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Section 1.0 Introduction

This document, together with the Draft Environmental Impact Report (Draft EIR), constitutes the Final Environmental Impact Report (Final EIR) for the 2025 Scotts Valley Town Center Specific Plan ("the Plan").

1.1 Purpose of the Final EIR

In conformance with the California Environmental Quality Act (CEQA) and CEQA Guidelines, this Final EIR provides objective information regarding the environmental consequences of the proposed project. The Final EIR also examines mitigation measures and alternatives to the project intended to reduce or eliminate significant environmental impacts. The Final EIR is intended to be used by the City of Scotts Valley and any Responsible Agencies in making decisions regarding the project.

Pursuant to CEQA Guidelines Section 15090(a), prior to approving a project, the lead agency shall certify that:

(1) The Final EIR has been completed in compliance with CEQA;
(2) The Final EIR was presented to the decision-making body of the lead agency, and that the decision-making body reviewed and considered the information contained in the final EIR prior to approving the project; and
(3) The Final EIR reflects the lead agency's independent judgment and analysis.

1.2 Contents of the Final EIR

CEQA Guidelines Section 15132 specify that the Final EIR shall consist of:

a) The Draft EIR or a revision of the Draft;
b) Comments and recommendations received on the Draft EIR either verbatim or in summary;
c) A list of persons, organizations, and public agencies commenting on the Draft EIR;
d) The Lead Agency's responses to significant environmental points raised in the review and consultation process; and
e) Any other information added by the Lead Agency.

1.3 Public Review

In accordance with CEQA and the CEQA Guidelines (Public Resources Code Section 21092.5[a] and CEQA Guidelines Section 15088[b]), the City shall provide a written response to a public agency on comments made by that public agency at least 10 days prior to certifying the EIR. The Final EIR and all documents referenced in the Final EIR are available for public review at the Scotts Valley

Planning Department on weekdays during normal business hours. The Final EIR is also available for review on the City's website: https://www.scottsvalley.gov/525/The-Town-Center.

Section 2.0 Draft EIR Public Review Summary

The Draft EIR for the 2025 Plan project, dated October 2025, was circulated to affected public agencies and interested parties for a 45-day review period from October 10, 2025 through November 24, 2025. The City undertook the following actions to inform the public of the availability of the Draft EIR:

- A Notice of Availability of Draft EIR was published on the City's website (https://www.scottsvalley.gov/525/The-Town-Center) in the Press Banner; emailed to the Town Center Interest List; and posted onsite at the City of Scotts Valley's City Hall, Public Works Building, and Senior Center.
- The Draft EIR was delivered to the State Clearinghouse on October 9, 2025, as well as sent to various governmental agencies, organizations, businesses, and individuals (see Section 3.0 for a list of agencies, organizations, businesses, and individuals that received the Draft EIR); and
- Copies of the Draft EIR were made available on the City's website (https://www.scottsvalley.gov/525/The-Town-Center), Scotts Valley Branch Library, and Scotts Valley City Hall.

Section 3.0 Draft EIR Recipients

CEQA Guidelines Section 15086 requires that a local lead agency consult with and request comments on the Draft EIR prepared for a project of this type from responsible agencies (government agencies that must approve or permit some aspect of the project), trustee agencies for resources affected by the project, adjacent cities and counties, and transportation planning agencies.

The NOA for the Draft EIR was published on the City's website and in the Press Banner, emailed to the Town Center Interest List, and posted onsite at the City of Scotts Valley's City Hall, Public Works Building, and Senior Center. The following agencies received a copy of the Draft EIR from the City or via the State Clearinghouse:

