

Reasons why project is exempt: The project qualifies for an exemption pursuant to California Environmental Quality Act (CEQA) Guidelines (California Code of Regulations Title 14), Section 15061(b)(3), the “general rule” or “common sense” exemption, as it can be seen with certainty that no significant effect on the environment would occur. The project consists of continuation of existing regulations that impose parking restrictions, which would not result in physical changes to the environment, although minor re-striping of existing pavement or installation of signs within developed street ROWs could occur in the future. However, these potential future minor alterations to existing paved streets would not result in significant effects on the environment.

CEQA provides several “categorical exemptions” which are applicable to categories of projects and activities that the Natural Resource Agency has determined generally do not pose a risk of significant impacts on the environment. The CEQA Guidelines Section 15301, Class 1 categorical exemption consists of operation, repair, maintenance, permitting, leasing, licensing, or minor alteration to existing public or private structures that involve negligible or no expansion of existing uses. Existing highways and streets are examples provided in subsection (c) of Section 15301. The project consists of continuation of an existing ordinance that regulates parking, but implementation could result in minor pavement restriping or installation of signs, which would be considered minor alterations to existing facilities. The project would not result in addition of new automobile lanes or expansion of facilities.

CEQA Guidelines Section 15308, Class 8 categorical exemption consists of actions taken by regulatory agencies to assure the maintenance, restoration, enhancement, or protection of the environment where the regulatory process involves procedures for the protection of the environment. Past observations have revealed that overnight parking of oversized vehicles tends to occur in areas of the City in which groups of oversized vehicles congregate and then become entrenched, resulting in indirect adverse impacts to the environment, such as those associated with trash accumulation and disposal of untreated human waste, often in proximity to areas mapped as sensitive habitat. Continued implementation of the City’s Oversized Vehicle Ordinance and the City’s existing Safe Parking Program would reduce deleterious effects via provision of Safe Parking in a controlled setting. Through supply of sanitation facilities in locations at or near designated safe-parking locations, and through continued restriction of oversized vehicle parking between the hours of 12 AM and 5 AM Citywide, ongoing implementation of the City’s OV Regulations and Safe Parking Program would continue to ameliorate the detrimental effects, including environmental consequences and public health and safety effects, related to long-term concentration of parked OVs. Continued implementation of the City’s OV Regulations and Safe Parking Program constitutes regulatory actions taken by the City to protect the environment.

The City has further considered whether the project is subject to any of the exceptions to the use of a categorical exemption found in CEQA Guidelines Section 15300.2. This section prohibits the use of categorical exemptions under the following circumstances:

- (a) for certain classes of categorical exemptions due to locations with particularly sensitive environmental conditions;
- (b) when the cumulative impact of successive projects of the same type in the same place, over time, is significant;
- (c) where there is a reasonable possibility that the activity will have a significant effect on the environment due to unusual circumstances;
- (d) where the project may result in damage to scenic resources, including but not limited to, trees, historic buildings, rock outcroppings, or similar resources, within a highway officially designated as a state scenic highway;

- (e) where the project is located on a state designated hazardous waste site; and
- (f) where the project may cause a substantial adverse change in the significance of a historical resource.

Under CEQA Guidelines Section 15300.2(a), a categorical exemption for Classes 3, 4, 5, 6 and 11 is qualified by consideration of where the project is located – a project that is ordinarily insignificant in its impact on the environment may, in a particularly sensitive environment, be significant. The consideration includes the scenario in which such a project may impact an environmental resource of “hazardous or critical concern where designated, precisely mapped, and officially adopted pursuant to law by federal, state, or local agencies.” Section 15300.2(a) does not apply to the Class 1 or Class 8 category of exemptions that are applicable to the project.

All categorical exemptions are inapplicable when the cumulative impact of successive projects of the same type in the same place, over time is significant. There is no evidence of a potential significant cumulative impact (section 15300.2(b)), because successive projects of the same type in the same place are not proposed or known.

The project would not result in any significant effects on the environment due to unusual circumstances (section 15300.2(c)). As indicated above, continued implementation of the City’s Oversized Vehicle Ordinance and the City’s existing Safe Parking Program, including potential future minor modifications to street pavement striping or signage, would reduce deleterious effects through continued provision of Safe Parking in a controlled environment.

Continuation of the City’s existing Safe Parking Program, with minor modifications, would not likely result in any new construction, or need for building of additional facilities for public services such as Police, Parks, or Fire. Through provision of sanitation facilities in locations at or near designated safe-parking locations, and through continued restriction of oversized vehicle parking between the hours of 12 AM and 5 AM Citywide, ongoing implementation of the City’s OV Regulations and Safe Parking Program, along with potential future minor modifications as discussed herein, will continue to ameliorate the detrimental effects, including environmental consequences and public health and safety effects, related to long-term concentration of parked OVs.

Continuation of the City’s existing Safe Parking Program, with minor modifications, would not likely result in any new construction, or need for building of additional facilities for public services such as Police, Parks, or Fire. Through provision of sanitation facilities in locations at or near designated safe-parking locations, and through continued restriction of oversized vehicle parking between the hours of 12 AM and 5 AM Citywide, ongoing implementation of the City’s OV Regulations and Safe Parking Program, along with potential future minor modifications as discussed herein, will continue to ameliorate the detrimental effects, including environmental consequences and public health and safety effects, related to long-term concentration of parked OVs. Continued implementation of the City’s OV Regulations and Safe Parking Program would result in beneficial, rather than detrimental, outcomes.

The project would not result in any significant effect on the environment due to unusual circumstances. The project area is situated within the coastal zone but occurs in an existing developed urban area. The area has similar General Plan, Local Coastal Program (LCP), and zoning designations as the area subject to the Coastal Development Permit. There are no “unusual circumstances” that differentiate the project or project site from the general class of similarly situated projects and designated sites.

