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# Th13a

**Prepared February 23, 2018 for March 8, 2018 Hearing**

**To:** Commissioners and Interested Persons

**From:** Susan Craig, Central Coast District Manager  
Sarah Carvill, Coastal Planner

**Subject: City of Santa Cruz LCP Amendment Number LCP-3-STC-17-0073-2 Part A  
(Downtown Plan)**

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## SUMMARY OF STAFF RECOMMENDATION

The City of Santa Cruz proposes to amend its Local Coastal Program (LCP) to allow for larger new developments in the downtown area and an increase in public engagement with the San Lorenzo riverfront. Specifically, the proposed amendment revises and consolidates policies in the San Lorenzo Urban River Plan, a component of the LCP's Land Use Plan (LUP), to require the development of public access between new development and the riverfront, and between the riverfront and the City's downtown. The proposed amendment also makes changes to the development standards in the LCP's Implementation Plan (IP) that generally allow for taller buildings in the downtown area, impose requirements to avoid monolithic façades and excessive street shading, require enhancements to pedestrian accessways, and provide procedures for private maintenance of publicly accessible features along the San Lorenzo River.

In general, the proposed amendment encourages new development within the existing City center and enacts more explicit requirements for the provision of public access and recreational opportunities between downtown and a currently underutilized bicycle and pedestrian path that fronts the San Lorenzo River and provides direct access to the City's most widely utilized "Main Beach" area. The amendment includes specific policies for new development along the riverfront, including requirements to create as much as 42,500 square feet of public space along the river, as well as requirements for connections between the river and public streets. The end result should be a vastly improved public space in the downtown area. The proposed amendment also allows both commercial visitor-serving and residential uses along the riverfront. While strictly visitor-serving uses would be preferable along this stretch, the current version of the LCP permits residential uses there, and the City's analyses indicate that a purely commercial strip is unlikely to be economically feasible. Increased building heights along the riverfront will alter views in the downtown area, but other LCP policies ensure that new construction will be visually consistent with surrounding development, and the location of the downtown relative to the

coastline precludes impacts to views of scenic coastal areas, so the visual impact of increased building heights along the riverfront is not significant.

Overall, the proposed LCP amendment concentrates needed development in an appropriate place. It leverages the ability to build larger structures for design features that provide and enhance opportunities for public access and coastal recreation while avoiding significant adverse impacts to coastal resources. As such, the proposed IP changes can be found consistent with and adequate to carry out the certified LUP, and the proposed LUP changes can be found consistent with the Coastal Act. Staff recommends that the Commission approve the amendment as submitted. The motions and resolutions are found on page 4 below.

**Staff Note: LCP Amendment Action Deadline**

This proposed LCP amendment was filed as complete on January 26, 2018. The proposed amendment affects both the LCP's Land Use Plan (LUP) and Implementation Plan (IP), and the 90-day action deadline is April 26, 2018. (*See Pub. Res. Code Sections 30513, 30514(b).*)

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### **EXHIBITS**

- Exhibit 1: Proposed LUP Amendment
- Exhibit 2a: Proposed IP Amendment – Downtown Plan Chapter 4
- Exhibit 2b: Proposed IP Amendment – Implementation Plan Section 24.10.2340
- Exhibit 3: Map of Downtown Districts
- Exhibit 4: Proposed Development Standards Along Front Street/Riverfront Corridor
- Exhibit 5: Map of Changes to Maximum Allowable Height
- Exhibit 6: Summary of Front Street Riverfront Development Standards
- Exhibit 7: Summary of Pacific Avenue Retail District Development Standards

## I. MOTIONS AND RESOLUTIONS

Staff recommends that the Commission, after public hearing, approve the proposed LCP amendment as submitted. The Commission needs to make two motions, one on the LUP amendment and a second on the IP amendment, in order to act on this recommendation.

### A. Certify the LUP Amendment As Submitted

Staff recommends a **YES** vote on the motion below. Passage of the motion will result in the certification of the LUP amendment as submitted and adoption of the following resolution and findings. The motion to certify the LUP passes only upon an affirmative vote of the majority of the appointed Commissioners.