- California Air Resources Board (ARB)
- California Department of Conservation (DOC)
- California Department of Forestry and Fire Protection (CAL FIRE)
- California Department of Housing and Community Development (HCD)
- California Department of Parks and Recreation, California Department of Toxic Substances Control (DTSC)
- California Department of Transportation, District 5 (DOT)
- California Department of Transportation, Division of Transportation Planning (DOT),
- California Department of Water Resources (DWR), California Fish and Game Commission (CDFGC)
- California Governor's Office of Emergency Services (OES), California Highway Patrol (CHP)
- California Native American Heritage Commission (NAHC)
- California Natural Resources Agency
- California Regional Water Quality Control Board, Central Coast Region 3 (RWQCB)
- California State Coastal Conservancy (SCC)
- California State Lands Commission (SLC)
- Office of Historic Preservation, State Water Resources Control Board, Division of Drinking Water
- State Water Resources Control Board, Division of Water Quality
- State Water Resources Control Board, Division of Water Rights
- State Water Resources Control Board, Division of Financial Assistance
- Association of Monterey Bay Area Governments (AMBAG)
- Army Corps of Engineers Regulatory Division
- California Department of Fish and Wildlife, Bay Delta Region 3 (CDFW)
- GreenWaste Recovery, Inc.

- Santa Cruz Local Agency Formation Commission (LAFCO)
- Monterey Bay Unified Air Pollution Control District
- Native American Heritage Commission
- Northwest Information Center
- AT&T
- Pacific Gas & Electric (PG&E)
- San Lorenzo Valley Water District
- Santa Cruz County Board of Supervisors
- Santa Cruz County Clerk of the Board
- Santa Cruz County Environmental Coordinator
- Santa Cruz County Environmental Health
- Santa Cruz County Planning Department
- Santa Cruz County Public Works Department
- Santa Cruz County Regional Transportation Commission
- Santa Cruz Metropolitan Transit District
- Santa Cruz YIMBY
- Scotts Valley Unified School District
- Scotts Valley Water District
- Scotts Valley Fire District
- Scotts Valley Library
- Scotts Valley Police Department
- Scotts Valley Community Development Department
- Scotts Valley Public Works Department
- Scotts Valley Recreation Division
- Scotts Valley Wastewater Division
- Scotts Valley Planning Commission
- Scotts Valley City Council
- Scotts Valley Historical Society
- U.S Environmental Protection Agency
- U.S Fish & Wildlife Service
- Amah Mutsun Tribal Band
- Amah Mutsun Tribal Band of Mission San Juan Bautista
- Costanoan Ohlone Rumsen-Mutsen Tribe
- Costanoan Rumsen Carmel Tribe
- Indian Canyon Mutsun Band of Costanoan

- Muwekma Ohlone Tribe of the SF Bay Area
- Wuksachi Inidan Tribe/Eshom Valley Band

Section 4.0 Responses to Draft EIR Comments

In accordance with CEQA Guidelines Section 15088, this document includes written responses to comments received by the City of Scotts Valley on the Draft EIR. This section also summarizes and addresses verbal comments related to the Draft EIR received at the Planning Commission Study session on November 20, 2025.

Comments are organized under headings containing the source of the letter and its date. The specific comments from each of the letters and/or emails are presented with each response to that specific comment directly following. Copies of the letters and emails received by the City of Scotts Valley are included in their entirety in Appendix A of this document. Comments received on the Draft EIR are listed below.

Comment Letter and Commenter **Page of Response**

Federal and State Agencies

A. California Department of Fish and Wildlife, Bay Delta Region (dated November 18, 2025)

Comment A.1: The California Department of Fish and Wildlife (CDFW) received a Notice of Availability of a Draft Environmental Impact Report (EIR) from the City of Scotts Valley (City) for the 2025 Scotts Valley Town Center Specific Plan (Project) pursuant the California Environmental Quality Act (CEQA) and CEQA Guidelines. CDFW previously submitted comments in response to the Notice of Preparation of the draft EIR.

Thank you for the opportunity to provide comments and recommendations regarding those activities involved in the Project that may affect California fish and wildlife. Likewise, we appreciate the opportunity to provide comments regarding those aspects of the Project that CDFW, by law, may be required to carry out or approve through the exercise of its own regulatory authority under the Fish and Game Code.