The areas encompassed by the Oversized Vehicle Ordinance and Safe Parking Program are situated on land located in the City’s public right-of-way and occupied by parking facilities. No

actions included in the Coastal Development Permit would adversely impact areas mapped as potentially sensitive for archaeological resources. Further, the subject actions would offset potentially adverse impacts to land located within the Coastal Zone mapped as sensitive resources. No heritage trees are proposed to be removed. The project area includes no development of steep slopes, and, therefore, would not induce impacts additional impacts as a result of related to topography. Thus, the project would not result in any significant effects on the environment due to unusual circumstances (c).

The project would not result in damage to scenic resources within a scenic highway (section 15300.2(d)), as the site is not adjacent to or visible from a designated scenic highway. There are no designated state scenic highways within the City. Therefore, the project is not located within or near a highway officially designated as a state scenic highway and would not result in damage to scenic resources within a state scenic highway. Thus, this exception does not apply to the project.

The parking areas in the coastal zone that comprise the project area do not contain any state-designated hazardous waste site, and thus are not subject to the exception set forth in subdivision (e) of section 15300.2.

A categorical exemption shall not be used for a project which may cause a substantial adverse change in the significance of a historical resource. The project area consists of existing paved streets and does not include structures that could be considered historical resources. Therefore, the project would not result in a substantial adverse change in the significance of a historical resource.

In consideration of all the aforementioned, the City documents that the project qualifies for the Categorical Exemption found in CEQA Guidelines sections 15301, 15308, and 15061(b), and that none of the potential exceptions to the use of a categorical exemptions apply to this project or the project area.

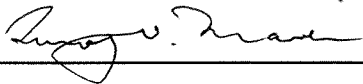
Lead Agency

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Date: 3/14/24

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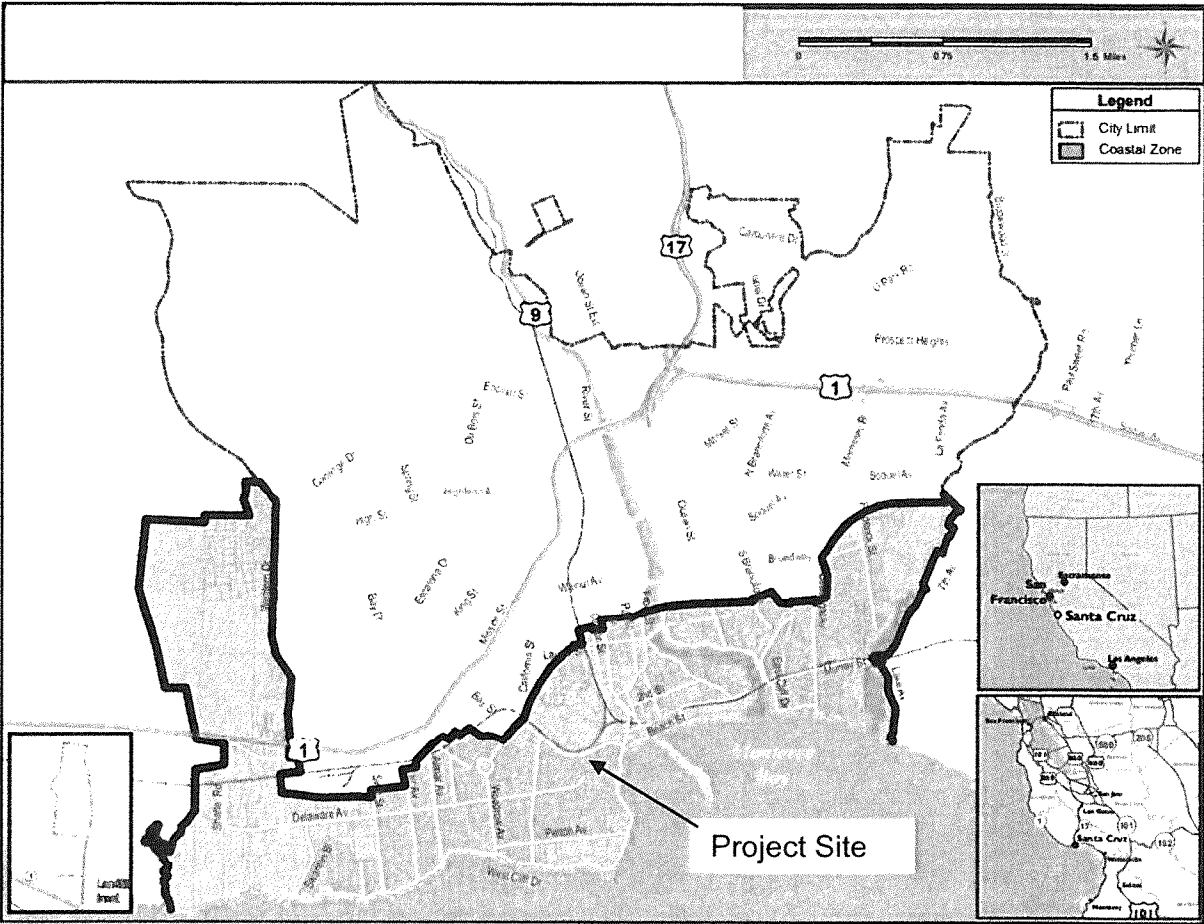
- Signed by Lead Agency
- Signed by Applicant

If filed by applicant:

1. Attach certified document of exemption finding.
2. Has a notice of exemption been filed by the public agency approving the project? Yes No

Date Received for filing at County Clerk: _____

Date Received for filing at OPR: _____



Source: City of Santa Cruz Draft Local Coastal Program Update