Date:** September 7, 2012  
**Agenda Item #:** 3  
**Time:** 9 a.m.

**Project Description:** Proposal to construct a 15,443 square foot school with a 59-space parking lot and an outdoor play/therapy area. Requires a Development Permit, a Variance to reduce the required front setback from 20 feet to 15 feet on an RM-4 zoned parcel, Environmental Assessment, a Preliminary Grading Review (121123) and a Soils Report Review (REV 121028).

**Location:** The property is located at 1026 Capitola Road at the southeast corner of Capitola Road and Jose Avenue.

**Supervisory District:** First District (District Supervisor: John Leopold)

**Permits Required:** Commercial Development Permit, Variance, Preliminary Grading Review  
**Technical Reviews:** Soils Report Review

### Staff Recommendation:

- Adoption of the Mitigated Negative Declaration, including its Findings and Mitigation Monitoring and Reporting Program in compliance with the provisions of the California Environmental Quality Act.
- **APPROVAL** of Application Number **121123**, based on the attached findings and conditions.

### Exhibits

- |   |  |
|---|--|
| A. Project plans  |  |
| B. Findings   | E. Assessor's, Location, Zoning and<br>General Plan Maps |
| C. Conditions   |  |
| D. Mitigated Negative Declaration<br>(CEQA Determination) |  |

### Parcel Information

Parcel Size: 1.78 acres  
Existing Land Use - Parcel: vacant

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County of Santa Cruz Planning Department  
701 Ocean Street, 4<sup>th</sup> Floor, Santa Cruz CA 95060

Existing Land Use - Surrounding: Single and multi-family residential, public facility, and neighborhood commercial  
Project Access: Driveway from Jose Avenue  
Planning Area: Live Oak  
Land Use Designation: R-UM, O-U (Urban Medium Residential, Urban Open Space)  
Zone District: RM-4 (Multi-family residential, 4,000 square foot minimum per unit)  
Coastal Zone:  Inside  Outside  
Appealable to Calif. Coastal Comm.  Yes  No

### Environmental Information

Geologic Hazards: Not mapped/no physical evidence on site  
Soils: N/A  
Fire Hazard: Not a mapped constraint  
Slopes: < 30% in project area  
Env. Sen. Habitat: mapped riparian area on site  
Grading: 1,313 cubic yards of cut, 1,142 cubic yards of fill and 171 cubic yards of export proposed  
Tree Removal: No trees proposed to be removed  
Scenic: Not a mapped resource  
Drainage: Drainage to be retained onsite  
Archeology: Not mapped/no physical evidence on site

### Services Information

Urban/Rural Services Line:  Inside  Outside  
Water Supply: Santa Cruz Water  
Sewage Disposal: Santa Cruz County Sanitation  
Fire District: Central Fire  
Drainage District: Drainage District Zone 5

### History

The subject property was originally part of a 9 acre parcel (APN 026-181-20). Two single-family residences dating back to approximately 1926 were located on the parcel. In 1982, Minor Land Division 80-1033-MLD, Planned Development Permit 80-1043-PD and Zoning Amendment 80-1035-Z were approved. A newly-created 5-acre parcel became the site of the Elizabeth Oaks affordable housing project, and 2.3 acres were dedicated as public park space. The land division also created the subject parcel in its current configuration. The single-family dwellings on the parcel were later demolished, and the property later rezoned to Multi-Family Residential, 4,000 square feet per unit (RM-4) and designated Urban Medium in the General Plan.

On October 20, 2011, Riparian Pre-Site analysis REV 111041 established a required buffer zone setback from the Leona Creek riparian corridor on the east side of the project site.

Consultation PA 121014 was completed in February of 2012 as a first step in moving forward

with the currently proposed school facility. A Soils Report Review (REV 121028) was finalized in August 2012 for the proposed project.

### **Project Setting**

The parcel is currently undeveloped. Existing land uses in the vicinity are a mix of single-family, multi-family, commercial, institutional and open space uses along the well-traveled Capitola Road corridor. A bus stop is located along the property's Capitola Road frontage.

Leona Creek, a perennial stream, crosses the southeast side of the property. The creek drains downstream into the west side of Schwann Lagoon. The creek is contained within an arroyo with slopes of more than 30% near the stream. The property is flatter above the arroyo area, with an average grade of 10% or less. The parcel supports four types of plant communities: non-native grassland, coast live oak, non-native landscaping and willow thicket. The property also contains a small area of willow-dominated riparian vegetation near Capitola Road by the creek. An open space easement of approximately 0.39 acres (11,462 square feet) is located along the eastern boundary of the property.

### **The Bay School Program**

The parcel is proposed to be developed with a 15,443 square foot school building for use by The Bay School, a 501(c)(3) nonprofit/nonpublic school serving students with autism and other developmental disabilities. The proposal for the site includes an outdoor recreational/play area, 59 parking spaces, and a landscape plan. Attendance is nearly year-round, and students are assisted with achieving a full range of learning and life skills through a program that allows for one-on-one student/staff interaction at all times.

The Bay School currently operates with 42 students, ages 5-22 and approximately 50 staff in the Live Oak Business Park, and must relocate as part of the proposed County Center for Public Safety (Sheriff-Coroner's Department) relocation and retrofit of that existing industrial office park facility.

### **Traffic and Parking**

The current Bay School location in the Live Oak Business Park is less than one mile from the proposed site. As such, regional traffic to and from the project site would remain unchanged from existing conditions. A transportation study by Hatch Mott MacDonald, dated June 25, 2012 and a subsequent Memorandum dated July 20, 2012, was conducted for the proposed project. The study concludes that daily project trip generation would be approximately 236 trips, and impacts on nearby roads would be less than significant. The transportation study analyzed existing conditions at the three major intersections near the project site: 7<sup>th</sup> Avenue/Capitola Road, Jose Avenue/Capitola Road and 17<sup>th</sup> Avenue/Capitola Road, and concluded that all three intersections currently operate at or better than Level of Service (LOS) standard C, and that the proposed project would only add less-than-significant traffic (approximately one trip per minute) to the surrounding system during peak traffic periods. The report thus concludes that the project would not have a significant impact upon area traffic operations, including the Capitola Road corridor. The study also noted that there are adequate gaps in existing corridor traffic, and an existing lighted crosswalk across Capitola Road at Jose Avenue at the project site.

Based on analysis of commuting patterns for the existing Bay School facility less than a mile

away, it is anticipated that approximately 20% of the staff may walk, bike, carpool or take public transit to the project site, and that the existing infrastructure would support all of these modes of transportation. However, even with these anticipated alternative commutes, a total of 59 parking spaces is proposed in order to provide for adequate on-site parking for staff and parents. This is appropriate due to the one-to-one staff to student ratio. Based upon County Code parking requirements of 0.3 spaces per staff and 0.1 spaces per high-school-age student, the site would only require 21 parking spaces, but the lower calculation is likely based on a more traditional student-staff ratio of one teacher to 15 or more students.

### **Biotic Resources and Riparian Protection**

A Riparian Review Report prepared for this project by Biotic Resources Group, dated June 21, 2011, includes a full discussion of the potential for special status species on the project site. No water or wetland features other than the active Leona Creek channel were observed on the subject parcel. The report concludes that no special status plant species, nor any Federally or State-listed wildlife species are present on the project site due to its previously-disturbed nature. However, a supplemental letter from Biotic Resources Group dated February 15, 2012 (Attachment 6) discusses the habitat potential of the site for the San Francisco dusky-footed woodrat, a State species of special concern, and as habitat for nesting raptors and migratory birds. This supplemental letter identifies measures that can be taken to avoid the potential for construction-related impacts to these species. The measures to avoid impacts to nesting birds would include timing construction to avoid the nesting season, and conducting a pre-construction survey. Measures to avoid impacts to woodrats would include a pre-construction survey by a qualified biologist, and relocation or replacement of woodrat nests, if required and as permitted by the California Department of Fish and Game. With the incorporation of these mitigation measures, adverse effects to any special status or sensitive species would be less than significant.

### **Variance**

A Variance is requested for the proposed school facility to reduce the required 20-foot front yard setback along Capitola Road. The front of the structure is approximately 180 feet long (approximately half the width of the property's Capitola Road frontage), and the façade is articulated, with approximately 70 feet in the center set back 15 feet from the front property line, two 30-foot portions with an 18-foot setback and two other portions of the facade meeting the ordinance-prescribed 20-foot setback.

The required Variance findings can be made in that special circumstances exist that limit the available options for siting the school building. As discussed under "Parking and Traffic", on-site parking requirements are high (59 spaces), due to the 1:1 student-staff ratio of the school's special program. The options for placement of the school building are further constrained by the required avoidance of the riparian corridor and its buffer area, as prescribed by Environmental Planning staff under Riparian Pre-site study REV 111041. Because the school is one story and uses colors (e.g. "Cypress Green" and "Silver Sage") and materials that blend well with surroundings, the grant of a slight Variance to the 20-foot front setback standard will not create adverse visual impacts along Capitola Road or be detrimental to neighboring development.

## **Zoning & General Plan Consistency**

The subject property is a parcel of approximately 1.78 acres, located in the RM-4 (Multi-family residential, 4,000 square foot minimum per unit) zone district, a designation that allows schools educational facilities. Schools are an allowed use in the RM zone district with a Level 5 Zoning Administrator approval, and the zoning is consistent with the site's (R-UM, O-U) Urban Medium Residential, Urban Open Space General Plan designation.

## **Design Review**

As a commercial project, the proposed school is subject to the requirements of the County Design Review Ordinance and conformance with County Design Review guidelines. The size and scale of the proposed one-story school will be compatible with surrounding development on Capitola Road and Jose Avenue. The proposed project will incorporate site-appropriate fencing, trees and landscaping to reduce the visual impact of the proposed development on surrounding land uses and the natural landscape, including the adjacent riparian corridor. As stated above under the Variance analysis, the visual impact of siting the school up to five feet closer to the front property line than ordinance-prescribed 20-foot setback standard will be mitigated through the proposed building's one-story profile, articulated frontage, colors (e.g. "Cypress Green" and "Silver Sage") and materials that blend with their surroundings and ample landscaping.

## **Environmental Review**

Environmental review has been required for the proposed project per the requirements of the California Environmental Quality Act (CEQA). The project was reviewed by the County's Environmental Coordinator on July 19, 2012. A preliminary determination to issue a Negative Declaration with Mitigations (Exhibit D) was made on July 25, 2012. The mandatory public comment period expired on August 16, 2012, with no comments received.

The environmental review process focused on the potential impacts of the project in the areas of geology and soils, transportation and traffic, and biological resources. The environmental review process generated mitigation measures that will reduce potential impacts from the proposed development and adequately address these issues.

## **Conclusion**

As proposed and conditioned, the project is consistent with all applicable codes and policies of the Zoning Ordinance and General Plan/LCP. Please see Exhibit "B" ("Findings") for a complete listing of findings and evidence related to the above discussion.

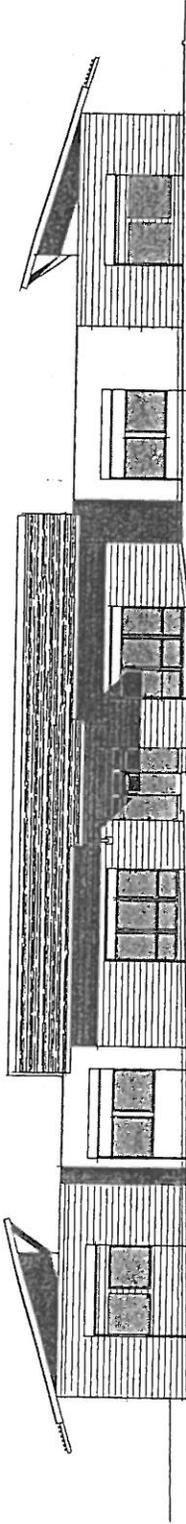
## **Staff Recommendation**

- Adoption of the Mitigated Negative Declaration, including its Findings and Mitigation Monitoring and Reporting Program in compliance with the provisions of the California Environmental Quality Act.
- **APPROVAL** of Application Number **121123**, based on the attached findings and conditions.

**Supplementary reports and information referred to in this report are on file and available for viewing at the Santa Cruz County Planning Department, and are hereby made a part of the administrative record for the proposed project.**

**The County Code and General Plan, as well as hearing agendas and additional information are available online at: [www.co.santa-cruz.ca.us](http://www.co.santa-cruz.ca.us)**

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# THE BAY SCHOOL

## CURRENT OWNER:

William E. David & Marshall Sachs  
Trustees

## PROJECT DATA:

Assessors parcel number:	026-641-01	Preliminary grading:	1,313 C.Y. excavation 1,142 C.Y. embankment
Zoning:	RM-4	Parking & paved areas:	19,637 sf
Existing use:	Vacant lot	Total impervious area:	32,736 sf
Proposed use:	Commercial Building	Floor area calculations:	
Parcel area:	81,526 sf (1.87 acres)	First floor:	14,442 sf
Lot coverage:	14,442 sf or 17.8%	Mech'l storage:	1,002 sf
Parking:	59 spaces	Building area total:	15,443 sf
Tree removal:	(See Arborists Report)		

## PROJECT TEAM:

**ARCHITECT**  
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Gregory Lewis, LA

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Maureen Hamb-WCISA Certified Arborist  
WEZ280