CDFW ROLE

CDFW is California's Trustee Agency for fish and wildlife resources and holds those resources in trust by statute for all the people of the State. (Fish & G. Code, §§ 711.7, subd. (a) & 1802; Pub. Resources Code, § 21070; CEQA Guidelines § 15386, subd. (a).) CDFW, in its trustee capacity, has jurisdiction over the conservation, protection, and management of fish, wildlife, native plants, and habitat necessary for biologically sustainable populations of those species. (Id., § 1802.) Similarly, for purposes of CEQA, CDFW is charged by law to provide, as available, biological expertise during public agency environmental review efforts, focusing specifically on projects and related activities that have the potential to adversely affect fish and wildlife resources.

CDFW is also submitting comments as a Responsible Agency under CEQA. (Pub. Resources Code, § 21069; CEQA Guidelines, § 15381.) CDFW expects that it may need to exercise regulatory authority as provided by the Fish and Game Code. As proposed, for example, the Project may be subject to CDFW's Lake and Streambed Alteration (LSA) regulatory authority. (Fish & G. Code, § 1600 et seq.) Likewise, to the extent implementation of the Project as proposed may result in "take" as defined by State law of any species protected under the California Endangered Species Act (CESA) (Fish & G. Code, § 2050 et seq.), the project proponent may seek related take authorization as provided by the Fish and Game Code.

> **Response A.1:** The comment is acknowledged. The comment does not raise any issues related to the adequacy of the DEIR. The comment is acknowledged; however, because it does not pertain to the environmental analysis or conclusions presented in the DEIR, no further response or revisions to the EIR are warranted.

Comment A.2: **REGULATORY REQUIREMENTS**

California Endangered Species Act

A CESA Incidental Take Permit (ITP) must be obtained from CDFW if the Project has the potential to result in "take" of plants or animals listed under CESA, either during construction or over the life of the Project. Under CESA, "take" means "hunt, pursue, catch, capture, or kill, or attempt to hunt, pursue, catch, capture, or kill." (Fish & G. Code, § 86). CDFW's issuance of an ITP is subject to CEQA and to facilitate permit issuance, any project modifications and mitigation measures must be incorporated into the CEQA document analysis, discussion, and mitigation monitoring and reporting program. If the Project will impact CESA listed species, early consultation is encouraged, as significant modification to the Project and mitigation measures may be required in order to obtain a CESA Permit.

CEQA requires a mandatory finding of significance if a project is likely to substantially impact threatened or endangered species. (Pub. Resources Code, §§ 21001, subd. (c) & 21083; CEQA Guidelines, §§ 15380, 15064 & 15065.) In addition, pursuant to CEQA, the Lead Agency cannot approve a project unless all impacts to the environment are avoided or mitigated to less-than-significant levels, or the Lead Agency makes and supports Findings of Overriding Consideration (FOC) for impacts that remain significant despite the implementation of all feasible mitigation. FOC under CEQA, however, do not eliminate the Project proponent's obligation to comply with the Fish and Game Code.

> **Response A.2:** As the EIR is programmatic in nature and no specific development project is proposed at this time, the DEIR concluded that with implementation of General Plan Policy OSC-1.16, impacts to special status species and their habitats from future development in the Plan area would be less than significant. This conclusion is consistent with the determination in the General Plan Final EIR that future individual projects would implement General Plan Policy OSC-1.16 to ensure impacts to special status species are reduced to less than significant levels. In the event that a future individual project implementing the Plan would have the potential for 'take' of a CESA listed species, the project sponsor would be required to obtain an ITP, as noted.