***Motion:** I move that the Commission **certify** Land Use Plan Amendment LCP-3-STC-17-0073-2-Part A as submitted by the City of Santa Cruz, and I recommend a **yes** vote.*

***Resolution:** The Commission hereby certifies Land Use Plan Amendment LCP-3-STC-17-0073-2-Part A as submitted by the City of Santa Cruz and adopts the findings set forth below on the grounds that the amendment conforms with the policies of Chapter 3 of the Coastal Act. Certification of the Land Use Plan amendment complies with the California Environmental Quality Act because either 1) feasible mitigation measures and/or alternatives have been incorporated to substantially lessen any significant adverse effects of the plan on the environment, or 2) there are no further feasible alternatives or mitigation measures that would substantially lessen any significant adverse impacts which the Land Use Plan Amendment may have on the environment.*

### B. Certify the IP Amendment As Submitted

Staff recommends a **NO** vote on the motion below. Failure of the motion will result in certification of the IP amendment as submitted and the adoption of the following resolution and findings. The motion passes only by an affirmative vote of a majority of the Commissioners present.

***Motion:** I move that the Commission reject Implementation Plan Amendment Number LCP-3-STC-17-0073-2-Part A as submitted by the City of Santa Cruz, and I recommend a **no** vote.*

***Resolution:** The Commission hereby certifies Implementation Plan Amendment Number LCP-3-STC-17-0073-2-Part A as submitted by the City of Santa Cruz and adopts the findings set forth below on the grounds that the amendment is consistent with and adequate to carry out the certified Land Use Plan. Certification of the Implementation Plan amendment complies with the California Environmental Quality Act because either 1) feasible mitigation measures and/or alternatives have been incorporated to substantially lessen any significant adverse effects of the plan on the environment, or 2) there are no further feasible alternatives or mitigation measures which could substantially lessen any significant adverse impact which the Implementation Plan Amendment may have on the environment.*

## II. FINDINGS AND DECLARATIONS

### A. DESCRIPTION OF PROPOSED LCP AMENDMENT

The City is proposing changes to both the LCP's Land Use Plan (LUP) and Implementation Plan (IP) regarding land use policies, area plans, and zoning ordinances affecting two adjacent downtown districts: the Pacific Avenue Retail District and the Front Street/Riverfront Corridor [Exhibit 3]. The purpose of the amendments is to facilitate new development, particularly of housing units, in the southern portion of these districts and promote public use of the San Lorenzo Riverwalk. Generally, the amendments do this by allowing larger, taller structures supporting mixed uses and requiring new development to incorporate design features that connect the downtown area to the river.

The proposed LUP amendment affects the City's 2003 San Lorenzo Urban River Plan (SLURP), which consists of 124 goals and objectives that were adopted by the City as an Area Plan. In 2004, 81 SLURP policies relating to coastal resources were approved by the Commission for incorporation into the City's LUP. Among other functions, the SLURP establishes policies governing development along the Riverwalk, including the paved bicycle and pedestrian path situated on top of the San Lorenzo River levee that runs parallel to Front Street in downtown Santa Cruz and leads to Santa Cruz's popular "Main Beach" area and the Boardwalk amusement park. The proposed amendment consolidates nine LCP policies in the SLURP (as well as two non-LCP policies) into three policies that prioritize enhancing public use of the Riverwalk and connectivity between the Riverwalk and the City's downtown core [Exhibit 1]; the majority of LCP policies in the SLURP are not affected by the proposed amendment.

Generally, the proposed LUP changes remove policies that the City deemed vague, outdated, or overly specific and replaced them with clearer directives regarding the features that the City would like to see incorporated into new development on Front Street.

Specifically, the amendment deletes policies that:

- Designate "wooden roof truss buildings" along Front Street as architectural artifacts of a "working waterfront" and protect them from removal;
- Require maintenance of views from taller downtown buildings to the river, from the Riverwalk to mountains and ridges outside of town, and between Front Street and Beach Hill;
- Recommend building materials for Riverwalk-adjacent construction and design concepts for the Riverwalk and associated public space;
- Require parcel consolidations to provide public access to the Riverwalk from Front Street; and
- "Encourage" new development to incorporate design features that promote pedestrian traffic between Front Street and the Riverwalk.