**BIOLOGIST**  
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Kathleen Lyons

**GEOTECHNICAL ENGINEER**  
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THE  
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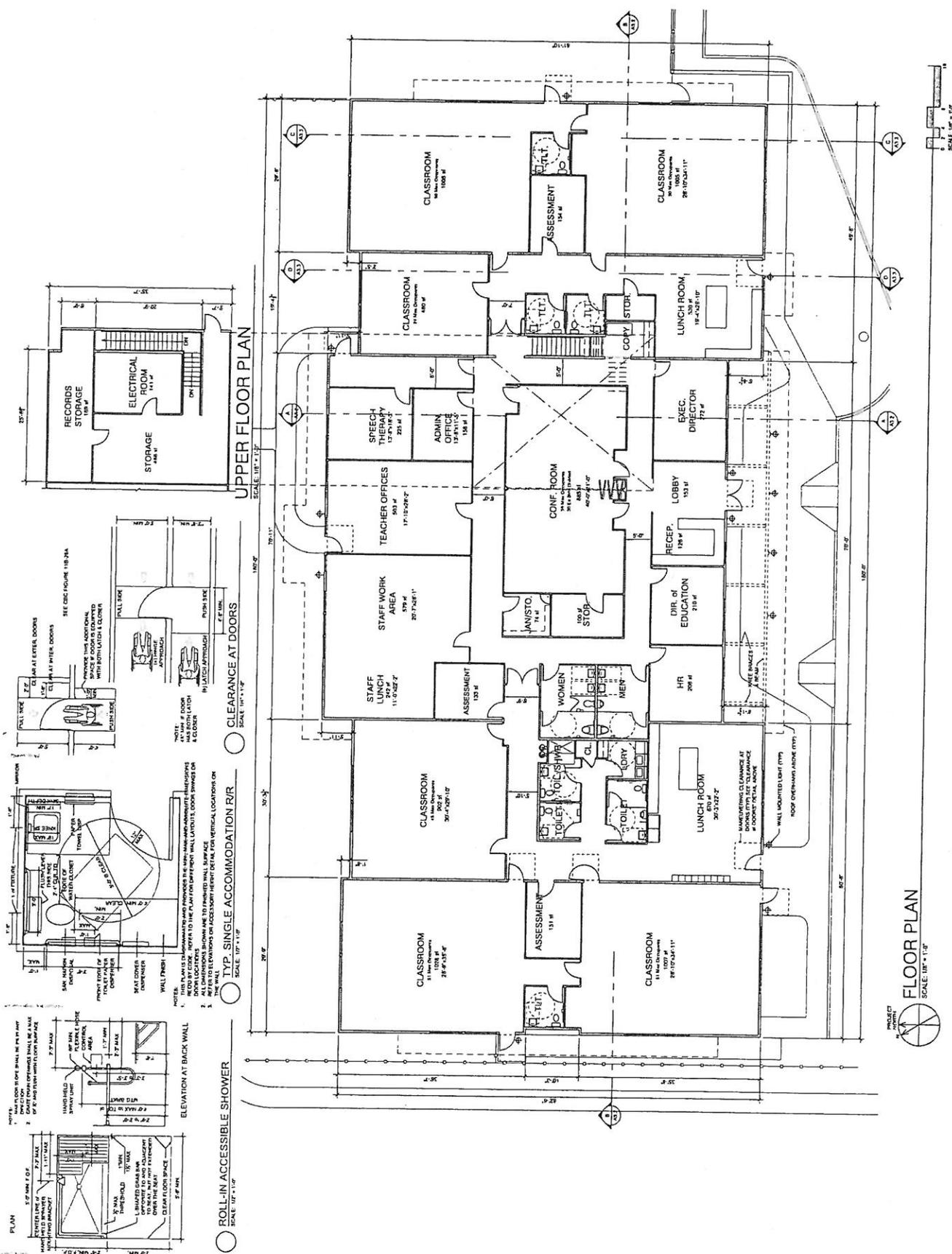
Drawn By: PLC  
 Checked By: KJ/PLB  
 Project Number: 1207

Revisions:  
 1. 11/15/12: Update room names and dimensions.  
 2. 11/15/12: Update door swing directions.  
 3. 11/15/12: Update window locations.  
 4. 11/15/12: Update door and window schedules.  
 5. 11/15/12: Update room dimensions.  
 6. 11/15/12: Update door and window types.  
 7. 11/15/12: Update door and window locations.  
 8. 11/15/12: Update door and window types.  
 9. 11/15/12: Update door and window locations.  
 10. 11/15/12: Update door and window types.

**FLOOR PLAN**

Sheet Number

A2.1



Project/Owner:  
**THE BAY SCHOOL**  
 APN: 026-641-01  
 CAPITOLA RD & JOSE AVE.  
 LIVE OAK  
 SANTA CRUZ, CA

**THE PAUL DAVIS PARTNERSHIP ARCHITECTS & PLANNERS**

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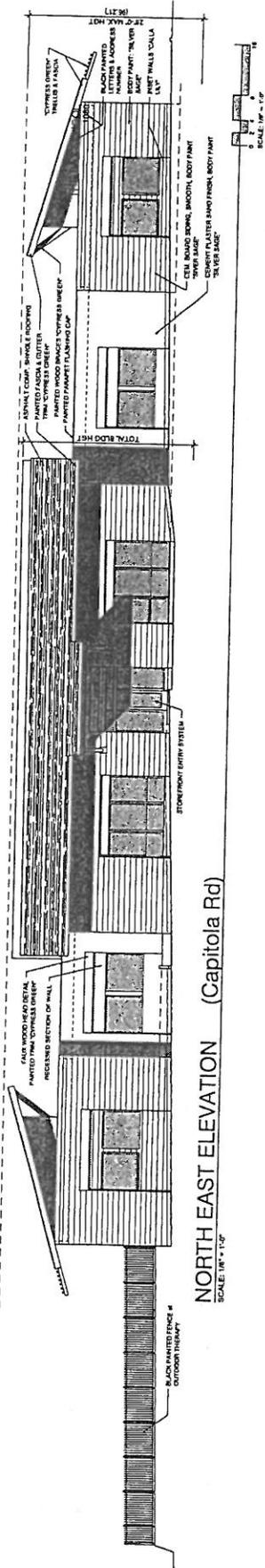
Drawn By: RLC  
 Drawing Date: 4/17/2012  
 Project Number: 1300

Architect:  
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 San Jose, CA 95128  
 408.298.1234  
 paul.davis@pauldavispartnership.com

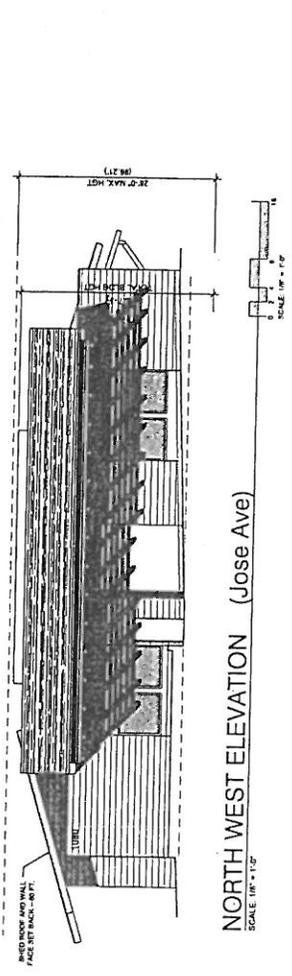
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**EXTERIOR ELEVATIONS**

Sheet Number:

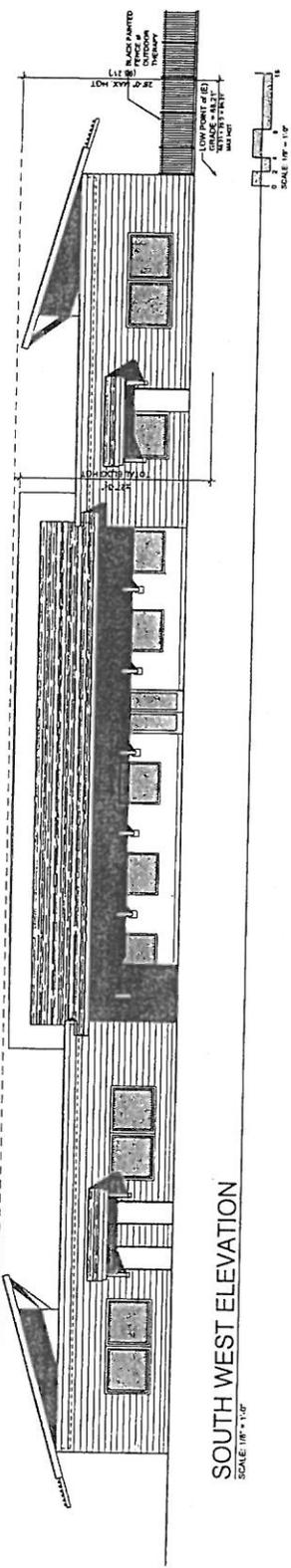
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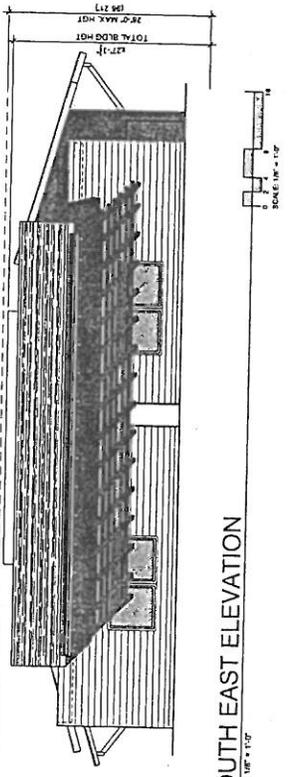
**NORTH EAST ELEVATION (Capitola Rd)**  
 SCALE: 1/8" = 1'-0"



**NORTH WEST ELEVATION (Jose Ave)**  
 SCALE: 1/8" = 1'-0"



**SOUTH WEST ELEVATION**  
 SCALE: 1/8" = 1'-0"



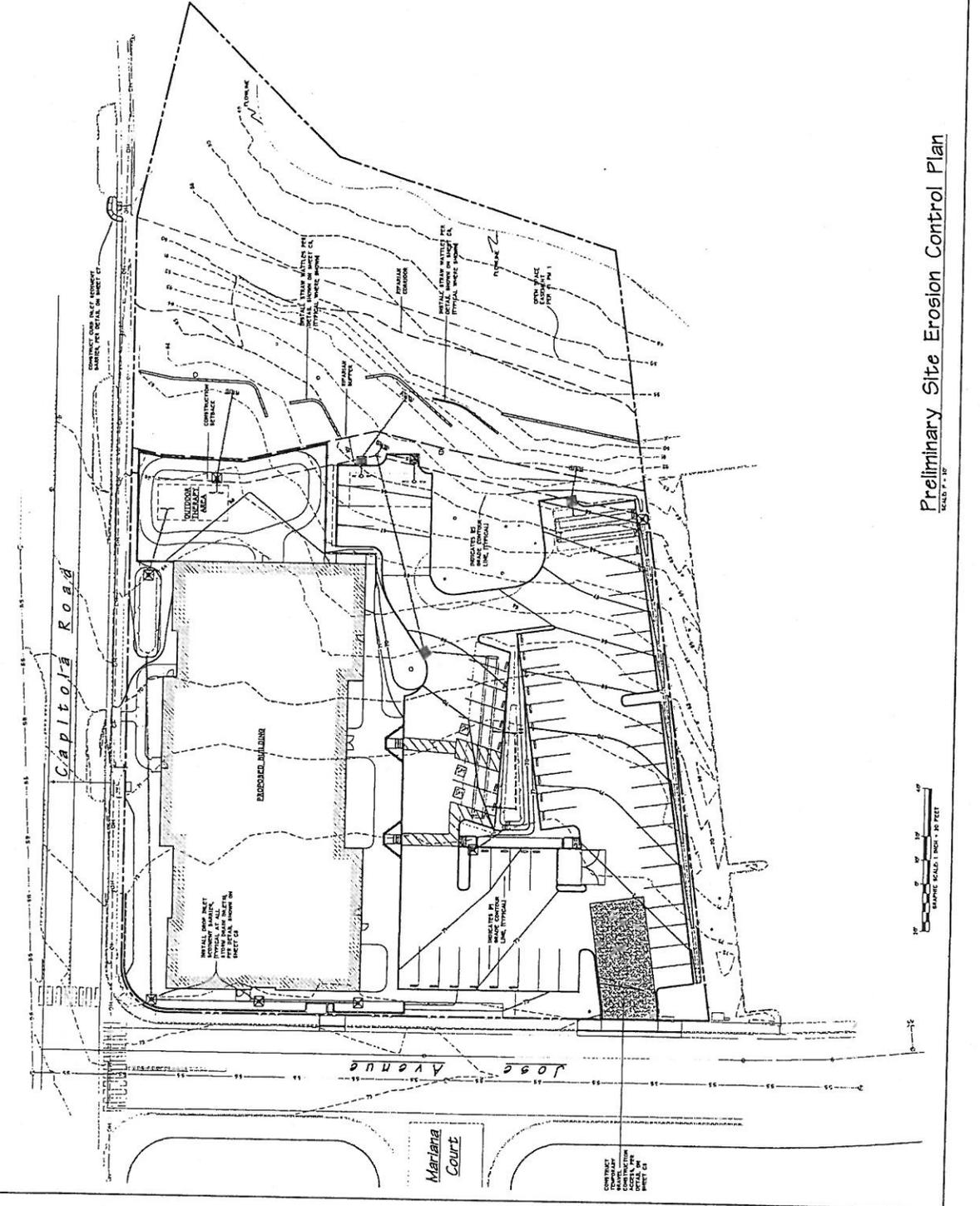
**SOUTH EAST ELEVATION**  
 SCALE: 1/8" = 1'-0"





**Erosion Control Notes**

1. ALL LAND CLEARING, EXCAVATION OR GRADING SHALL BE DONE IN ACCORDANCE WITH THE EROSION CONTROL PLAN AND THE EROSION CONTROL ACT. THE OPERATIONS SHALL BE SUPERVISED BY A REGISTERED PROFESSIONAL ENGINEER AT ALL TIMES.
2. NECESSARY REVISIONS AND CHANGES TO THIS PLAN SHALL BE APPROVED BY THE REGISTERED PROFESSIONAL ENGINEER AND THE COUNTY ENGINEER BEFORE CONSTRUCTION BEGINS.
3. ALL EROSION CONTROL MEASURES SHALL BE INSTALLED AND MAINTAINED THROUGHOUT THE CONSTRUCTION PERIOD.
4. ALL EROSION CONTROL MEASURES SHALL BE REMOVED OR MODIFIED AS NECESSARY UPON COMPLETION OF CONSTRUCTION.
5. ALL EROSION CONTROL MEASURES SHALL BE MAINTAINED IN GOOD WORKING ORDER AT ALL TIMES.
6. ALL EROSION CONTROL MEASURES SHALL BE INSTALLED AND MAINTAINED IN ACCORDANCE WITH THE EROSION CONTROL PLAN AND THE EROSION CONTROL ACT.
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Preliminary Site Erosion Control Plan  
 SCALE: 1" = 20'