Comment A.3: **Lake and Streambed Alteration**

CDFW requires an LSA Notification, pursuant to Fish and Game Code section 1600 et seq., for Project activities affecting rivers, lakes or streams and associated riparian habitat. Notification is required for any activity that may substantially divert or obstruct the natural flow; change or use material from the bed, channel, or bank (including associated riparian or wetland resources); or deposit or dispose of material where it may pass into a river, lake, or stream. Work within ephemeral streams, drainage ditches, washes, watercourses with a subsurface flow, and floodplains is generally subject to notification requirements. In addition, infrastructure installed beneath such aquatic features, such as through hydraulic directional drilling, is also generally subject to notification requirements. Therefore, any impact to the mainstems, tributaries, or floodplains or

associated riparian habitat caused by the proposed Project will likely require an LSA Notification. CDFW may not execute a final LSA Agreement until it has considered the final EIR and complied with its responsibilities as a responsible agency under CEQA.

Response A.3: As explained above, no specific development is proposed at this time, and the EIR's analysis is programmatic in nature. The Draft EIR identifies, based on prior 2008 and 2014 delineations of Waters of the U.S. and Waters of the State of California, that the entire onsite reach of the constructed drainage ditch would likely fall under the CDFW jurisdiction pursuant to Fish and Game Code Section 1600 et seq., because it is a drainage feature within a definable bed and bank that is hydrologically connected to other natural drainage features in the region. Therefore, future individual projects implementing the Plan that would impact the drainage ditch would be required, as part of the individual project-level CEQA review, to comply with General Plan Policy OSC-1.16 and additionally obtain a LSA Agreement from CDFW.

Comment A.4: Migratory Birds and Raptors

CDFW has authority over actions that may result in the disturbance or destruction of active bird nest sites or the unauthorized take of birds. Fish and Game Code sections protecting birds, their eggs, and nests include section 3503 (regarding unlawful take, possession, or needless destruction of the nests or eggs of any bird), section 3503.5 (regarding the take, possession, or destruction of any birds-of-prey or their nests or eggs), and section 3513 (regarding unlawful take of any migratory nongame bird). Migratory birds are also protected under the federal Migratory Bird Treaty Act.

Response A.4: The comment provides an overview of CDFW's authority over migratory birds and raptors and does not raise issues related to the adequacy of the DEIR or present substantial evidence of an environmental impact requiring additional evaluation under CEQA. The comment is acknowledged; however, because it does not pertain to the environmental analysis or conclusions presented in the DEIR, no further response or revisions to the EIR are warranted.

Comment A.5: PROJECT DESCRIPTION SUMMARY

Proponent: City of Scotts Valley

Objective: The objective of the Project is to create a vision, policies, and objective standards to guide new development within the Scotts Valley Town Center Specific Plan area (Plan area) in a way that supports existing and new businesses, residents, and the overall community. The Project will allow for up to 657 residential units, up to 82,000 square feet of commercial uses, and up to 35,000 square feet of public/civic uses. The Project will include adoption of amendments to the City's General Plan and Zoning Ordinance, changing certain existing land use designations in the Plan Area, creating new zoning districts, and updating existing or establishing new development standards to replace some of the current zoning provisions applicable to the Plan Area. Primary

Project activities include demolition of existing commercial buildings and construction of residential and commercial buildings within the Plan area.

Location: The Project is located in the City of Scotts Valley in southeast portion of Skypark, which is now a public park and open space. The Plan area is roughly bound by Blue Bonnet Lane and Kings Village Road to the north, an existing residential neighborhood (Hidden Oaks Condominiums) to the east, Mt. Hermon Road to the south, Skypark Drive to the west, and Skypark to the northwest.

Timeframe: 2045

> **Response A.5:** The commenter's summary of the project description is acknowledged and is accurate. The comment does not raise any CEQA-related issues; therefore, no further response is required.

Comment A.6: COMMENTS AND RECOMMENDATIONS

CDFW offers the comments and recommendations below to assist the City in adequately identifying and/or mitigating the Project's significant, or potentially significant, direct and indirect impacts on fish and wildlife (biological) resources.

Editorial comments or other suggestions may also be included to improve the document.