These policies are replaced by language that requires the construction of public accessways along the Riverwalk. Specifically, the proposed amendment:

- Requires new development to incorporate pedestrian and/or bicycle connections between Front Street and the Riverwalk at appropriate locations, such as the points where Maple and Elm Streets would extend from their current termini on Front Street and Pacific Avenue (respectively);
- Requires new development on Front Street to fill the area between the private property line and the levee slope to roughly the height of the adjacent ground-level use [Exhibit 4]. This filled area will remain public property. The amendment permits adjacent private commercial and residential uses to develop amenities in the filled area (e.g., gardens, outdoor seating), but these will be physically accessible to the public in most cases, and any use that is not physically accessible will consist of landscaping that will be viewable from the Riverwalk;<sup>1</sup> and
- Requires new development along Front Street to provide direct physical access between new commercial and residential uses and the Riverwalk, and/or include other features that advance the resource enhancement and river engagement policies in the SLURP.

The IP component of the amendment includes changes to Chapter 4 of the Downtown Plan (formerly known as the Downtown Recovery Plan), which provides development standards, design guidelines, and other requirements for new construction in the downtown area [Exhibit 2a]. Chapter 4 is incorporated by reference into the development standards for the Central Business District zoning designation (IP Section 24.10.2301), which is an implementing section of the City's LCP.<sup>2</sup>

The Downtown Plan identifies four districts within the commercial core of the City, and Chapter 4 prescribes development standards for each district. The IP amendments include changes to the Pacific Avenue Retail District and Front Street/Riverfront Corridor standards only, and are largely meant to implement the corresponding LUP development standards described above. Key changes include:

- Increased maximum allowable building heights along Front Street between Soquel Drive and Laurel Street from 50 feet to 70 feet (east side of Front Street) or 85 feet (west side of Front Street); on the east side of Pacific Avenue between Cathcart Street and Laurel Street from 50 or 75 feet to 85 feet; on the west side of Pacific Avenue between Cathcart

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<sup>1</sup> The proposed amendment also maintains the existing requirement for a 10-foot setback area between the western edge of the Riverwalk and adjacent residential and commercial uses. This requirement is conserved for consistency with the City-wide Creeks and Wetlands Plan and in order to ensure that any lease agreement that does limit public access to the filled area does not extend to the edge of the Riverwalk. However, property lines for Front Street parcels are more than 10 feet from the Riverwalk, so the setback between the Riverwalk and any Front Street structure will exceed 10 feet in practice.

<sup>2</sup> The City's changes to Chapter 4 also required modifications to Chapters 1, 2, and 3 of the Downtown Plan to achieve internal consistency, but these changes are not a component of the City's LCP.

Street and Elm Street from 60 feet to 70 feet; and on the west side of Pacific Avenue between Elm Street and Laurel Street from 50 feet to 75 feet [Exhibit 5];

- Replacing terraced step-back requirements for tall buildings with maximum percentage footprints at varying heights;
- Requiring new development to contribute to public passageways along the extensions of Elm and Maple Streets between Pacific Avenue and Front Street, and at or near the extensions of Elm, Maple, and Cathcart Streets between Front Street and the Riverwalk; and
- Requiring filling of the area between the levee slope and new development along Front Street.

For additional detail, summary tables comparing existing and proposed development standards in the two districts are included as Exhibits 6 and 7.

The IP amendment also includes changes that facilitate the public uses along the Riverwalk envisioned in the new LUP policies [Exhibit 2b]. IP Section 24.10.2340 currently provides Outdoor Extension Area procedures, which allow private property owners to lease public land adjacent to a business, most commonly for the purpose of providing sidewalk seating at a restaurant. This section has historically applied only to sidewalks along Pacific Avenue; the amendments would additionally allow development adjacent to the Riverwalk to utilize the City's license agreement process to provide publicly accessible uses such as outdoor seating and gardens on the public land between the Riverwalk and private properties on Front Street.<sup>3</sup> Any application for an Outdoor Extension Area Permit within the Coastal Zone would require a Coastal Development Permit.

## **B. CONSISTENCY ANALYSIS**

### **Standard of Review**

The proposed amendment affects both the LUP and IP components of the City's LCP. The standard of review for LUP amendments is that they must conform with the policies in Chapter 3 of the Coastal Act. The standard of review for IP amendments is that they must be consistent with and adequate to carry out the policies of the certified LUP, as amended.