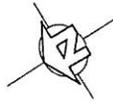
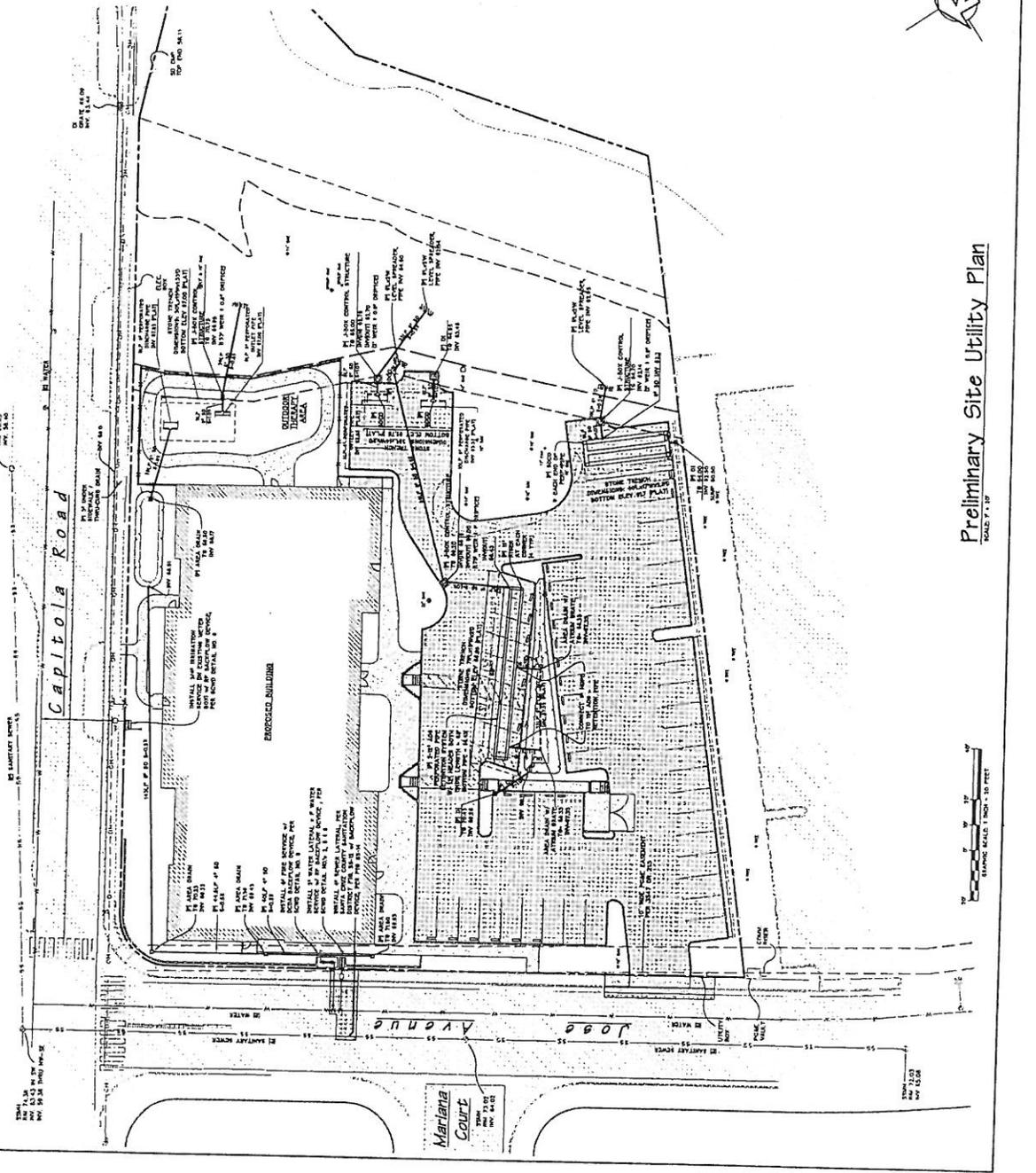


**County of Santa Cruz Sanitation Department Notes**

1. PIPE MATERIAL SHALL BE PER SDG PHIBER 3614, ARIE 36-14.
2. ALL LATERALS SHALL BE INSTALLED ON ALL LATERALS UNDER THE PRESENT FLOOR CONSTRUCTION. ALL LATERALS SHALL BE INSTALLED ON ALL LATERALS UNDER THE PRESENT FLOOR CONSTRUCTION. ALL LATERALS SHALL BE INSTALLED ON ALL LATERALS UNDER THE PRESENT FLOOR CONSTRUCTION.
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**City of Santa Cruz Water Department Notes**

1. ALL WATER MAINS SHALL BE INSTALLED IN CONFORMANCE WITH THE LATEST VERSION OF THE CITY OF SANTA CRUZ WATER MAIN SPECIFICATIONS.
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10. ALL WATER MAINS SHALL BE INSTALLED IN CONFORMANCE WITH THE LATEST VERSION OF THE CITY OF SANTA CRUZ WATER MAIN SPECIFICATIONS.



Preliminary Site Utility Plan



## Development Permit Findings

1. That the proposed location of the project and the conditions under which it would be operated or maintained will not be detrimental to the health, safety, or welfare of persons residing or working in the neighborhood or the general public, and will not result in inefficient or wasteful use of energy, and will not be materially injurious to properties or improvements in the vicinity.

This finding can be made, in that the project is located in a zone district that allows educational uses with a Level 5 approval and is not encumbered by physical constraints to development. Construction will comply with prevailing building technology, the California Building Code, and the County Building ordinance to insure the optimum in safety and the conservation of energy and resources.

2. That the proposed location of the project and the conditions under which it would be operated or maintained will be consistent with all pertinent County ordinances and the purpose of the zone district in which the site is located.

This finding can be made, in that the proposed location of the school and the conditions under which it would be operated or maintained will be consistent with all pertinent County ordinances and the purpose of the Multi-family residential, 4,000 square foot minimum per unit (RM-4) zone district, which allows for development at an urban density in areas where all urban services are available, as the primary use of the property will be a school that—with approval of a Variance to reduce the front setback by up to five feet--will meet all current site standards for the zone district.

3. That the proposed use is consistent with all elements of the County General Plan and with any specific plan which has been adopted for the area.

This finding can be made, in that the proposed educational use is consistent with the use and density requirements specified for the Urban Medium Residential, Urban Open Space (R-UM, O-U) land use designation in the County General Plan.

The proposed school will not adversely impact the light, solar opportunities, air, and/or open space available to other structures or properties, and meets all current site and development standards for the zone district as specified in Policy 8.1.3 (Residential Site and Development Standards Ordinance), and meets the use and design standards specified in Policy 8.5.2 (Commercial Compatibility With Other Uses) in that the school will not adversely shade adjacent properties, and will meet current setbacks for the zone district that ensure access to light, air, and open space in the neighborhood. The proposed school also meets the requirements of County Code Chapter 13.11 Design Standards and Guidelines, as discussed under Development Permit Finding # 6.

The proposed school will be properly proportioned to the parcel size and character of the neighborhood as specified in General Plan Policy 8.6.1 (Maintaining a Relationship Between Structure and Parcel Sizes), in that the proposed school—with approval of a Variance to reduce the front setback by five feet—will comply with the site standards for the RM-4 zone district (including lot coverage, floor area ratio, height, and number of stories) and will result in a

structure consistent with a design that could be approved on any similarly sized lot in the vicinity.

A specific plan has not been adopted for this portion of the County.

4. That the proposed use will not overload utilities and will not generate more than the acceptable level of traffic on the streets in the vicinity.

This finding can be made, in that the current Bay School location in the Live Oak Business Park is less than one mile from the proposed site. As such, regional traffic to and from the project site would remain unchanged from existing conditions. A transportation study by Hatch Mott MacDonald, dated June 25, 2012 and a subsequent Memorandum dated July 20, 2012, was conducted for the proposed project. The study concludes that daily project trip generation would be approximately 236 trips, and impacts on nearby roads would be less than significant. The study also noted that there are adequate gaps in existing corridor traffic, and an existing lighted crosswalk across Capitola Road at Jose Avenue at the project site. The three major intersections in the project vicinity are operating at Level of Service (LOS) C or better, and would not be adversely affected by the anticipated minimal increase in daily peak hour trips.

5. That the proposed project will complement and harmonize with the existing and proposed land uses in the vicinity and will be compatible with the physical design aspects, land use intensities, and dwelling unit densities of the neighborhood.

This finding can be made, in that the proposed structure is located in a neighborhood of mixed density and uses, containing a variety of architectural styles, and the proposed school is consistent with the land use intensity and density of the neighborhood. It will be a one-story structure, and a significant portion of the subject parcel will remain as open space, with riparian and oak woodland habitat protected and enhanced.

6. The proposed development project is consistent with the Design Standards and Guidelines (sections 13.11.070 through 13.11.076), and any other applicable requirements of this chapter.

This finding can be made, in that the proposed school will be of an appropriate scale and design that will enhance the aesthetic qualities of the surrounding properties and will not have a significant visual impact on available open space in the surrounding area. It will be a one-story structure with an articulated front and roofline, and colors and materials will be of a natural appearance that will compliment surrounding development.

## Variance Findings

1. That because of special circumstances applicable to the property, including size, shape topography, location and surrounding existing structures, the strict application of the zoning ordinance deprives such property of privileges enjoyed by other property in the vicinity and under identical zoning classification.

This finding can be made, due to the special circumstances of site topography, a riparian corridor and oak woodland habitat that create constraints upon the developable portion of the subject parcel. Due to the unique program of The Bay School, with a 1:1 staff-to-student ratio, the on-site parking needs are higher than might otherwise be required, and the parking lot was designed to preserve as many of the existing mature oaks on the site as possible, which further constrains the area available for the building footprint. Further, Public Works review directed that vehicular access to the site should best be taken from Jose Avenue rather than Capitola Road, thus dictating the building's proposed orientation fronting Capitola Road, which has the largest setback requirement (20 feet) on the subject parcel.

2. That the granting of such variance will be in harmony with the general intent and purpose of zoning objectives and will not be materially detrimental to public health, safety or welfare or injurious to property or improvements in the vicinity.

This finding can be made, as the granting of the Variance will allow for the best possible preservation of the natural resources on the project site. Because the parcel fronts a wide arterial and is bordered by a road, a riparian corridor and trees on its other sides, a minor encroachment into the front setback area by a one-story building will not create a sense of too much density for surrounding property owners, will not block vehicular lines of sight or in any other manner be injurious to property or improvements in the area.

3. That the granting of such a variance will not constitute a grant of special privileges inconsistent with the limitations upon other properties in the vicinity and zone in which such is situated.

The encroachment into the required 20-foot front setback is small, varying from a maximum of 5 feet (for a total 15-foot front setback) to 2 or 3 feet within the setback area, due to the articulated front façade of the building. The granting of the Variance will have no impact on other properties in the vicinity, and because it is driven by the need to best preserve natural resources on the project site while allowing for the required program needs of The Bay School, it does not constitute a granting of special privileges that would not be considered under similar circumstances on another property.

## Conditions of Approval

Exhibit A: Project Plans, 15 pages, by The Paul Davis Partnership, LLP, dated 6/1/12 and revised 6/27/12

- I. This permit authorizes the construction of a 15,443 square foot one-story school. This approval does not confer legal status on any existing structure(s) or existing use(s) on the subject property that are not specifically authorized by this permit. Prior to exercising any rights granted by this permit including, without limitation, any construction or site disturbance, the applicant/owner shall:
  - A. Sign, date, and return to the Planning Department one copy of the approval to indicate acceptance and agreement with the conditions thereof.
  - B. Obtain a Building Permit from the Santa Cruz County Building Official.
    1. Any outstanding balance due to the Planning Department must be paid prior to making a Building Permit application. Applications for Building Permits will not be accepted or processed while there is an outstanding balance due.
  - C. Obtain a Grading Permit from the Santa Cruz County Building Official.
  - D. Obtain an Encroachment Permit from the Department of Public Works for all off-site work performed in the County road right-of-way.
  - E. Submit proof that these conditions have been recorded in the official records of the County of Santa Cruz (Office of the County Recorder) within 30 days from the effective date of this permit.
- II. Prior to issuance of a Building Permit the applicant/owner shall:
  - A. Submit final architectural plans for review and approval by the Planning Department. The final plans shall be in substantial compliance with the plans marked Exhibit "A" on file with the Planning Department. Any changes from the approved Exhibit "A" on the plans submitted for the Building Permit must be clearly called out and labeled by standard architectural methods. Any changes not properly shown and labeled will not be authorized by any Building Permit issued for the proposed development. The final plans shall include the following additional information:
    1. One elevation shall indicate materials and colors as they were approved by this Discretionary Application. The applicant shall also supply a color and material board in 8 1/2" x 11" format for Planning Department review and approval.
    2. Grading, drainage, and erosion control plans.

3. Details showing compliance with fire department requirements.
- B. Submit four copies of the approved Discretionary Permit with the Conditions of Approval attached. The Conditions of Approval shall be recorded prior to submittal, if applicable.
- C. Meet all Environmental Planning requirements for grading, erosion control and resource protection.
1. The grading plan shall include the placement of construction fencing at the edge of the riparian buffer. The fencing shall be 6-foot chain link attached to posts driven into the ground, with silt fencing attached to the upslope side. This fencing shall remain in place throughout construction to prevent the storage of materials and disturbance of soils within the buffer. The fencing shall be removed only to allow for installation of the drainage outlets and replanting.
  2. The grading plan shall show the placement of tree protection fencing where deemed appropriate by the project arborist.
  3. The plans shall include a note stating that a preconstruction meeting shall be scheduled 1-4 days prior to commencement of earthwork. Attendees shall include Environmental Planning staff, the project arborist, the grading contractor, the soils engineer and the civil engineer. Construction fencing, tree protection fencing, and perimeter erosion control shall be installed prior to the meeting and will be inspected by County staff.
  4. A stormwater control plan shall be submitted per the requirements of the County Construction Site Stormwater Pollution Control BMP Manual. This plan must be prepared by a Qualified SWPPP Developer.
  5. Plans shall show 3 to 1 replacement for the 11 oak trees to be removed. Replacement shall be with 15 gallon or larger sized oak trees or riparian tree species planted in the riparian corridor and buffer areas.
  6. The grading plan shall show the volume and lateral extent and depth of required overexcavation and recompaction of subsoils in plan and cross-sectional views.
  7. A plan review letter prepared by the soils engineer shall be submitted that references the final plans submitted for the building application and states that the plans conform to the recommendations in the soils report.
  8. A plan review letter prepared by the project arborist shall be submitted that references the final plans submitted for the building application and states that they conform to the arborist's recommendations, with additional recommendations for protection, if necessary.

9. The applicant shall obtain approval from the Regional Water Quality Control Board and provide the WDID number to the Planning Department and Department of Public Works Stormwater Management staff.
- D. Meet all requirements of and pay Zone 5 drainage fees to the County Department of Public Works, Stormwater Management. Drainage fees will be assessed on the net increase in impervious area.
1. Final drainage calculations shall show system compliance with the CDC analysis demonstrating that the mitigation storage areas will drain within 48 hours, provide outfall analysis demonstrating allowable velocities are not exceeded. The predevelopment c values used should be consistent throughout the analysis.
  2. Provide details for the J-box control structures. Demonstrate that the storage volumes required are available prior to overflow over the weirs.
  3. Provide details for proposed level spreader outlets and swales demonstrating the elevated outlets and minimum slope/s, cross section/s and cover.
  4. All inlets shall be marked with "No Dumping Drains to Bay" or equivalent. The property owner is responsible for maintenance of the markings.
  5. This parcel receives existing runoff from upstream drainage areas. Provide a copy of a recorded drainage easement, maintenance agreement, deed restriction or other document recorded on the parcel deed acknowledging that the parcel does and will continue to receive upstream runoff, that the property owner shall be responsible for maintenance of the drainage pathway through the parcel, and that the County and the Zone 5 Flood Control District are not responsible for the upstream runoff or for maintenance of the drainage pathway.
  6. Provide the specifications for engineered soils if engineered soils are used in rain garden areas.
  7. Construction of drainage-related items will be inspected by Public Works staff. After all other agencies have approved of the building permit application plans, provide a copy of reproducible final civil plan sheets with DPW signature block, along with the engineer's estimate for the drainage related items (a 2% inspection fee will be assessed at permit issuance). A hold will be placed on the building permit for final drainage inspection and receipt of engineered as-built plans.
  8. A recorded maintenance agreement shall be required for the proposed mitigation facilities including the retention systems, raingardens, outlets,

swales, etc. Include the inspection and maintenance requirements on the plans and in the recorded document.