I. Environmental Setting and Related Impact Shortcoming

Would the Project 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 CDFW or U.S. Fish and Wildlife Service (USFWS)?
COMMENT 1: Special-Status Plant Species

Section 3.4.2.1, Page 94

> **Issue:** The draft EIR proposes to implement General Plan Policy OSC-1.16, which requires new development within areas of native plants to prepare a site-specific survey which identifies the location and type of species present. However, the draft EIR does not specify how surveys will be performed or the level of survey effort to ensure special-status plant species will be detected. Additionally, if any rare plants are found, General Policy OSC-1.16 relies on a biologist to recommend mitigation at a later time and relies on agency requirements, if any. Therefore, the Project has potential to result in significant impacts to rare plants because: 1) Rare plant occurrences may be un-detected and 2) If rare plants are detected, biologist recommended mitigation may not be implemented or sufficient if there are no agency requirements.
>
> **Specific impact, why the impact would occur, and evidence the impact would be significant:** CEQA Guidelines §15125(a) requires an EIR to be based on current, accurate,

and site-specific data. Without current surveys, it is foreseeable that project buildout could remove, alter, or fragment remaining microhabitat patches that may still support special-status plant species in the Zayante/Santa Cruz Sandhills and/or Ponderosa Pine habitat.

A reconnaissance-level biological field survey was last conducted in July 2014 outside of the bloom season. Additional botanical surveys are necessary because there is insufficient data to determine whether rare or special-status plants are present within the Project area, surveys did not occur at the appropriate times of year, and surveys were not conducted for a sufficient number of years to detect plants that may not be evident and identifiable every year. Surveys over consecutive seasons may be necessary for annual or short-lived special-status plants to increase the likelihood of detection. Variances in weather and other disturbances from year to year may affect presence or accurate identification of special-status plants on-site.

Recommendation: CDFW recommends revising the draft EIR to require focused botanical surveys consistent with Protocols for Surveying and Evaluating Impacts to Special-Status Native Plant Populations and Natural Communities (CDFW 2018) including at least two consecutive years of appropriately timed blooming-season surveys prior to any site disturbance or grading.

> **Recommended Special-Status Plant Survey BIO-Measure:** An experienced botanist, familiar with the native plant communities of Santa Cruz County, including Zayante/Santa Cruz Sandhills and Ponderosa Pine habitat shall conduct a minimum of two focused rare plant surveys over two consecutive seasons. The surveys shall occur throughout the entire Project area and at each construction site, prior to the initiation of construction. Surveys shall be conducted according to: Protocols for Surveying and Evaluating Impacts to Special-Status Native Plant Populations and Natural Communities (CDFW 2018), available at: https://nrm.dfg.ca.gov/FileHandler.ashx?DocumentID=18959&inline. In the event rare, threatened or endangered plants are discovered, If rare or special-status plant(s) cannot be avoided, the Project proponent shall submit to CDFW a rare or special-status plant mitigation plan for CDFW review, comment, and written approval prior to construction. Depending on the site-specific details, additional measures may be needed, which may include work stoppage, flagging and avoidance of occurrences, collection of propagation material, site restoration and/or obtaining an ITP (Fish and Game Code section 2081, subd., (b).).
>
> **Response A.6:** The EIR is programmatic in nature covering the entire 58-acre Plan area, and no specific development project is proposed at this time; therefore the specific baseline conditions and appropriate project-level mitigation measures cannot now be identified for individual parcels within the Plan. The Plan will be implemented over an expected 20-year timeframe, and it would be premature to conduct protocol-level surveys now. Consistent with General Plan Policy OSC-1.16, all future projects implementing the Plan that involve areas of the Plan identified in

the Draft EIR as having the potential to support special status plants and/or animals would be required to complete all applicable protocol surveys during subsequent, project-level environmental review. For any future projects that are, based on site-specific surveys at the time of project-level CEQA review, determined to result in a significant impact to special status plants and/or animals, the appropriate mitigation would be identified by the City of Scotts Valley as lead agency, in consultation with the project biologist, to ensure impacts for the individual projects implementing the Plan are reduced to less than significant levels. The suggestions made in the comment regarding future surveys are appropriate for a project-level CEQA review for future individual projects implementing the Plan.