### **LUP Consistency Analysis**

The proposed LUP amendment has implications for land use, public access and recreation, and visual resources in the San Lorenzo/Riverfront Corridor. Relevant Coastal Act policies concerning land use include:

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<sup>3</sup> The proposed IP amendment does not include explicit limits to the size of Outdoor Extension Areas in either area where they would be permitted, however applications for Riverwalk-adjacent extension area permits must submit a drawing showing the proposed extension area, its dimensions, its relationship to adjoining uses, all doorways and access points, the area thirty feet along the Riverwalk in either direction, and all other planned improvements, amenities, and features.

**Section 30222.** *The use of private lands suitable for visitor-serving commercial recreational facilities designed to enhance public opportunities for coastal recreation shall have priority over private residential, general industrial, or general commercial development, but not over agriculture or coastal-dependent industry.*

**Section 30250(a).** *New residential, commercial, or industrial development, except as otherwise provided in this division, shall be located within, contiguous with, or in close proximity to, existing developed areas able to accommodate it or, where such areas are not able to accommodate it, in other areas with adequate public services and where it will not have significant adverse effects, either individually or cumulatively, on coastal resources. In addition, land divisions, other than leases for agricultural uses, outside existing 37 developed areas shall be permitted only where 50 percent of the usable parcels in the area have been developed and the created parcels would be no smaller than the average size of surrounding parcels.*

Additional relevant Coastal Act policies relating to public access and recreation include:

**Section 30213. Lower cost visitor and recreational facilities; encouragement and provision; overnight room rentals.** *Lower cost visitor and recreational facilities shall be protected, encouraged, and, where feasible, provided. Developments providing public recreational opportunities are preferred.*

**Section 30223. Upland areas.** *Upland areas necessary to support coastal recreational uses shall be reserved for such uses, where feasible.*

The Coastal Act also requires protection of scenic and visual qualities in coastal areas:

**Section 30251.** *The scenic and visual qualities of coastal areas shall be considered and protected as a resource of public importance. Permitted development shall be sited and designed to protect views to and along the ocean and scenic coastal areas, to minimize the alteration of natural land forms, to be visually compatible with the character of surrounding areas, and, where feasible, to restore and enhance visual quality in visually degraded areas. New development in highly scenic areas such as those designated in the California Coastline Preservation and Recreation Plan prepared by the Department of Parks and Recreation and by local government shall be subordinate to the character of its setting.*

### **Consistency Analysis**

As discussed above, the proposed LUP amendment affects the area between Front Street and the Riverwalk only. In general, the purpose of the proposed amendment is to activate this portion of downtown Santa Cruz by allowing for taller mixed-use buildings while strengthening policies that require new development to provide and enhance opportunities for public engagement with the Riverwalk.



The part of the Front Street corridor that is within the Coastal Zone is mostly developed with one- and two-story buildings constructed between the 1920s and the 1940s, and no significant redevelopment has occurred there since. While the existing structures provide unobstructed views between taller buildings along Pacific Avenue and the Riverwalk, all face Front Street and provide no connection, either physical or visual, between the uses within and along the west slope of the levee. Access from Front Street to the Riverwalk is provided by paved paths from two vacant lots that are currently used for public parking. South of downtown, the Riverwalk follows the San Lorenzo River past the Beach Flats neighborhood and terminates at the eastern end of Main Beach, providing a bicycle- and pedestrian-friendly connection between the City's core commercial district and the coast. In spite of this, the Riverwalk remains a severely underutilized feature in the downtown area.

### *Land Use*

Coastal Act Section 30250(a) encourages development within existing developed areas in order to limit impacts on coastal resources. Coastal Act Section 30222 prioritizes visitor-serving commercial recreational facilities over residential uses on private land that is suitable for coastal recreation. The amendment would allow higher-density development in a currently underdeveloped part of the City's downtown core close to public transit, developed services, and amenities. Thus, the amendment's overall goal of fostering additional mixed-use development within downtown Santa Cruz's already densely developed urban fabric is consistent with Coastal Act Section 30250's mandate to develop within already existing developed areas with adequate public services.