- E. Meet all requirements and pay any applicable plan check fee of the Central Fire Protection District.
- F. Meet all requirements of DPW Roads and Driveway Encroachment. Provide all the details noted below on the Building plan set.
  - 1. Street-fronting landscaping shall be required to meet the County of Santa Cruz Design Criteria. It shall be maintained year around to prevent encroachment of vegetation onto sidewalks.
  - 2. Sidewalk repairs or replacement shall be made as needed along the Jose Avenue and Capitola Road frontages to address root uplift, cracks, holes, etc.
  - 3. The driveway approach is required to meet ADA (County of Santa Cruz Design Criteria, FIG DW-1 and FIG ST-6c).
  - 4. The curb drain shall meet the County of Santa Cruz Design Criteria, FIG ST-4b.
  - 5. The utility pole located on the Capitola Road frontage of this parcel near the mid section of the sidewalk does not allow ADA access around the pole. A bulb shall be provided (concrete pathway around this pole) to provide 4 ft of clear sidewalk width.
  - 6. The curb drain shall meet the County of Santa Cruz Design Criteria, FIG ST-4b.
  - 7. The trench work within Jose Avenue shall meet the County of Santa Cruz Design Criteria, FIG EP-1 and EP-2.
- G. Submit 3 copies of a soils report prepared and stamped by a licensed Geotechnical Engineer.
- H. Parking must be clearly designated on the plot plan.
- I. The project will be subject to Live Oak Transportation Improvement Area (TIA) fees at a rate of \$600 (\$300 for roadside improvement fees + \$300 for transportation improvement fees) per daily trip-end generated by the proposed non residential development. Payment of TIA fees is required prior to issuance of building permit. As per the County of Santa Cruz trip generation rate table, the trip-end generation rate for an institutional facility such as the proposed school is 5 trip-ends per 1,000 SF. The rate in effect at the time of obtaining the Building Permit will be used to determine the actual TIA fees.

- J. Submit a written statement signed by an authorized representative of the school district in which the project is located confirming payment in full of all applicable developer fees and other requirements lawfully imposed by the school district.
- III. All construction shall be performed according to the approved plans for the Building Permit. Prior to final building inspection, the applicant/owner must meet the following conditions:
- A. A preconstruction meeting shall be scheduled 1-4 days prior to commencement of earthwork. Attendees shall include Environmental Planning staff, the project arborist, the grading contractor, the soils engineer and the civil engineer. Construction fencing, tree protection fencing, and perimeter erosion control shall be installed prior to the meeting and will be inspected by County staff.
  - B. All site improvements shown on the final approved Building Permit plans shall be installed.
  - C. All inspections required by the building permit shall be completed to the satisfaction of the County Building Official.
  - D. The project must comply with all recommendations of the approved soils reports.
  - E. All landscaping, including replacement trees, shall be installed.
  - F. All bare soils shall be covered with appropriate erosion control methods.
  - G. Pursuant to Sections 16.40.040 and 16.42.100 of the County Code, if at any time during site preparation, excavation, or other ground disturbance associated with this development, any artifact or other evidence of an historic archaeological resource or a Native American cultural site is discovered, the responsible persons shall immediately cease and desist from all further site excavation and notify the Sheriff-Coroner if the discovery contains human remains, or the Planning Director if the discovery contains no human remains. The procedures established in Sections 16.40.040 and 16.42.100, shall be observed.
- IV. Operational Conditions
- A. Disturbance, other than to install drainage improvements and revegetation, is prohibited within the riparian corridor, buffer, and within the tree protection area designated by the project arborist. No storage of materials, stockpiling, parking or driving of construction vehicles, use of herbicides or other chemicals, or deposition of waste materials shall be allowed.
  - B. Grading operations shall be limited to the period between April 15 and October 15 unless a separate winter grading permit is obtained. To apply for a winter grading permit, the following shall be submitted:

1. A detailed construction schedule, which includes plans showing phasing of work and estimated lengths of time to complete each phase.
  2. Temporary drainage, sediment, and erosion control during and at the completion of each phase until permanent drainage improvements are installed.
  3. A plan review letter from the soils engineer.
- C. In the event that future County inspections of the subject property disclose noncompliance with any Conditions of this approval or any violation of the County Code, the owner shall pay to the County the full cost of such County inspections, including any follow-up inspections and/or necessary enforcement actions, up to and including permit revocation.
- V. Mitigation Monitoring Program
- A. In order to ensure that the mitigation measures and conditions set forth in the proposed project description are communicated to the various parties responsible for constructing the project, prior to any disturbance on the property the applicant shall convene a pre-construction meeting on the site. The following parties shall attend: The project engineer, project contractor supervisor, Santa Cruz County Environmental Planning staff, project biologists and project arborist. Results of pre-construction biotic surveys will be collected at that time and all protection measures shall be inspected.
  - B. In order to avoid impacts to raptors and migratory songbirds, tree removal activities shall be limited to the months between September 1 and February 1, if feasible.
    1. If trees must be removed outside of the timeframe above, a qualified biologist shall conduct surveys for raptor or migratory songbird nests 3-4 weeks prior to site disturbance.
      - a. If active raptor or migratory bird nests are found in trees to be retained, the biologist shall be required to be on site during any initial vegetation or ground disturbance activities (e.g. vegetation clearing, grading, excavation, tree pruning/removal) that could potentially impact listed species. The biologist shall be responsible for setting and maintaining the disturbance buffers from active nests during construction activities, and buffers and exclusionary measures shall be implemented only after consultation with CDFG.
      - b. If no active nests are present on the subject parcel, tree removal can proceed at the project proponent's discretion.
  - C. In order to ensure no significant impacts to San Francisco dusky-footed woodrats, a qualified biologist shall conduct preconstruction surveys for the woodrat nests within 30-days of initial project disturbance. If no nests are observed, no further mitigation is required. If nests are observed within an area scheduled for clearing

or grading, the biologist shall prepare a plan for either nest relocation or construction of new nests in a nearby location, under the guidance of the California Department of Fish and Game.

- D. In order to mitigate for impacts to oak woodland on site, the following measures shall apply:
1. Prior to final approval of the project, the project arborist shall provide the Planning Department an Oak Protection Plan. The Plan shall include protection measures for all oaks to be retained, construction details where disturbance or development activities may impact oak root zones, and an assessment of the potential for moving any of the oaks identified for removal to another location on the subject parcel.
  2. The landscaping plan shall be revised to include replacement oak trees for all oaks to be removed. Oaks under 6 inches dbh shall be replaced at a 1:1 ratio; oaks between 6 inches and 12 inches shall be replaced at a 2:1 ratio; oaks larger than 12 inches shall be replaced at a 3:1 ratio.
  3. All oak trees on the subject parcel shall be monitored for 5 years post project completion. Oaks that die during the 5-year period shall be replaced in kind. Annual status reports shall be submitted to the Planning Department Environmental Coordinator to ensure compliance.

VI. As a condition of this development approval, the holder of this development approval ("Development Approval Holder"), is required to defend, indemnify, and hold harmless the COUNTY, its officers, employees, and agents, from and against any claim (including attorneys' fees), against the COUNTY, its officers, employees, and agents to attack, set aside, void, or annul this development approval of the COUNTY or any subsequent amendment of this development approval which is requested by the Development Approval Holder.

- A. COUNTY shall promptly notify the Development Approval Holder of any claim, action, or proceeding against which the COUNTY seeks to be defended, indemnified, or held harmless. COUNTY shall cooperate fully in such defense. If COUNTY fails to notify the Development Approval Holder within sixty (60) days of any such claim, action, or proceeding, or fails to cooperate fully in the defense thereof, the Development Approval Holder shall not thereafter be responsible to defend, indemnify, or hold harmless the COUNTY if such failure to notify or cooperate was significantly prejudicial to the Development Approval Holder.
- B. Nothing contained herein shall prohibit the COUNTY from participating in the defense of any claim, action, or proceeding if both of the following occur:
1. COUNTY bears its own attorney's fees and costs; and
  2. COUNTY defends the action in good faith.

- C. Settlement. The Development Approval Holder shall not be required to pay or perform any settlement unless such Development Approval Holder has approved the settlement. When representing the County, the Development Approval Holder shall not enter into any stipulation or settlement modifying or affecting the interpretation or validity of any of the terms or conditions of the development approval without the prior written consent of the County.
  
- D. Successors Bound. "Development Approval Holder" shall include the applicant and the successor(s) in interest, transferee(s), and assign(s) of the applicant.

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Minor variations to this permit that do not affect the overall concept or density may be approved by the Planning Director at the request of the applicant or staff in accordance with Chapter 18.10 of the County Code.

**Please note: This permit expires three years from the effective date listed below unless a building permit (or permits) is obtained for the primary structure described in the development permit (does not include demolition, temporary power pole or other site preparation permits, or accessory structures unless these are the primary subject of the development permit). Failure to exercise the building permit and to complete all of the construction under the building permit, resulting in the expiration of the building permit, will void the development permit, unless there are special circumstances as determined by the Planning Director.**

Approval Date: \_\_\_\_\_  
Effective Date: \_\_\_\_\_  
Expiration Date: \_\_\_\_\_

\_\_\_\_\_  
Wanda Williams  
Deputy Zoning Administrator

\_\_\_\_\_  
Alice Daly, AICP  
Project Planner

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Appeals: Any property owner, or other person aggrieved, or any other person whose interests are adversely affected by any act or determination of the Zoning Administrator, may appeal the act or determination to the Planning Commission in accordance with chapter 18.10 of the Santa Cruz County Code.

# CALIFORNIA ENVIRONMENTAL QUALITY ACT NOTICE OF EXEMPTION

The Santa Cruz County Planning Department has reviewed the project described below and has determined that it is exempt from the provisions of CEQA as specified in Sections 15061 - 15332 of CEQA for the reason(s) which have been specified in this document.

Application Number: 121123  
Assessor Parcel Number: 026-641-01  
Project Location: 1026-1028 Capitola Road

**Project Description: Proposal to construct a new 15,443 square foot school**

**Person or Agency Proposing Project: John Swift c/o Hamilton-Swift**

**Contact Phone Number: 831-459-9992**

- A.  The proposed activity is not a project under CEQA Guidelines Section 15378.
- B.  The proposed activity is not subject to CEQA as specified under CEQA Guidelines Section 15060 (c).
- C.  **Ministerial Project** involving only the use of fixed standards or objective measurements without personal judgment.
- D.  **Statutory Exemption** other than a Ministerial Project (CEQA Guidelines Section 15260 to 15285).

Specify type:

- E.  **Categorical Exemption**

Specify type:

- F. **Reasons why the project is exempt:**

In addition, none of the conditions described in Section 15300.2 apply to this project.

\_\_\_\_\_  
Alice Daly, Project Planner

Date: \_\_\_\_\_



# COUNTY OF SANTA CRUZ

## PLANNING DEPARTMENT

701 OCEAN STREET, 4<sup>TH</sup> FLOOR, SANTA CRUZ, CA 95060  
(831) 454-2580 FAX: (831) 454-2131 TDD: (831) 454-2123

**KATHLEEN MOLLOY PREVISICH, PLANNING DIRECTOR**

<http://www.sccoplanning.com/>

### MITIGATED NEGATIVE DECLARATION

**Project: The Bay School**

**APN(S): 026-641-01**

**Project Description:** This is a proposal to construct a 15,443 square foot school, associated parking and an outdoor play / therapy area. Requires a Development Permit, a Variance to reduce the required front yard from 20 feet to 15 feet, a Preliminary Grading Review and a Soils Report Review (REV121028).

**Project Location:** 1026 Capitola Road, Santa Cruz, CA

**Owner: William Davis**

**Applicant: John Swift**

**Staff Planner: Alice Daly, (831) 454-3140**

**Email: [pln401@co.santa-cruz.ca.us](mailto:pln401@co.santa-cruz.ca.us)**

**This project will be considered at a public hearing by the County of Santa Cruz Zoning Administrator on September 7, 2012 at 9:00 a.m., in the Board of Supervisors Chambers, 701 Ocean Street, 5<sup>th</sup> Floor, Room 525, Santa Cruz, CA 95060.**

#### California Environmental Quality Act Mitigated Negative Declaration Findings:

Find, that this Mitigated Negative Declaration reflects the decision-making body's independent judgment and analysis, and; that the decision-making body has reviewed and considered the information contained in this Mitigated Negative Declaration and the comments received during the public review period; and, that revisions in the project plans or proposals made by or agreed to by the project applicant would avoid the effects or mitigate the effects to a point where clearly no significant effects would occur; and, on the basis of the whole record before the decision-making body (including this Mitigated Negative Declaration) that there is no substantial evidence that the project as revised will have a significant effect on the environment. The expected environmental impacts of the project are documented in the attached Initial Study on file with the County of Santa Cruz Clerk of the Board located at 701 Ocean Street, 5<sup>th</sup> Floor, Santa Cruz, California.

Review Period Ends: August 16, 2012

*Note: This Document is considered Draft until it is Adopted by the Appropriate County of Santa Cruz Decision-Making Body*

Date: Aug 21, 2012

Matt Johnston  
MATT JOHNSTON, Environmental Coordinator  
(831) 454-3201



# County of Santa Cruz

## PLANNING DEPARTMENT

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## ENVIRONMENTAL COORDINATOR

### NOTICE OF INTENT TO ADOPT A NEGATIVE DECLARATION

### NOTICE OF PUBLIC REVIEW AND COMMENT PERIOD

Pursuant to the California Environmental Quality Act, the following project has been reviewed by the County Environmental Coordinator to determine if it has a potential to create significant impacts to the environment and, if so, how such impacts could be solved. A Negative Declaration is prepared in cases where the project is determined not to have any significant environmental impacts. Either a Mitigated Negative Declaration or Environmental Impact Report (EIR) is prepared for projects that may result in a significant impact to the environment.

Public review periods are provided for these Environmental Determinations according to the requirements of the County Environmental Review Guidelines. The environmental document is available for review at the County Planning Department located at 701 Ocean Street, in Santa Cruz. You may also view the environmental document on the web at [www.sccoplanning.com](http://www.sccoplanning.com) under the Planning Department menu. If you have questions or comments about this Notice of Intent, please contact Matt Johnston of the Environmental Review staff at (831) 454-3201

The County of Santa Cruz does not discriminate on the basis of disability, and no person shall, by reason of a disability, be denied the benefits of its services, programs or activities. If you require special assistance in order to review this information, please contact Bernice Romero at (831) 454-3137 (TDD number (831) 454-2123 or (831) 763-8123) to make arrangements.

#### PROJECT: BAY SCHOOL

APP #: 121123

APN: 026-641-01

**PROJECT DESCRIPTION:** This project is a proposal to construct a 15,443 square foot school, associated parking and an outdoor play/therapy area. It requires a Development Permit, a Variance to reduce the required front yard from 20 feet to 15 feet, a Preliminary Grading Review and a Soils Report Review (REV 121028).

**EXISTING ZONE DISTRICT:** RM-4

**APPLICANT:** John Swift

**OWNER:** William Davis

**PROJECT PLANNER:** Alice Daly, (831) 454-3140

**EMAIL:** [pln401@co.santa-cruz.ca.us](mailto:pln401@co.santa-cruz.ca.us)

**ACTION:** Negative Declaration with mitigations

**REVIEW PERIOD:** July 27, 2012 through August 16, 2012

This project will be considered at a public hearing by the County of Santa Cruz Zoning Administrator on September 7, 2012 at 9:00 a.m., in the board of Supervisors Chambers, 701 Ocean Street, 5<sup>th</sup> Floor, Room 525, Santa Cruz, CA 95060.