<u>Comment A.7:</u> Would the Project 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 CDFW or USFWS?

COMMENT 2: Nesting Birds

Section 3.4.2.1, Page 95

Issue: The draft EIR proposes to implement mitigation measure MM-BIO 2.1: Avoid Nesting Birds to mitigate for impacts to nesting birds. The measure does not completely consider all life history timing needs of some bird species potentially impacted by the Project.

Specific impact, why the impact would occur, and evidence the impact would be significant: The nesting seasons for passerines (Passeriformes), owls (Strigiformes), and raptors range from February 15 - August 30, January 15 - September 15, and February 15 - September 15, respectively.

Recommendation 2: To evaluate and avoid potential impacts to nesting bird species, CDFW recommends incorporating the following mitigation measure into the Project's draft EIR existing measure.

> **Recommended Nesting Bird Mitigation Measure:** If Project grading or construction is scheduled to take place between January 15 – September 15, a preconstruction survey of the Project vicinity for nesting birds shall be conducted by a qualified biologist experienced with the nesting behavior of bird species of the region. The survey shall determine if active nests are present within the planned area of disturbance or within 250 feet for passerines, 500 feet for accipiters and 1,000 feet for buteos. The survey shall be performed no more than 7 days prior to the commencement of construction activities, and a second focused survey shall be conducted within 48 hours prior to construction activities that would occur during the nesting/breeding season. If ground disturbance activities are delayed following a survey, then an additional preconstruction survey shall be conducted such that no more than two weeks will have elapsed between the last survey and the

commencement of ground disturbance activities. If a lapse of Project-related activities of seven days or longer occurs, another focused survey will be conducted before Project activities can be reinitiated.

If an active bird nest is found within the survey radii, species-specific measures shall be prepared by a qualified biologist and implemented to prevent abandonment of the active nest. A protective buffer distance shall be established by a qualified biologist based on the site conditions such as whether the nest is in a line of sight of the construction and the sensitivity of the birds nesting. Typical protective buffers are as follows: 1) 250 feet for passerines, 2) 500 feet for accipiters, and 3) 1,000 feet for buteos. No Project personnel or equipment shall be allowed to enter the protective buffer until the qualified biologist determines that the young have fully fledged and will no longer be adversely affected by the Project.

The qualified biologist shall observe any identified active nests prior to the start of any construction-related activities to establish a behavioral baseline of the adults and any nestlings, and the nest site(s) shall be monitored by the biologist periodically to see if the birds are stressed by the construction activities and if the protective buffer needs to be increased. The perimeter of the nest setback zone shall be fenced or adequately demarcated with stakes and flagging at 20-foot intervals, and construction personnel and activities restricted from the area. A survey report by the qualified biologist verifying that no active nests are present, or that the young have fledged, shall be submitted prior to initiation of grading in the nest-setback zone. The qualified biologist shall serve as a biological monitor during those periods when construction activities occur near active nest areas to ensure that no inadvertent impacts on these nests occur. All buffers shall be shown on all sets of construction drawings.