With respect to Coastal Act Section 30222, which prioritizes visitor-serving uses over other types of development, the proposed amendment would prioritize filling the area between any new development on Front Street and the levee slope. The Riverwalk frontage that is within both the Downtown Plan area and the Coastal Zone is about 1,350 linear feet, and the eastern property lines for Front Street parcels are 28 to 35 feet from the western edge of the Riverwalk. Consequently, if all Front Street parcels were redeveloped, filling the levee slope could create as much as 42,500 square feet of new public Riverwalk space. This level of redevelopment would also provide publicly-accessible connections between the Riverwalk and Front Street totaling 12,800 square feet. Thus, the amendment fosters additional public recreational use and access to it. As for the structures themselves, the proposed language states that such uses may be either commercial or residential. While residential use along and adjacent to a recreational area raises certain Coastal Act consistency issues, including whether such uses should be reserved exclusively for commercial uses, there are a few things to note. First, residential use is allowed in this location under the existing LCP. Additionally, the proposed LUP amendment requires that the public lands on filled area between the Riverwalk and new development incorporate *public* amenities, regardless of adjacent use. Thus, in terms of providing visitor-serving uses, the proposed amendments offer an improvement to the existing standards. Finally, economic analysis and urban planning studies prepared by the City determined that a continuous commercial strip along the Riverwalk is not likely to be economically viable. By allowing residential uses as well as commercial uses, the amendment increases the feasibility of new development along the Riverwalk that will bring enhancements to public access and opportunities for recreation. Thus any inconsistency with 30222 based on expanded residential use allowance within this area is not significant.

*Public Access and Recreation*

Coastal Act Section 30213 gives preference to development that includes public recreational opportunities and Section 30223 states that upland areas necessary to support coastal recreational uses shall be reserved for such uses where feasible.

With respect to Section 30213, the Riverwalk already provides public recreation opportunities in the downtown area and by connecting the core of the City to popular coastal attractions such as the Boardwalk and Main Beach; however (and as discussed above) access between the Riverwalk and the rest of the City is limited and uninviting, and the Riverwalk pathway is not utilized to its potential. Development that incorporates features designed to increase public use of this resource can therefore be said to enhance public recreational opportunities, consistent with Section 30213. The proposed amendment functions in this fashion, requiring new development on the east side of Front Street to create new, usable public space alongside the Riverwalk; to incorporate direct physical, pedestrian-friendly linkages between the Riverwalk and new adjacent uses; and to construct bicycle and pedestrian accessways between the Riverwalk and Front Street. These improvements will result in a more accessible and active Riverwalk with more public amenities than would likely be provided by existing LCP policies, which merely encourage development to include such features. Notably, all three of the policies in the proposed amendment impose requirements on new development to enhance river access, whereas only one of the nine policies that the proposed amendment would replace explicitly addresses access to the river.

Additionally, because the Riverwalk terminates at Main Beach and provides recreational access to the coast, the private lands contiguous to the pathway can be considered uplands supporting coastal uses, which Coastal Act Section 30223 states must be used for that purpose, where feasible. By requiring adjacent development to incorporate improvements that enhance public use of the Riverwalk, the proposed amendment ensures that the Riverwalk and its immediate surroundings will continue to support priority coastal uses such as recreation.

*Visual and Scenic Resources*

Coastal Act Section 30251 requires protection of scenic resources, including views to and along the ocean and scenic coastal areas, and also requires that new development be visually compatible with the character of surrounding areas. The proposed amendment removes some existing policies addressing visual resources for new development on Front Street, which would allow for the construction of taller, longer buildings that would alter views between the Riverwalk and the existing downtown.<sup>4</sup> However, the area is already very urban in character, and thus the increase in building height will generally be consistent with the existing downtown. Further, while the amendment does remove some existing design requirements, others remain in place, thereby addressing any potential visual resource/design issues. For example, proposed LUP Community Design Element Policy 1.1.2 requires the development of design criteria to

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<sup>4</sup> One of the nine SLURP policies that would be consolidated under the proposed amendment calls for maintaining the development standards in the Downtown Plan, including a 50-foot maximum building height in the Front Street corridor. The more specific proposed changes to maximum building heights in this LCP amendment are in the Downtown Plan itself, which is incorporated into the IP by reference. Consequently, height changes are discussed in the IP consistency analysis below.

ensure compatibility of infill development with existing neighborhoods, and proposed LUP Community Design Element Policy 2.2.1 requires the City to develop siting, scale, landscaping and other design guidelines to protect visually sensitive areas, including the San Lorenzo River, and ensure that development is compatible with the character of the area.<sup>5</sup> Finally, given that the area affected by the proposed amendment is significantly inland, ocean views will not be affected by the proposed amendment.