# County of Santa Cruz

## PLANNING DEPARTMENT

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www.sccoplanning.com

## CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA) ENVIRONMENTAL REVIEW INITIAL STUDY

Date: 5/30/2012

Application Number: 121123

Staff Planner: Alice Daly

### I. OVERVIEW AND ENVIRONMENTAL DETERMINATION

APPLICANT: John Swift

APN: 026-641-01

OWNER: William Davis

SUPERVISORIAL DISTRICT: First

PROJECT LOCATION: 1026 Capitola Road

**SUMMARY PROJECT DESCRIPTION:** Proposal to construct a 15,443 square foot school, associated parking and an outdoor play/therapy area. Requires a Development Permit, a Variance to reduce the required front yard from 20 feet to 15 feet, a Preliminary Grading Review and a Soils Report Review (REV 121028).

**ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED:** All of the following potential environmental impacts are evaluated in this Initial Study. Categories that are marked have been analyzed in greater detail based on project specific information.

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

### DISCRETIONARY APPROVAL(S) BEING CONSIDERED:

- |   |   |
|---|---|
| <input type="checkbox"/> General Plan Amendment | <input type="checkbox"/> Coastal Development Permit |
|---|---|

- |  |  |
|--|--|
| <input type="checkbox"/> Land Division                 | <input checked="" type="checkbox"/> Grading Permit |
| <input type="checkbox"/> Rezoning                      | <input type="checkbox"/> Riparian Exception        |
| <input checked="" type="checkbox"/> Development Permit | <input type="checkbox"/> Other:                    |

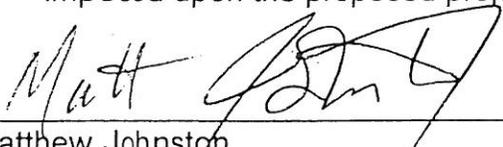
**NON-LOCAL APPROVALS**

Other agencies that must issue permits or authorizations:

**DETERMINATION:** (To be completed by the lead agency)

On the basis of this initial evaluation:

- I find that the proposed project COULD NOT have a significant effect on the environment, and a NEGATIVE DECLARATION will be prepared.
- I find that although the proposed project could have a significant effect on the environment, there will not be a significant effect in this case because revisions in the project have been made or agreed to by the project proponent. A MITIGATED NEGATIVE DECLARATION will be prepared.
- I find that the proposed project MAY have a significant effect on the environment, and an ENVIRONMENTAL IMPACT REPORT is required.
- I find that the proposed project MAY have a "potentially significant impact" or "potentially significant unless mitigated" impact on the environment, but at least one effect 1) has been adequately analyzed in an earlier document pursuant to applicable legal standards, and 2) has been addressed by mitigation measures based on the earlier analysis as described on attached sheets. An ENVIRONMENTAL IMPACT REPORT is required, but it must analyze only the effects that remain to be addressed.
- I find that although the proposed project could have a significant effect on the environment, because all potentially significant effects (a) have been analyzed adequately in an earlier EIR or NEGATIVE DECLARATION pursuant to applicable standards, and (b) have been avoided or mitigated pursuant to that earlier EIR or NEGATIVE DECLARATION, including revisions or mitigation measures that are imposed upon the proposed project, nothing further is required.

  
\_\_\_\_\_  
Matthew Johnston  
Environmental Coordinator

7/25/12  
\_\_\_\_\_  
Date

## II. BACKGROUND INFORMATION

### EXISTING SITE CONDITIONS

Parcel Size: 1.78 acres

Existing Land Use: vacant

Vegetation: riparian vegetation, non-native grassland, oak woodland, assorted native and non-native trees and shrubs

Slope in area affected by project:  0 - 30%  31 - 100%

Nearby Watercourse: Leona Creek, a perennial stream

Distance To: within an arroyo on SW side of the property

### ENVIRONMENTAL RESOURCES AND CONSTRAINTS

Water Supply Watershed: No

Fault Zone: n/a

Groundwater Recharge: No

Scenic Corridor: no

Timber or Mineral: No

Historic: No

Agricultural Resource: No

Archaeology: No

Biologically Sensitive Habitat: Yes-portion

Noise Constraint: No

Fire Hazard: n/a

Electric Power Lines: No

Floodplain: n/a

Solar Access: solar access ok

Erosion: n/a

Solar Orientation: ok

Landslide: n/a

Hazardous Materials: n/a

Liquefaction: n/a

Other:

### SERVICES

Fire Protection: Central Fire

Drainage District: Flood Zone 5

School District: SCHSD

Project Access: driveway off Jose Avenue

Sewage Disposal: SC Sanitation

Water Supply: Santa Cruz Water

### PLANNING POLICIES

Zone District: RM-4

Special Designation: n/a

General Plan: R-UM, O-U

Urban Services Line:  Inside

Outside

Coastal Zone:  Inside

Outside

### ENVIRONMENTAL SETTING AND SURROUNDING LAND USES:

Leona Creek, a perennial stream, crosses the southeast side of the property. The creek drains downstream into the west side of Schwann Lagoon. The creek is contained within an arroyo with slopes of more than 30% near the stream. The property is flatter above the arroyo area, with an average grade of 10% or less. The parcel supports four types of plant communities: non-native grassland, coast live oak, non-native landscaping and willow thicket. The property also contains a small area of willow-dominated riparian vegetation near Capitola Road by the creek. An open space

easement of approximately 0.39 acres (11,462 square feet) is located along the eastern boundary of the property.

The parcel is currently undeveloped. Existing land uses in the vicinity are a mix of single-family, multi-family, commercial, institutional and open space uses.

#### **PROJECT BACKGROUND:**

The subject property was originally part of a 9 acre parcel (APN 026-181-20). Two single-family residences dating back to approximately 1926 were located on the parcel.

In 1982, Minor Land Division 80-1033-MLD, Planned Development Permit 80-1043-PD and Zoning Amendment 80-1035-Z were approved. A newly-created 5-acre parcel became the site of the Elizabeth Oaks affordable housing project, and 2.3 acres were dedicated as public park space. The land division also created the subject parcel in its current configuration. The single-family dwellings on the parcel were later demolished, and the property later rezoned to Multi-Family Residential, 4,000 square feet per unit (RM-4) and designated Urban Medium in the General Plan.

Schools are an allowed use in the RM zone district with a Level 5 Zoning Administrator approval.

#### **DETAILED PROJECT DESCRIPTION:**

The 1.78 parcel is proposed to be developed with a 15,443 square foot school building for use by The Bay School, a 50(c)(3) nonprofit/nonpublic school serving students with autism and other developmental disabilities. The proposal for the site includes an outdoor recreational/play area, 59 parking spaces, and a landscape plan.

Proposed grading will be 1,313 cubic yards of cut, 1,142 cubic yards of fill and 171 cubic yards of export. 19,637 square feet of paved circulation area, and a total of 32,736 square feet of impervious surface are proposed.

An arborist's report and tree inventory (Maureen Hamb, dated February 21, 2012) has identified approximately 15 inventoried trees that are in poor condition and may be removed. Additional small non-native trees may also be removed. Approximately twelve coast live oaks will be retained and incorporated into the project design.

A Variance is requested to reduce the required 20-foot front yard setback (along Capitola Road) to 15 feet.

Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
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### III. ENVIRONMENTAL REVIEW CHECKLIST

#### A. GEOLOGY AND SOILS

Would the project:

1. Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving:
  - A. Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42.
  - B. Strong seismic ground shaking?
  - C. Seismic-related ground failure, including liquefaction?
  - D. Landslides?

	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

**Discussion (A through D):** The project site is located outside of the limits of the State Alquist-Priolo Special Studies Zone (County of Santa Cruz GIS Mapping, California Division of Mines and Geology, 2001).

All of Santa Cruz County is subject to some hazard from earthquakes. However, the project site is not located within or adjacent to a county or state mapped fault zone. A geotechnical investigation for the proposed project was performed by Rock Solid Engineering, Inc. dated March 1, 2012 (Attachment 3). The report concluded that fault rupture would not be a potential threat to the proposed development, and that seismic shaking can be managed by constructing with conventional spread footings or pier and grade beam foundation systems and by following the recommendations in the geologic and geotechnical reports referenced above.

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
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|----|--|--------------------------|--------------------------|--------------------------|-------------------------------------|
| 2. | 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? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
|----|--|--------------------------|--------------------------|--------------------------|-------------------------------------|

The geotechnical report cited above did not identify a significant potential for damage caused by any of these hazards.

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|----|--|--------------------------|--------------------------|--------------------------|-------------------------------------|
| 3. | Develop land with a slope exceeding 30%? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
|----|--|--------------------------|--------------------------|--------------------------|-------------------------------------|

**Discussion:** There are slopes that exceed 30% on the property. However, no improvements are proposed on slope areas in excess of 30%.

- |    |  |                          |                          |                                     |                          |
|----|--|--------------------------|--------------------------|-------------------------------------|--------------------------|
| 4. | Result in substantial soil erosion or the loss of topsoil? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
|----|--|--------------------------|--------------------------|-------------------------------------|--------------------------|

**Discussion:** Some potential for erosion exists during the construction phase of the project, however, this potential is minimal because standard erosion controls are a required condition of the project. Prior to approval of a grading or building permit, the project must have an approved Erosion Control Plan, which will specify detailed erosion and sedimentation control measures. The plan will include provisions for disturbed areas to be planted with ground cover and to be maintained to minimize surface erosion.

- |    |  |                          |                          |                          |                                     |
|----|--|--------------------------|--------------------------|--------------------------|-------------------------------------|
| 5. | Be located on expansive soil, as defined in Section 1802.3.2 of the California Building Code (2007), creating substantial risks to life or property? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
|----|--|--------------------------|--------------------------|--------------------------|-------------------------------------|

**Discussion:** There is no indication that the development site is subject to substantial risk caused by expansive soils. The geotechnical report for the project did not identify any elevated risk associated with expansive soils.

- |    |   |                          |                          |                          |                                     |
|----|---|--------------------------|--------------------------|--------------------------|-------------------------------------|
| 6. | Place sewage disposal systems in areas dependent upon soils incapable of adequately supporting the use of septic tanks, leach fields, or alternative waste water disposal systems where sewers are not available? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
|----|---|--------------------------|--------------------------|--------------------------|-------------------------------------|

**Discussion:** No septic systems are proposed. The project would connect to the Santa Cruz County Sanitation District, and the applicant would be required to pay standard sewer connection and service fees that fund sanitation improvements within the district

Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
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as a Condition of Approval for the project.

7. Result in coastal cliff erosion?

**Discussion:** The proposed project is not located in the vicinity of a coastal cliff or bluff; and therefore, would not contribute to coastal cliff erosion.

**B. HYDROLOGY, WATER SUPPLY, AND WATER QUALITY**

Would the project:

1. Place development within a 100-year flood hazard area as mapped on a federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map?

**Discussion:** According to the Federal Emergency Management Agency (FEMA) National Flood Insurance Rate Map, dated March 2, 2006, no portion of the project lies within a 100-year flood hazard area.

2. Place within a 100-year flood hazard area structures which would impede or redirect flood flows?

**Discussion:** According to the Federal Emergency Management Agency (FEMA) National Flood Insurance Rate Map, dated March 2, 2006, no portion of the project lies within a 100-year flood hazard area.

3. Be inundated by a seiche, tsunami, or mudflow?

**Discussion:** The project site is located approximately 2 miles inland from the ocean, and although Leona Creek, a perennial stream, crosses the southeast side of the property, it is not anticipated that a seiche or tsunami could reach the project area. The greater neighborhood vicinity is relatively level or downslope from the proposed project, and thus would not be subject to mudflow.

- |   | Potentially Significant Impact | Less than Significant with Mitigation Incorporated | Less than Significant Impact | No Impact                           |
|---|--------------------------------|--|------------------------------|-------------------------------------|
| 4. Substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g., the production rate of pre-existing nearby wells would drop to a level which would not support existing land uses or planned uses for which permits have been granted)? | <input type="checkbox"/>       | <input type="checkbox"/>                           | <input type="checkbox"/>     | <input checked="" type="checkbox"/> |

**Discussion:** The project would obtain water from the City of Santa Cruz Water District and would not rely on private well water. Although the project would incrementally increase water demand, the City of Santa Cruz has indicated that adequate supplies are available to serve the project (Attachment 4). The project is not located in a mapped groundwater recharge area.

- |   |                          |                          |                                     |                          |
|---|--------------------------|--------------------------|-------------------------------------|--------------------------|
| 5. Substantially degrade a public or private water supply? (Including the contribution of urban contaminants, nutrient enrichments, or other agricultural chemicals or seawater intrusion). | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
|---|--------------------------|--------------------------|-------------------------------------|--------------------------|

**Discussion:** The project would not discharge runoff either directly or indirectly into a public or private water supply. No commercial or industrial activities are proposed that would generate a significant amount of contaminants. The parking areas and driveway associated with the project would incrementally contribute urban pollutants to the environment; however, the contribution would be minimal because runoff would be directed toward vegetated swales that would provide some filtration. Potential siltation from the proposed project will be addressed through implementation of erosion control measures.

- |                                       |                          |                          |                          |                                     |
|---------------------------------------|--------------------------|--------------------------|--------------------------|-------------------------------------|
| 6. Degrade septic system functioning? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
|---------------------------------------|--------------------------|--------------------------|--------------------------|-------------------------------------|

**Discussion:** There are no existing septic systems in the vicinity of the project.

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
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7. Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner which would result in flooding, on- or off-site?

<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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**Discussion:** The proposed project would have an engineered drainage plan that would not result in a substantial increase in the amount or rate of surface runoff. With implementation of the engineered drainage plan as approved, the course of Leona Creek would not be altered and the project would not result in flooding either on or off-site. The Department of Public Works Drainage Section staff has reviewed and approved the proposed drainage plan by Ifland Engineers, dated April 26, 2012 (Attachment 5). The drainage calculations show that runoff from the proposed new impervious surfaces can be mitigated. The runoff rate from the property would be controlled by vegetated bioswales, two piped detention systems, two raingarden detention systems and one bioswale detention system. DPW staff determined that existing storm water facilities are adequate to handle the increase in drainage associated with the project. Refer to response B-5 for discussion of urban contaminants and/or other polluting runoff.

8. Create or contribute runoff water which would exceed the capacity of existing or planned storm water drainage systems, or provide substantial additional sources of polluted runoff?

<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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**Discussion:** Drainage Calculations prepared by Ifland Engineers, dated April 26, 2012 (Attachment 5) have been reviewed for potential drainage impacts and accepted by the Department of Public Works (DPW) Drainage Section staff. The calculations show that runoff from the proposed new impervious surfaces can be mitigated. The runoff rate from the property would be controlled by vegetated bioswales, two piped detention systems, two raingarden detention systems and one bioswale detention system. DPW staff determined that existing storm water facilities are adequate to handle the increase in drainage associated with the project. Refer to response B-5 for discussion of urban contaminants and/or other polluting runoff.

9. Expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam?

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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**Discussion:** There are no dams or levees in the project vicinity.

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
10. Otherwise substantially degrade water quality?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

**Discussion:** A plan for maintenance will be required for the retention systems, raingardens, outlets and drainage swales to minimize the effects of urban pollutants.

**C. BIOLOGICAL RESOURCES**

Would the project:

1. Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game, or U.S. Fish and Wildlife Service?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
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**Discussion:** A Riparian Review Report was prepared for this project by Biotic Resources Group, dated June 21, 2011, which includes a full discussion of the potential for special status species on the project site (Attachment 6). The report concludes that no special status plant species, nor any Federally or State-listed wildlife species are present on the project site due to its previously-disturbed nature. However, a supplemental letter from Biotic Resources Group dated February 15, 2012 (Attachment 7) discusses the habitat potential of the site for the San Francisco dusky-footed woodrat, a State species of special concern, and as habitat for nesting raptors and migratory birds. This supplemental letter identifies measures that can be taken to avoid the potential for construction-related impacts to these species. The measures to avoid impacts to nesting birds would include timing construction to avoid the nesting season, and conducting a pre-construction survey. Measures to avoid impacts to woodrats would include a pre-construction survey by a qualified biologist, and relocation or replacement of woodrat nests, if required and as permitted by the California Department of Fish and Game. With the incorporation of these mitigation measures, adverse effects to any special status or sensitive species would be less than significant.

2. Have a substantial adverse effect on any riparian habitat or sensitive natural community identified in local or regional plans, policies, regulations (e.g., wetland, native grassland, special forests, intertidal zone, etc.) or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
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**Discussion:** As discussed above, the Riparian Report Review for this project by Biotic

Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
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Resources Group, dated June 21, 2011 concludes that no special status plant species, nor any Federally or State-listed wildlife species are present on the project site due to its previously-disturbed nature. Mitigation measures will reduce impacts to the oak woodland habitat on the project site, including requirements for tree protection during construction, and 3:1 replacement of oak trees to be removed. The project arborist will evaluate whether some of the smaller oaks proposed to be removed can be relocated. In addition, the project was designed to avoid impacts to the riparian corridor. A retaining wall is proposed to be built along the border of the required riparian buffer. However, the wall will be constructed by hand from the outside of the buffer line, and engineered so as to avoid disturbance within the riparian area.

- |    |   |                          |                          |                                     |                          |
|----|---|--------------------------|--------------------------|-------------------------------------|--------------------------|
| 3. | Interfere substantially with the movement of any native resident or migratory fish or wildlife species, or with established native resident or migratory wildlife corridors, or impede the use of native or migratory wildlife nursery sites? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
|----|---|--------------------------|--------------------------|-------------------------------------|--------------------------|

**Discussion:** The proposed project does not involve any activities that would interfere with the movements or migrations of fish or wildlife, or impede use of a known wildlife nursery site. As discussed under C.1 above, construction shall be timed and/or pre-construction surveys shall be conducted to ensure that the nesting activities of migratory birds, raptors or woodrats will not be impacted.

- |    |   |                          |                          |                                     |                          |
|----|---|--------------------------|--------------------------|-------------------------------------|--------------------------|
| 4. | Produce nighttime lighting that would substantially illuminate wildlife habitats? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
|----|---|--------------------------|--------------------------|-------------------------------------|--------------------------|

**Discussion:** The development area is adjacent to a riparian corridor, which could be adversely affected by a new or additional source of light that is not adequately deflected or minimized. The following mitigation measures will be added to the project, such that any potential impact will be reduced to a less than significant level: All outdoor light fixtures shall be downward-directed, non-glare, and shielded from illuminating the riparian portions of the project site.

- |    |  |                          |                          |                          |                                     |
|----|--|--------------------------|--------------------------|--------------------------|-------------------------------------|
| 5. | Have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
|----|--|--------------------------|--------------------------|--------------------------|-------------------------------------|

**Discussion:** According to the Riparian Review Report prepared for this project by

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
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Biotic Resources Group, dated June 21, 2011 (Attachment 6), no water or wetland features other than the active Leona Creek channel were observed on the subject parcel.

- |    |   |                          |                          |                                     |                          |
|----|---|--------------------------|--------------------------|-------------------------------------|--------------------------|
| 6. | Conflict with any local policies or ordinances protecting biological resources (such as the Sensitive Habitat Ordinance, Riparian and Wetland Protection Ordinance, and the Significant Tree Protection Ordinance)? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
|----|---|--------------------------|--------------------------|-------------------------------------|--------------------------|

**Discussion:** The project would not conflict with any local policies or ordinances. Implementation of the mitigations described under items C.1 and C.2 above will ensure the conformance of the project with all local policies and ordinances that protect biological resources.

- |    |   |                          |                          |                          |                                     |
|----|---|--------------------------|--------------------------|--------------------------|-------------------------------------|
| 7. | Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
|----|---|--------------------------|--------------------------|--------------------------|-------------------------------------|

**Discussion:** The proposed project would not conflict with the provisions of any adopted Habitat Conservation Plan Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan. Therefore, no impact would occur.

**D. AGRICULTURE AND FOREST RESOURCES**

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. In determining whether impacts to forest resources, including timberland, are significant environmental effects, lead agencies may refer to information compiled by the California Department of Forestry and Fire Protection regarding the state's inventory of forest land, including the Forest and Range Assessment Project and the Forest Legacy Assessment Project; and forest carbon measurement methodology provided in Forest Protocols adopted by the California Air Resources Board. Would the project:

- |    |   |                          |                          |                          |                                     |
|----|---|--------------------------|--------------------------|--------------------------|-------------------------------------|
| 1. | Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
|----|---|--------------------------|--------------------------|--------------------------|-------------------------------------|

Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
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**Discussion:** The project site does not contain any lands designated as Prime Farmland, Unique Farmland, or Farmland of Statewide Importance as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency. In addition, the project does not contain Farmland of Local Importance. Therefore, no Prime Farmland, Unique Farmland, Farmland of Statewide or Farmland of Local Importance would be converted to a non-agricultural use. No impact would occur from project implementation.

2. Conflict with existing zoning for agricultural use, or a Williamson Act contract?

**Discussion:** The project site is zoned multi-family residential, 4,000 square feet per unit density (RM-4), which is not considered to be an agricultural zone. Additionally, the project site's land is not under a Williamson Act Contract. Therefore, the project does not conflict with existing zoning for agricultural use, or a Williamson Act Contract. No impact is anticipated.

3. Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code Section 12220(g)), timberland (as defined by Public Resources Code Section 4526), or timberland zoned Timberland Production (as defined by Government Code Section 51104(g))?

**Discussion:** The project is not adjacent to any land designated as Timber Resource and will not cause the rezoning of any forest land.

4. Result in the loss of forest land or conversion of forest land to non-forest use?

**Discussion:** No forest land occurs on the project site or in the immediate vicinity. No impact is anticipated.

5. Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use or conversion of forest land to non-forest use?

**Discussion:** The project site and surrounding areas are in an urbanized portion of the County and do not contain any lands designated as Prime Farmland, Unique Farmland, Farmland of Statewide Importance or Farmland of Local Importance as

Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
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shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency. Therefore, no Prime Farmland, Unique Farmland, Farmland of Statewide, or Farmland of Local Importance would be converted to a non-agricultural use. In addition, the project site contains no forest land, and no forest lands occur within a mile of the proposed project site. Therefore, no impacts are anticipated.

**E. MINERAL RESOURCES**

Would the project:

1. Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?

**Discussion:** The site does not contain any known mineral resources that would be of value to the region and the residents of the state. Therefore, no impact is anticipated from project implementation.

2. Result in the loss of availability of a locally-important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan?

**Discussion:** The project site is zoned Multi-Family Residential, 4,000 square feet per unit density (RM-4), which is not considered to be an Extractive Use Zone (M-3) nor does it have a Land Use Designation with a Quarry Designation Overlay (Q) (County of Santa Cruz 1994). Therefore, no potentially significant loss of availability of a known mineral resource of locally important mineral resource recovery (extraction) site delineated on a local general plan, specific plan or other land use plan would occur as a result of this project.

**F. VISUAL RESOURCES AND AESTHETICS**

Would the project:

1. Have an adverse effect on a scenic vista?

**Discussion:** The project would not directly impact any public scenic resources, as designated in the County's General Plan (1994), or obstruct any public views of these visual resources. County visual resource protection regulations only apply to public viewsheds.

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
2. Substantially damage scenic resources, within a designated scenic corridor or public view shed area including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

**Discussion:** The project site is not located along a County designated scenic road, public viewshed area, scenic corridor, within a designated scenic resource area, or within a state scenic highway. Therefore, no impact is anticipated.

3. Substantially degrade the existing visual character or quality of the site and its surroundings, including substantial change in topography or ground surface relief features, and/or development on a ridgeline?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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**Discussion:** The existing visual setting is a high-density urban corridor with a mix of residential, office and commercial development with some open space along the Leona Creek corridor. The proposed project is designed and landscaped to fit into this setting. The proposed design will result in a small amount of increased visual density along Capitola Road, and site grading will result in minor topographical modifications, but will not substantially change existing contours.

4. Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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**Discussion:** The project would contribute an incremental amount of night lighting to the visual environment. However, project conditions will reduce this potential impact to a less than significant level by requiring that outdoor lighting be shielded, non-glare, downward directed and not directed toward the riparian corridor on the project site.

## G. CULTURAL RESOURCES

Would the project:

1. Cause a substantial adverse change in the significance of a historical resource as defined in CEQA Guidelines Section 15064.5?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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**Discussion:** The property is not currently developed and has no historic resources.

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
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|----|---|--------------------------|--------------------------|-------------------------------------|--------------------------|
| 2. | Cause a substantial adverse change in the significance of an archaeological resource pursuant to CEQA Guidelines Section 15064.5? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
|----|---|--------------------------|--------------------------|-------------------------------------|--------------------------|

**Discussion:** No archeological resources have been identified in the project area. However, pursuant to County Code Section 16.40.040, if at any time in the preparation for or process of excavating or otherwise disturbing the ground, any human remains of any age, or any artifact or other evidence of a Native American cultural site which reasonably appears to exceed 100 years of age are discovered, the responsible persons shall immediately cease and desist from all further site excavation and comply with the notification procedures given in County Code Chapter 16.40.040.

- |    |   |                          |                          |                                     |                          |
|----|---|--------------------------|--------------------------|-------------------------------------|--------------------------|
| 3. | Disturb any human remains, including those interred outside of formal cemeteries? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
|----|---|--------------------------|--------------------------|-------------------------------------|--------------------------|

**Discussion:** Pursuant to Section 16.40.040 of the Santa Cruz County Code, if at any time during site preparation, excavation, or other ground disturbance associated with this project, human remains are discovered, the responsible persons shall immediately cease and desist from all further site excavation and notify the sheriff-coroner and the Planning Director. If the coroner determines that the remains are not of recent origin, a full archeological report shall be prepared and representatives of the local Native California Indian group shall be contacted. Disturbance shall not resume until the significance of the archeological resource is determined and appropriate mitigations to preserve the resource on the site are established.

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|----|--|--------------------------|--------------------------|--------------------------|-------------------------------------|
| 4. | Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
|----|--|--------------------------|--------------------------|--------------------------|-------------------------------------|

**Discussion:** No unique paleontological resources or unique geologic features are present on the project site.

**H. HAZARDS AND HAZARDOUS MATERIALS**

Would the project:

- |    |  |                          |                          |                          |                                     |
|----|--|--------------------------|--------------------------|--------------------------|-------------------------------------|
| 1. | Create a significant hazard to the public or the environment as a result of the routine transport, use or disposal of hazardous materials? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
|----|--|--------------------------|--------------------------|--------------------------|-------------------------------------|

**Discussion:** No hazardous materials are proposed to be transported used or disposed of at the project site.

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
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|----|--|--------------------------|--------------------------|--------------------------|-------------------------------------|
| 2. | Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
|----|--|--------------------------|--------------------------|--------------------------|-------------------------------------|

**Discussion:** No hazardous materials will be used or stored at the project site, thus there would be no foreseeable circumstances under which an accident would cause release of hazardous materials into the environment .

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|----|--|--------------------------|--------------------------|--------------------------|-------------------------------------|
| 3. | Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
|----|--|--------------------------|--------------------------|--------------------------|-------------------------------------|

**Discussion:** No hazardous materials are proposed to be used, released or disposed of at the project site.

- |    |   |                          |                          |                          |                                     |
|----|---|--------------------------|--------------------------|--------------------------|-------------------------------------|
| 4. | Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
|----|---|--------------------------|--------------------------|--------------------------|-------------------------------------|

**Discussion:** The project site is not included on the April 14, 2007 list of hazardous sites in Santa Cruz County compiled pursuant to the specified code.

- |    |   |                          |                          |                          |                                     |
|----|---|--------------------------|--------------------------|--------------------------|-------------------------------------|
| 5. | For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard for people residing or working in the project area? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
|----|---|--------------------------|--------------------------|--------------------------|-------------------------------------|

**Discussion:** The project site is not located within an airport land use plan area or within two miles of a public airport.

- |    |  |                          |                          |                          |                                     |
|----|--|--------------------------|--------------------------|--------------------------|-------------------------------------|
| 6. | For a project within the vicinity of a private airstrip, would the project result in a safety hazard for people residing or working in the project area? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
|----|--|--------------------------|--------------------------|--------------------------|-------------------------------------|

Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
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**Discussion:** The project site is not located within the vicinity of a private airstrip.

- |    |  |                          |                          |                          |                                     |
|----|--|--------------------------|--------------------------|--------------------------|-------------------------------------|
| 7. | Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
|----|--|--------------------------|--------------------------|--------------------------|-------------------------------------|

**Discussion:** There is not an adopted emergency response or evacuation plan specific to the project site, and the proposed project would have no impact on emergency evacuation within the vicinity.

- |    |   |                          |                          |                                     |                          |
|----|---|--------------------------|--------------------------|-------------------------------------|--------------------------|
| 8. | Expose people to electro-magnetic fields associated with electrical transmission lines? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
|----|---|--------------------------|--------------------------|-------------------------------------|--------------------------|

**Discussion:** There are no high-power, high-EMF-emitting electrical transmission lines in the immediate vicinity of the proposed project, and thus there would be no significant EMF exposure as a result of the project.

- |    |   |                          |                          |                          |                                     |
|----|---|--------------------------|--------------------------|--------------------------|-------------------------------------|
| 9. | Expose people or structures to a significant risk of loss, injury or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
|----|---|--------------------------|--------------------------|--------------------------|-------------------------------------|

**Discussion:** The project is not located in a wildland fire area, and the project design incorporates all applicable fire safety code requirements and includes fire protection devices as required by the local fire agency.