In sum, while the proposed amendment will permit development that alters the downtown viewscape, ocean views will not be affected, the changes only apply to a relatively small area within Santa Cruz's urban core, and other components of the LCP will continue to ensure visual consistency with adjacent uses. The proposed LUP amendment will therefore not result in significant, adverse impacts to scenic and visual resources.

Overall, the proposed LUP amendment clarifies that the provision of specific public amenities is a key priority for new development in the Front Street/Riverfront Corridor. This emphasis aligns with Coastal Act policies relating to public access and recreation. The amendment also supports the concentration of new development in already-developed areas with adequate services and amenities, as required by the Coastal Act. To facilitate this type of development, the amendment alters some area-specific policies relating to view corridors and building design; however, these changes will not result in significant adverse impacts to the scenic and visual resources protected by the Coastal Act. For these reasons, the proposed LUP amendment is consistent with above-cited Coastal Act policies.

### **IP Amendment Consistency Analysis**

The City's LUP is comprised of ten overarching elements (e.g., Community Design, Land Use, Parks and Recreation, etc.) and components of several area plans, including one that covers downtown (the Downtown Plan) and another that covers the San Lorenzo River (the SLURP). Only one Downtown Plan policy has been incorporated into the LUP, however, and it is not relevant to the proposed IP amendment.<sup>6</sup> As discussed above, nearly all of the policies in the SLURP are incorporated into the LUP, including the nine proposed for consolidation and revision in the proposed LUP amendment described above. Thus this analysis focuses on the consistency of the proposed IP amendment with policies in the City-wide LUP elements and the SLURP as it is proposed to be amended. City-wide LUP policies relevant to the proposed IP amendment include:

***Community Design Element Policy 1.1:** Infill and intensify land uses consistent with existing neighborhood or commercial district patterns in developed areas currently served by municipal services.*

***Community Design Element Policy 1.1.1:** Focus development in the Central Core, and along arterial and mass transit corridors.*

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<sup>5</sup> The City has established these criteria and guidelines in the Downtown Plan, so they are actually incorporated into the proposed IP amendment.

<sup>6</sup> The Downtown Plan policy that is a part of the LUP, Policy 3.3.3, only requires that Pacific Avenue be designed to accommodate "a future fixed rail trolley or light rail vehicle within the roadway."

***Community Design Element Policy 1.1.2:*** *Develop design criteria to ensure compatibility of infill development with existing neighborhoods and proposed development patterns (including intensities and land uses).*

***Community Design Element Policy 2.1.4:*** *Enhance the prominence of the San Lorenzo River as a natural feature giving structure, orientation and recreational enjoyment to the City.*

***Community Design Element Policy 2.2.1:*** *Develop siting, scale, landscaping and other design guidelines to protect visually sensitive areas and ensure that development is compatible with the character of the area. Areas to be protected include: open-space land uses, foothills, bluffs, scenic coastal areas, Beach Hill, Pogonip, Far West Side, Mission Hill, Moore Creek, DeLaveaga Park, and San Lorenzo River.*

***Community Design Element Policy 2.2.2:*** *Identify important vistas and view corridors of community wide value to be preserved and require development to provide visual and physical breaks to allow access to these areas.*

***Community Design Element Policy 3.4 (in part):*** *Develop and maintain physical and visual linkages between key areas in the City: The River — adjacent land uses.*

***Community Design Element Policy 3.5:*** *New or renovated development shall add to, not detract from City-identified landmarks, historic areas and buildings, and established architectural character worthy of preservation.*

***Community Design Element Policy 3.6:*** *In pedestrian areas, require building design to be responsive to the pedestrian environment. These areas include but are not limited to Downtown, South of Laurel, the Beach, wharf, shoreline, and commercial shopping areas.*

***Community Design Element Policy 3.7:*** *Require development to incorporate features to promote pedestrian use including new linkages to the pedestrian system.*

***Land Use Element Policy 3.5:*** *Protect coastal recreation areas, maintain all existing coastal access points open to the public, and enhance public access, open space quality and recreational enjoyment in a manner that is consistent with the California Coastal Act.*

***Land Use Element Policy 5.3:*** *Provide for high-density development and mixed uses, where appropriate, as well as transit- and pedestrian-oriented land use patterns to reduce dependence on the automobile and support the use of mass transit and other alternative transportation modes.*

***Land Use Element Policy 5.6.2:*** Provide public access from and through new development to adjacent or nearby schools, parks, natural areas and coastal recreation areas.