### I. TRANSPORTATION/TRAFFIC

Would the project:

- |    |  |                          |                          |                                     |                          |
|----|--|--------------------------|--------------------------|-------------------------------------|--------------------------|
| 1. | Conflict with an applicable plan, ordinance or policy establishing measures of effectiveness for the performance of the circulation system, taking into account all modes of transportation including mass transit and non-motorized travel and relevant components of the circulation system, including but not limited to intersections, streets, highways and freeways, pedestrian and bicycle paths, and mass transit? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
|----|--|--------------------------|--------------------------|-------------------------------------|--------------------------|

**Discussion:** The Bay School is currently located less than one mile from the proposed

Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
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site. As such, regional traffic to and from the project site would remain unchanged from existing conditions. According to the transportation study conducted for the proposed project by Hatch Mott MacDonald, dated June 25, 2012 and their subsequent Memorandum dated July 20, 2012 (Attachment 8), daily project trip generation would be approximately 236 trips, and impacts on nearby roads would be less than significant. The transportation study analyzed existing conditions at the three major intersections near the project site: 7<sup>th</sup> Avenue/Capitola Road, Jose Avenue/Capitola Road and 17<sup>th</sup> Avenue/Capitola Road, and concluded that all three intersections currently operate at or better than Level of Service (LOS) standard C, and that the proposed project would only add approximately one trip per minute to the surrounding system during peak traffic periods. Thus, the report concludes that the project would not have a significant impact upon area traffic operations, including the Capitola Road corridor.

The study also noted that there are adequate gaps in corridor traffic, and an existing lighted crosswalk across Capitola Road at Jose Avenue. Based on analysis of commuting patterns for the existing Bay School facility less than a mile away, it is anticipated that approximately 20% of the staff may walk, bike, carpool or take public transit to the project site, and that the existing infrastructure would support all of these modes of transportation.

2. Result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks?

**Discussion:** The proposed project will not entail any changes to air traffic patterns, as there are no nearby airport zones.

3. Substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?

**Discussion:** There are no poorly designed or dangerous road features or incompatible transportation uses in the project vicinity.

4. Result in inadequate emergency access?

**Discussion:** The project's road access meets County standards and has been approved by the Central Fire District. Public Works Roads and Transportation personnel have also reviewed the plans for conformance with all County Design Criteria standards. The proposed project would comply with current road requirements to prevent potential hazards to motorists, bicyclists, and/or pedestrians.

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
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5. Cause an increase in parking demand which cannot be accommodated by existing parking facilities?

**Discussion:** Because of the unique nature of the Bay School program, the project exceeds the code requirements for the required number of parking spaces that would otherwise be called out for a school facility of its kind. There is a one-to-one staff to student ratio, and thus the proposed facility has been designed to accommodate 59 parking spaces on site. While some of the staff are anticipated to walk, bike, carpool or use public transportation, there will also be frequent visits, drop-offs and pick-ups by parents. In addition, many students arrive by van or bus, so a loading zone is proposed within the parking area to accommodate vans, buses and drop-offs. Therefore, all new parking demand would be accommodated on site.

6. Conflict with adopted policies, plans, or programs regarding public transit, bicycle, or pedestrian facilities, or otherwise decrease the performance or safety of such facilities?

**Discussion:** The proposed project would not be in conflict with any adopted policies, plans or programs

7. Exceed, either individually (the project alone) or cumulatively (the project combined with other development), a level of service standard established by the County General Plan for designated intersections, roads or highways?

**Discussion:** According to the transportation study performed by Hatch Mott MacDonald (Attachment 8), the proposed project is anticipated to add one trip per minute during peak traffic periods to the following intersections: 7<sup>th</sup> Avenue/Capitola Road, Jose Avenue/Capitola Road and 17<sup>th</sup> Avenue/Capitola Road, and would not reduce operations to a level of service below C. The existing Bay School facility currently operates less than one mile away, with the same number of students and staff as what is proposed for this project. Thus, regional traffic to and from the project site would remain unchanged from existing conditions.

**J. NOISE**

Would the project result in:

1. A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project?

Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
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**Discussion:** The project would create an incremental increase in the existing noise environment. However, this increase would be small, and would be similar in character to noise generated by the surrounding existing uses.

- |    |  |                          |                          |                                     |                          |
|----|--|--------------------------|--------------------------|-------------------------------------|--------------------------|
| 2. | Exposure of persons to or generation of excessive groundborne vibration or groundborne noise levels? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
|----|--|--------------------------|--------------------------|-------------------------------------|--------------------------|

**Discussion:** There may be temporary and intermittent construction-related groundborne noise and vibration during the period of time that the proposed facility is under construction, and construction activity will be limited to daytime non-holiday hours. The daily uses of the proposed school will not generate excessive groundborne noise or vibration.

- |    |  |                          |                          |                                     |                          |
|----|--|--------------------------|--------------------------|-------------------------------------|--------------------------|
| 3. | Exposure of persons to or generation of noise levels in excess of standards established in the General Plan or noise ordinance, or applicable standards of other agencies? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
|----|--|--------------------------|--------------------------|-------------------------------------|--------------------------|

**Discussion:** Per County policy, average hourly noise levels shall not exceed the General Plan threshold of 50 Leq during the day and 45 Leq during the nighttime. Impulsive noise levels shall not exceed 65 db during the day or 60 db at night. Noise generated during construction may for short times increase the ambient noise levels for adjoining areas. Construction would be temporary, however and given the short duration of this impact and its limitation to specified daytime construction hours, it is considered to be less than significant. Any outdoor noises would be buffered from adjacent properties by the riparian area on site and by Capitola Road and Jose Avenue; there are no immediately adjacent residences.

- |    |   |                          |                          |                                     |                          |
|----|---|--------------------------|--------------------------|-------------------------------------|--------------------------|
| 4. | A substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
|----|---|--------------------------|--------------------------|-------------------------------------|--------------------------|

**Discussion:** Noise generated during construction would increase the ambient noise levels for adjoining areas. Construction would be temporary, however, and given the limited duration of this impact it is considered to be less than significant. Any outdoor noises would be buffered from adjacent properties by the riparian area on site and by Capitola Road and Jose Avenue; there are no immediately adjacent residences.

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
5. For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

**Discussion:** The project is not within an airport land use plan area, nor within two miles of a public or private airport.

6. For a project within the vicinity of a private airstrip, would the project expose people residing or working in the project area to excessive noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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**Discussion:** The project is not in the vicinity of any airstrips, public or private.

#### K. AIR QUALITY

Where available, the significance criteria established by the Monterey Bay Unified Air Pollution Control District (MBUAPCD) may be relied upon to make the following determinations. Would the project:

1. Violate any air quality standard or contribute substantially to an existing or projected air quality violation?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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**Discussion:** The North Central Coast Air Basin does not meet state standards for ozone and particulate matter (PM<sub>10</sub>). Therefore, the regional pollutants of concern that would be emitted by the project are ozone precursors (Volatile Organic Compounds [VOCs] and nitrogen oxides [NO<sub>x</sub>]), and dust.

The existing Bay School facility currently operates less than one mile away, with the same number of students and staff as what is proposed for this project. Thus, regional traffic to and from the project site would remain unchanged from existing conditions. A modest amount of new traffic would be generated by the project in nearby intersections, but there is no indication that new emissions of VOCs or NO<sub>x</sub> would exceed MBUAPCD thresholds for these pollutants and therefore there would not be a significant contribution to an existing air quality violation.

Project construction may result in a short-term, localized decrease in air quality due to generation of dust. However, standard dust control best management practices, such as periodic watering, will be implemented during construction to reduce impacts to a less than significant level.

- |   | Potentially Significant Impact | Less than Significant with Mitigation Incorporated | Less than Significant Impact | No Impact                           |
|---|--------------------------------|--|------------------------------|-------------------------------------|
| 2. Conflict with or obstruct implementation of the applicable air quality plan? | <input type="checkbox"/>       | <input type="checkbox"/>                           | <input type="checkbox"/>     | <input checked="" type="checkbox"/> |

**Discussion:** The project would not conflict with or obstruct implementation of the regional air quality plan. See K-1 above.

- |   |                          |                          |                                     |                          |
|---|--------------------------|--------------------------|-------------------------------------|--------------------------|
| 3. Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard (including releasing emissions which exceed quantitative thresholds for ozone precursors)? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
|---|--------------------------|--------------------------|-------------------------------------|--------------------------|

**Discussion:** The existing Bay School facility currently operates less than one mile away, with the same number of students and staff as what is proposed for this project. Thus, regional traffic to and from the project site would remain unchanged from existing conditions. A modest amount of new traffic would be generated by the project in nearby intersections, but there is no indication that new emissions of VOCs or NO<sub>x</sub> would exceed MBUAPCD thresholds for these pollutants and therefore there would not be a significant contribution to an existing air quality violation.

- |  |                          |                          |                                     |                          |
|--|--------------------------|--------------------------|-------------------------------------|--------------------------|
| 4. Expose sensitive receptors to substantial pollutant concentrations? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
|--|--------------------------|--------------------------|-------------------------------------|--------------------------|

**Discussion:** Project construction may result in a short-term, localized decrease in air quality due to generation of dust. However, standard dust control best management practices, such as periodic watering, will be implemented during construction to reduce impacts to a less than significant level.

- |   |                          |                          |                          |                                     |
|---|--------------------------|--------------------------|--------------------------|-------------------------------------|
| 5. Create objectionable odors affecting a substantial number of people? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
|---|--------------------------|--------------------------|--------------------------|-------------------------------------|

**Discussion:** There are no uses proposed for the project site that would create objectionable odors.

#### L. GREENHOUSE GAS EMISSIONS

Would the project:

- |   |                          |                          |                                     |                          |
|---|--------------------------|--------------------------|-------------------------------------|--------------------------|
| 1. Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
|---|--------------------------|--------------------------|-------------------------------------|--------------------------|

**Discussion:** The proposed project, like all development, would be responsible for an incremental increase in green house gas emissions by usage of fossil fuels during the site grading and construction. At this time, Santa Cruz County is in the process of

Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
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developing a Climate Action Plan (CAP) intended to establish specific emission reduction goals and necessary actions to reduce greenhouse gas levels to pre-1990 levels as required under AB 32 legislation. Until the CAP is completed, there are no specific standards or criteria to apply to this project. All project construction equipment would be required to comply with the Regional Air Quality Control Board emissions requirements for construction equipment. As a result, impacts associated with the temporary increase in green house gas emissions are expected to be less than significant.

According to the transportation study conducted for the proposed project by Hatch Mott MacDonald, dated June 25, 2012 (Attachment 8), relatively high percentages of students and staff currently utilize alternative transportation modes (e.g. walking, biking, public transportation or vanpools) and these percentages are anticipated to remain roughly the same for the proposed site. A total of 40% of all students are either bused or vanpooled to the current Bay School site, while 20% of staff either carpool, walk, bicycle or use public transit.

- |  |                          |                          |                          |                                     |
|--|--------------------------|--------------------------|--------------------------|-------------------------------------|
| 2. Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
|--|--------------------------|--------------------------|--------------------------|-------------------------------------|

**Discussion:** See the discussion under L-1 above. No impacts are anticipated.

**M. PUBLIC SERVICES**

Would the project:

- |  |                          |                          |                                     |                                     |
|--|--------------------------|--------------------------|-------------------------------------|-------------------------------------|
| 1. 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: |                          |                          |                                     |                                     |
| a. Fire protection?  | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |
| b. Police protection?  | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |
| c. Schools?  | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/>            | <input checked="" type="checkbox"/> |

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
d. Parks or other recreational activities?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e. Other public facilities; including the maintenance of roads?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

**Discussion (a through e):** The Bay School currently operates less than one mile away from the proposed project site with the same level of staffing and students, and thus there would be no incremental contribution to the need for services. Moreover, the project meets all of the standards and requirements identified by the local fire agency and would not create new impacts to recreational facilities and public roads.

**N. RECREATION**

Would the project:

1. Would the project increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
--	--------------------------	--------------------------	-------------------------------------	--------------------------

**Discussion:** School activities for students may involve very occasional field trips to recreational facilities in the area, but nearly all daily program activities will take place within the proposed school and the outdoor activity area adjacent to the school and parking area. Any impacts to public recreational facilities would be extremely minimal.

2. Does the project include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
---	--------------------------	--------------------------	-------------------------------------	--------------------------

**Discussion:** The proposed project includes the construction of an approximately 3,200 square foot outdoor activity area adjacent to the school and its parking lot. This will result in new impervious area, but the impacts of drainage flow across impervious surfaces will be mitigated through on-site engineered retention systems, and will be directed to bio-swale and raingarden areas. All project-related runoff will be retained on the project site.

Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
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**O. UTILITIES AND SERVICE SYSTEMS**

Would the project:

- |    |  |                          |                          |                                     |                          |
|----|--|--------------------------|--------------------------|-------------------------------------|--------------------------|
| 1. | Require or result in the construction of new storm water drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
|----|--|--------------------------|--------------------------|-------------------------------------|--------------------------|

**Discussion:** Drainage analysis of the project was conducted by Ifland Engineers (April 26, 2012, Attachment 5). Department of Public Works Drainage staff reviewed the drainage information and determined that downstream storm facilities are adequate to handle the increase in drainage associated with the project.

- |    |   |                          |                          |                          |                                     |
|----|---|--------------------------|--------------------------|--------------------------|-------------------------------------|
| 2. | Require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
|----|---|--------------------------|--------------------------|--------------------------|-------------------------------------|

**Discussion:** The project would connect to an existing municipal water supply. The City of Santa Cruz Water Department has determined that adequate supplies are available to serve the project (Attachment 4).

Municipal sewer service is available to serve the project, as reflected in the attached letter from the Santa Cruz County Sanitation District (Attachment 9).

- |    |  |                          |                          |                          |                                     |
|----|--|--------------------------|--------------------------|--------------------------|-------------------------------------|
| 3. | Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
|----|--|--------------------------|--------------------------|--------------------------|-------------------------------------|

**Discussion:** The project's wastewater flows would not violate any wastewater treatment standards.

- |    |   |                          |                          |                          |                                     |
|----|---|--------------------------|--------------------------|--------------------------|-------------------------------------|
| 4. | Have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
|----|---|--------------------------|--------------------------|--------------------------|-------------------------------------|

**Discussion:** The City of Santa Cruz Water Department has determined that adequate supplies are available to serve the project (Attachment 4).

- |   | Potentially Significant Impact | Less than Significant with Mitigation Incorporated | Less than Significant Impact | No Impact                           |
|---|--------------------------------|--|------------------------------|-------------------------------------|
| 5. Result in determination by the wastewater treatment provider which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments? | <input type="checkbox"/>       | <input type="checkbox"/>                           | <input type="checkbox"/>     | <input checked="" type="checkbox"/> |

**Discussion:** Municipal sewer service is available to serve the project, as reflected in the attached letter from the Santa Cruz County Sanitation District (Attachment 9).

- |  |                          |                          |                                     |                          |
|--|--------------------------|--------------------------|-------------------------------------|--------------------------|
| 6. Be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
|--|--------------------------|--------------------------|-------------------------------------|--------------------------|

**Discussion:** The project would result in a very small and less than significant incremental contribution to the reduced capacity of regional landfills, including minor amounts of construction debris.

- |   |                          |                          |                          |                                     |
|---|--------------------------|--------------------------|--------------------------|-------------------------------------|
| 7. Comply with federal, state, and local statutes and regulations related to solid waste? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
|---|--------------------------|--------------------------|--------------------------|-------------------------------------|

**Discussion:** The proposed project would not breach Federal, State or local statutes and regulations related to solid waste management.