Relevant SLURP policies include goals incorporated into the LCP from the current version of the plan, as well as the three revised policies that are proposed in the LUP amendment discussed above:

***Urban River Plan Goal 3:*** Improve the scenic and recreational value of the Riverfront.

***Urban River Plan Goal 4:*** Improve public access and pedestrian/bicycle movement to and along the River.

***Urban River Plan Goal 5:*** Improve the urban and neighborhood interface with the San Lorenzo River, Branciforte Creek and Jessie Street Marsh.

***Urban River Plan Goal 6:*** Incorporate the San Lorenzo River, Branciforte Creek, and Jessie Street Marsh into the surrounding urban fabric and downtown and neighborhoods.

***Trail Connections/Improvements Recommendation 5:*** Access and pathways in the Front Street corridor should be designed to draw people out of the downtown to the River.

***Significant Riverfront Areas Goal 1:*** (Proposed) Require new development projects to incorporate design features that encourage active engagement with the Riverwalk such as; filling adjacent to the Riverwalk and landscaping, providing direct physical access to the Riverwalk, including appropriate active commercial and/or residential uses adjacent to the Riverwalk, or providing a combination of these and/or other design features that support the resource enhancement and river engagement policies of the San Lorenzo River Plan.

***Significant Riverfront Areas Goal 2:*** (Proposed) Require new development projects to incorporate pedestrian and/or bicycle connections between Front Street and the Riverwalk at appropriate locations such as the extensions from Maple Street and near Elm Street.

***Significant Riverfront Areas Goal 3:*** (Proposed) Maintain the ten-foot setback area between residential and commercial uses adjacent to the levee trail from the western edge of the trail. The area between the property line and the Riverwalk shall be filled to raise the adjacent ground-level use to a similar or higher elevation as the Riverwalk. The public lands between the Riverwalk and the private property may incorporate publicly accessible commercial or residential amenities, such as outdoor public. Trees planted as part of the San Lorenzo Flood Control Improvement Project should be maintained and incorporated into new development where feasible and where not in conflict with the required fill or publicly accessible amenities.

### ***Consistency Analysis***

As discussed above, the proposed IP amendment makes changes to development standards for the Pacific Avenue Retail District and the Front Street/Riverfront Corridor, which are contained in Chapter 4 of the Downtown Plan, and revises IP Section 24.10.2340. These changes implement the concepts described above in the LUP consistency analysis. While strictly speaking the LUP amendment only applies to the Front Street/Riverfront Corridor, it has the same purpose as the component of the IP amendment affecting the Pacific Avenue Retail District: In both areas, the City is hoping to leverage development incentives (e.g., increases to maximum allowable building heights) to obtain improvements to public amenities from new construction.

The proposed IP amendment consequently provides the same benefits with respect to concentration of development in existing developed areas and enhancing public access and recreation opportunities as the proposed LUP amendment, and is consistent with LUP policies that derive from the relevant Coastal Act policies cited above (see, e.g., LUP Community Design Element Policy 1.1.1, which requires focusing development in the existing downtown core, and LUP Land Use Element Policy 5.6.2, requiring the provision of public access from and through new development to nearby parks, natural areas and coastal recreation areas).