## P. LAND USE AND PLANNING

Would the project:

- |   |                          |                          |                          |                                     |
|---|--------------------------|--------------------------|--------------------------|-------------------------------------|
| 1. Conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project (including, but not limited to the general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
|---|--------------------------|--------------------------|--------------------------|-------------------------------------|

**Discussion:** The proposed project does not conflict with any regulations or policies adopted for the purpose of avoiding or mitigating an environmental effect. The proposal is sited and designed to avoid any impacts to Leona Creek and to the riparian areas on the project site. No impact would occur.

- |   |                          |                          |                          |                                     |
|---|--------------------------|--------------------------|--------------------------|-------------------------------------|
| 2. Conflict with any applicable habitat conservation plan or natural community conservation plan? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
|---|--------------------------|--------------------------|--------------------------|-------------------------------------|

Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
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**Discussion:** The proposed project would not conflict with any applicable habitat conservation plan or natural community conservation plan. No impact would occur.

3. Physically divide an established community?

**Discussion:** The project would not include any element that would physically divide an established community.

**Q. POPULATION AND HOUSING**

Would the project:

1. Induce substantial population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?

**Discussion:** The proposed project does not propose any physical or regulatory change that would remove a restriction to or encourage population growth such as General Plan amendments, specific plan amendments, zone reclassifications, sewer or water annexations; or LAFCO annexation actions.

The proposed project is designed at the density and intensity of development allowed by the General Plan and zoning designations for the parcel. Additionally, the project does not involve extensions of utilities (e.g., water, sewer, or new road systems) into areas previously not served. Consequently, it is not expected to have a significant growth-inducing effect.

2. Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere?

**Discussion:** The proposed project would not displace any existing housing since the site is currently vacant.

3. Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere?

**Discussion:** The proposed project would not displace a substantial number of people since the site is currently vacant.

**R. MANDATORY FINDINGS OF SIGNIFICANCE**

- |   | Potentially Significant Impact | Less than Significant with Mitigation | Less than Significant Impact | No Impact                           |
|---|--------------------------------|---------------------------------------|------------------------------|-------------------------------------|
| 1. Does the project have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory? | <input type="checkbox"/>       | <input type="checkbox"/>              | <input type="checkbox"/>     | <input checked="" type="checkbox"/> |

**Discussion:** The potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory were considered in the response to each question in Section III of this Initial Study. No natural resources have been evaluated as being significantly impacted by the project. As a result of this evaluation, there is no substantial evidence that significant effects associated with this project would result. Therefore, this project has been determined not to meet this Mandatory Finding of Significance.

- |  | Potentially Significant Impact | Less than Significant with Mitigation | Less than Significant Impact | No Impact                           |
|--|--------------------------------|---------------------------------------|------------------------------|-------------------------------------|
| 2. Does the project have impacts that are individually limited, but cumulatively considerable? ("cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects)? | <input type="checkbox"/>       | <input type="checkbox"/>              | <input type="checkbox"/>     | <input checked="" type="checkbox"/> |

**Discussion:** In addition to project specific impacts, this evaluation considered the projects potential for incremental effects that are cumulatively considerable. As a result of this evaluation, there were determined to be no potentially significant cumulative effects. Therefore, this project has been determined not to meet this Mandatory Finding of Significance.

- |   | Potentially Significant Impact | Less than Significant with Mitigation | Less than Significant Impact | No Impact                           |
|---|--------------------------------|---------------------------------------|------------------------------|-------------------------------------|
| 3. Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly? | <input type="checkbox"/>       | <input type="checkbox"/>              | <input type="checkbox"/>     | <input checked="" type="checkbox"/> |

**Discussion:** In the evaluation of environmental impacts in this Initial Study, the potential for adverse direct or indirect impacts to human beings were considered in the response to specific questions in Section III. As a result of this evaluation, it was determined that no potentially significant effects to human beings would occur. Therefore, this project has been determined not to meet this Mandatory Finding of Significance.

**IV. TECHNICAL REVIEW CHECKLIST**

	<u>REQUIRED</u>	<u>DATE COMPLETED</u>
Agricultural Policy Advisory Commission (APAC) Review	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	_____
Archaeological Review	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	_____
Biotic Report/Assessment	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>	8/1/11
Geologic Hazards Assessment (GHA)	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	_____
Geologic Report	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	_____
Geotechnical (Soils) Report	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>	_____
Riparian Pre-Site	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>	10/20/11
Septic Lot Check	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	_____
Arborist Report	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>	2/12/12
Traffic and Parking Study	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>	2/25/12

## **V. REFERENCES USED IN THE COMPLETION OF THIS ENVIRONMENTAL REVIEW INITIAL STUDY**

County of Santa Cruz 1994.

*1994 General Plan and Local Coastal Program for the County of Santa Cruz, California.* Adopted by the Board of Supervisors on May 24, 1994, and certified by the California Coastal Commission on December 15, 1994.

## **VI. ATTACHMENTS**

**NOTE:** All project documents and studies, including the reports below for which Conclusions and Recommendations are attached, are on file with the County of Santa Cruz and available for public review.

1. *Vicinity Map, Map of Zoning Districts; Map of General Plan Designations; and Assessors Parcel Map.*
2. Architectural Plans prepared by Paul Davis, dated 6/27/12, including *Landscape Plan*, prepared by Gregory Lewis, dated 5/11/12
3. *Geotechnical Investigation (Conclusions and Recommendations)*, prepared by Rock Solid Engineering, Inc., dated March 1, 2012
4. *Letter from City of Santa Cruz Water District*, dated May 1, 2012
5. *Drainage Calculations*, prepared by Ifland Engineers, dated April 26, 2012
6. *Riparian Review Report*, prepared by Biotic Resources Group, dated June 21, 2011
7. *Biotic Report Supplemental Letter*, prepared by Biotic Resources Group, dated February 15, 2012
8. *Traffic Study (Conclusions and Recommendations)*, dated June 25, 2012 and Memorandum dated July 20, 2012, prepared by Hatch Mott MacDonald
9. *Memo from Department of Public Works, Sanitation District*, dated May 3, 2012
10. *Discretionary Application Comments*, dated 7/12/2012
11. *Arborists Report*, dated February 21, 2012, *Construction Impact Analysis*, dated May 10, 2012, and review of updated plans, dated July 23, 2012, by Maureen Hamb, WCISA Certified Arborist





# Location Map



### LEGEND

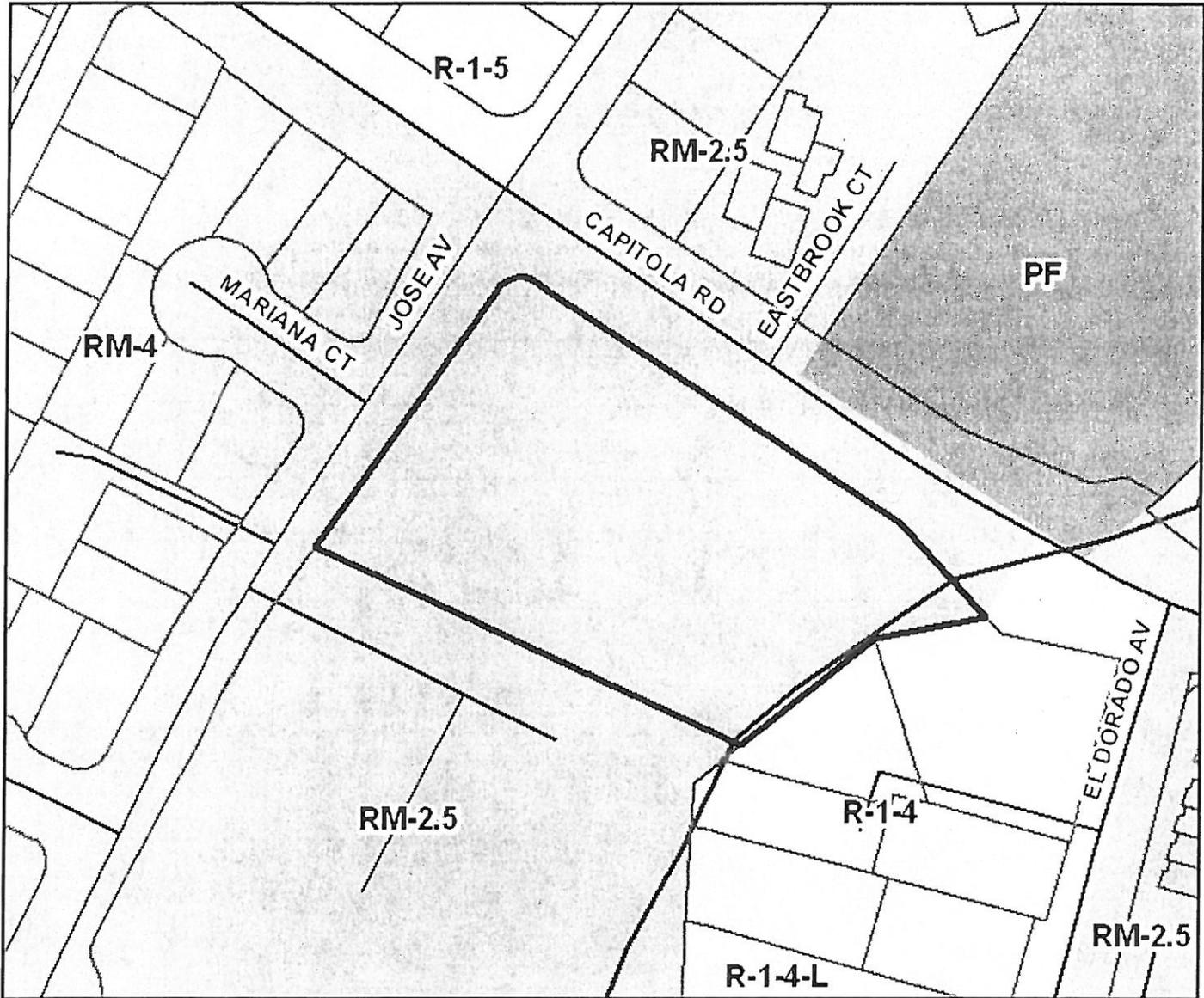
-  APN: 026-641-01
-  Assessors Parcels
-  Streets
-  SANTA CRUZ



Map Created by  
 County of Santa Cruz  
 Planning Department  
 May 2012



# Zoning Map



**LEGEND**

- APN: 026-641-01
- Assessors Parcels
- Streets

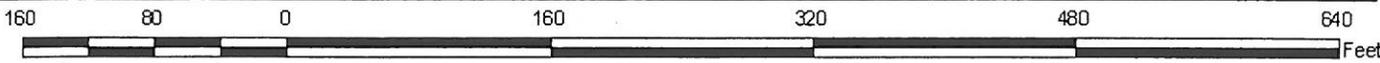
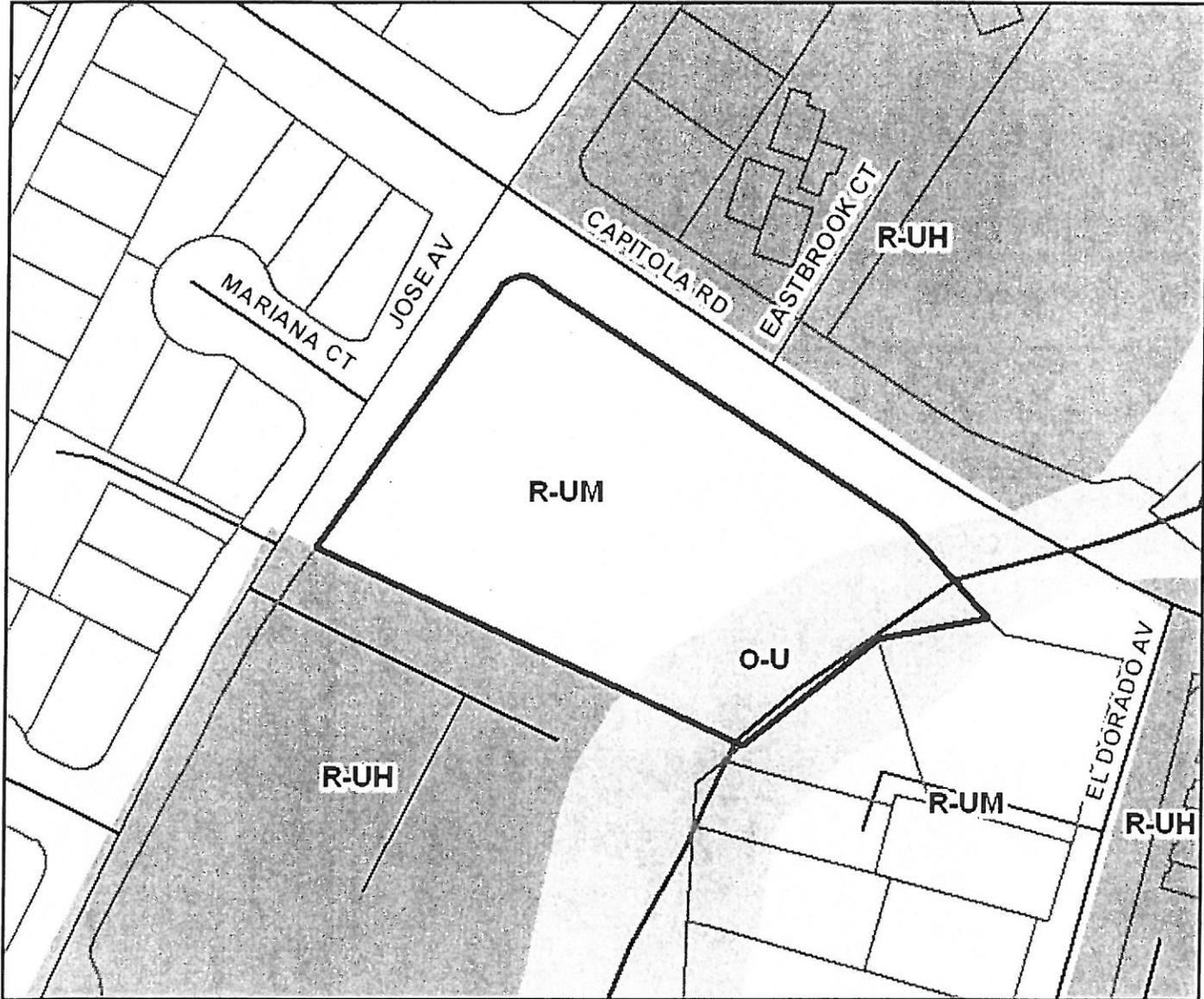
**STREAMTYPE**

- PERENNIAL
- RESIDENTIAL-SINGLE FAMILY
- RESIDENTIAL-MULTI FAMILY
- PUBLIC FACILITY

*Map Created by  
County of Santa Cruz  
Planning Department  
May 2012*



# General Plan Designation Map



**LEGEND**

- APN: 026-641-01
- Assessor's Parcels
- Streets

**STREAMTYPE**

- PERENNIAL
- Residential - Urban Medium Density
- Urban Open Space
- Residential - Urban High Density

*Map Created by  
County of Santa Cruz  
Planning Department  
May 2012*