Pacific Avenue has different needs than the Front Street/Riverfront area, so the specific public amenities that the proposed IP amendment requires new development to provide there are also slightly different: Where changes affecting the Front Street/Riverfront area are geared toward activating the Riverwalk, along Pacific Avenue, new development is required to physically dedicate or make a fair-share financial contribution to public passageways of specified widths along the extensions of two east-west streets between Pacific Avenue and Front Street. As with the amenities required for the Front Street/Riverfront Corridor in the LUP amendment, these amenities will enhance the pedestrian experience of the downtown area and provide better linkages to recreation opportunities. Wider passageways within the downtown core (i.e., between Pacific Avenue and Front Street) will promote walking (LUP Community Design Element Policy 3.7) by interrupting long blocks with safe and inviting east-west access for pedestrians. This change also enhances the pedestrian environment, as required by LUP Community Design Element Policy 3.6.

The IP amendment also provides specific increases in maximum allowable building heights along both Pacific Avenue and Front Street. As described above (and as shown in Exhibit 5), the IP amendment identifies five areas where height increases will be allowed. Currently allowable heights in those areas range from 50 to 75 feet, and the proposed new maximums range from 70 to 85 feet. The largest increase in allowable height compared to the existing IP standards is 35 feet. These heights are not significantly different from many of the larger buildings in the existing downtown core, which includes six major buildings over 65 feet in height, several of which are also equipped with parapets, towers, or flag poles that extend over 80 feet. The City also notes that these changes are not likely to result in construction over 75 feet in height due to building code requirements for larger structures; in practice, the additional ten feet of allowable height will provide for architectural variation, but not an additional story. Finally, development standards in the proposed amendment also place limits on the lateral extent of building segments

that utilize the additional allowed height, and require recessed façade areas to break up large building masses.

While these changes will impact views within and between the downtown and other areas, the impacts of the proposed changes are likely to be negligible. Currently the levee blocks street level views to the river in the downtown area, and the additional 20 to 35 feet of allowable building height between Pacific Avenue and the Riverwalk will not block any public views that would exist currently if the area was developed to the present 50 foot limit. LUP policies protecting views require identification of important vistas and require development to provide visual and physical breaks to allow access to these areas (LUP Community Design Element Policy 2.2.2); the IP amendment provides for passageways between Front Street and the Riverwalk that will help maintain views to the river.

Visual consistency between existing structures and new development is also provided in the City's IP in multiple ways. The Downtown Plan includes exhaustive design guidelines for both the Pacific Avenue Retail District and the Front Street/Riverfront Corridor that ensure that any new development will be consistent with the look and feel of existing buildings. While the proposed amendment makes changes to maximum allowable heights, step-backs, and massing requirements, and reorganizes standards and guidelines within Chapter 4, requirements related to building materials, façade colors and features, building character are unchanged by the amendment and provide enforceable standards for ensuring that new development will be consistent with adjacent uses and community character, as required by LUP Community Design Element Policies 1.1.2, 2.2.1, and 3.5.

In sum, the proposed IP amendment is fundamentally centered on leveraging density for public access improvements in new development downtown. As such, it is consistent with LUP policies related to land use intensification in the City's downtown core, as well as several LUP policies promoting public access to natural areas and the coast, pedestrian and bicycle connectivity, and positive pedestrian experiences. The proposed amendment will permit development that alters the downtown viewscape, but other components of the LCP will ensure visual consistency between new development and adjacent uses and mitigate significant aesthetic impacts.

### **C. CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA)**

The Coastal Commission's review and development process for LCPs and LCP amendments has been certified by the Secretary of Resources as being the functional equivalent of the environmental review required by CEQA. Local governments are not required to undertake environmental analysis of proposed LCP amendments, although the Commission can and does use any environmental information that the local government has developed. CEQA requires that alternatives to the proposed action be reviewed and considered for their potential impact on the environment and that the least damaging feasible alternative be chosen as the alternative to undertake.

The City of Santa Cruz certified a Final EIR for the proposed amendment on November 14<sup>th</sup>, 2017, and found that the analysis was completed in compliance with CEQA, the State CEQA Guidelines, and all relevant local procedures. The City additionally found that all written and oral comments received on the draft had been considered before approving the final document. This report has discussed the relevant coastal resource issues with the proposal. All above

findings are incorporated herein in their entirety by reference.

As such, there are no additional feasible alternatives or feasible mitigation measures available which would substantially lessen any significant adverse environmental effects which approval of the amendment would have on the environment within the meaning of CEQA. Thus, the proposed amendment will not result in any significant environmental effects for which feasible mitigation measures have not been employed consistent with CEQA Section 21080.5(d)(2)(A).