Response A.7: The comment recommends an expanded set of measures to protect against future development implementing the Plan from disturbing nesting activity within or near the Plan area. Draft EIR mitigation measure MM BIO-2.1 requires surveys between February 1 and August 31. The comment recommends extending the survey period 15 days earlier into the year (January 15) and extending the survey period 15 days longer (September 15) for evaluating and avoiding potential impacts to nesting bird species. Mitigation Measure MM BIO-2.1 also requires surveys no more than 14 days prior to construction activity commences. The comment recommends surveys occur no more than seven days prior to construction, and that a second survey be conducted no more than 48 hours prior to construction. While the recommended expanded survey requirements provided in the comment would provide additional protection for nesting activity occurring within and near the Plan area, the series of protective measures included in MM BIO-2.1 are commonly employed by lead agencies to effectively protect nesting activity and ensure impacts to nesting birds are reduced to less than significant levels, as mandated by CEQA. The comment further recommends various buffer distances for different avian

groups, between 250 and 1,000 feet, depending on the species. As the EIR is programmatic in nature, and no specific development is proposed, as noted in MM BIO-2.1, the project biologist for future projects would, if nesting activity was observed on or near a construction site, establish the appropriate buffer, considering the specific bird species and the nature of the construction activities.

Comment A.8: Would the Project 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 CDFW or USFWS?

COMMENT 3: San Francisco Dusky-Footed Woodrat

Section 3.4.2.1, Page 93

Issue: The draft EIR identifies San Francisco dusky-footed woodrat (*Neotoma fuscipes annectens*) to have "reasonable potential to occur within the Project area" but does not identify species specific surveys, time to dismantle San Francisco dusky-footed woodrat midden or include midden relocations as a minimization measure. The Project has potential to result in significant impacts to San Francisco dusky-footed woodrat without revised mitigation measure(s).

Specific impact, why the impact would occur, and evidence the impact would be significant: The San Francisco dusky-footed woodrat is listed as a species of special concern found throughout the San Franciso Bay area in grasslands, scrub, and woodland areas (Hall 1981). The Project site includes oak woodland, riparian, and shrub habitats which provide suitable habitat for this species. The draft EIR does not include species-specific mitigation measures for San Francisco dusky-footed woodrat requiring focused preconstruction surveys, avoidance buffers, or relocation (specific timing, methods, or performance standards).

Recommendation: CDFW recommends that if San Francisco dusky-footed woodrat middens cannot be avoided, the middens shall be relocated out of the Project area to minimize impacts to San Francisco dusky-footed woodrat. CDFW also recommends that middens are relocated and/or dismantled during the month of July and August to avoid impacts to young and to allow San Francisco dusky-footed woodrat to store food prior to winter, when food sources are limited.

Recommended San Francisco Dusky-Footed Woodrat Mitigation Measure: A pre-construction survey for San Francisco dusky-footed woodrat shall be conducted by a qualified biologist within seven days prior to Project activities. If an active San Francisco dusky-footed woodrat midden is found during surveys, the active midden site shall be designated as "Ecologically Sensitive Areas" (ESA) and protected during Project construction with establishment of flagging or a fence barrier surrounding the nest site. CDFW

recommends that the minimum distance of 25 feet is used for the protective buffer protecting the nest. If a San Francisco dusky-footed woodrat midden(s) cannot be avoided, the Project proponent shall submit to CDFW a San Francisco dusky-footed woodrat Midden Relocation Plan for CDFW review, comment, and written approval prior to construction.

Response A.8:

The Draft EIR notes there is some low-quality habitat for the dusky-footed woodrat in mixed woodland within the Plan area. Projects occurring in the two small areas mapped as mixed woodland within the Plan area are required to conduct site-specific surveys per General Plan Policy OSC-1.16, at which point the potential presence of woodrat nests would be verified, and appropriate mitigation measures would be developed in consultation with the project biologist to ensure impacts were reduced to less than significant levels. The series of recommendations in the comment are appropriate for a project-level CEQA analysis of an individual development project, while the Plan EIR is programmatic in nature.

Comment A.9: Would the Project 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 CDFW or USFWS?

COMMENT 4: Mount Hermon June Beetle and Zayante Band-Winged Grasshopper

Section 3.4.2.1, Page 76

Issue: The Project site includes areas mapped as Zayante/Santa Cruz Sandhills habitat and mixed woodland that may support Mount Hermon June beetle (*Polyphylla barbata*) and Zayante band-winged grasshopper (*Trimerotropis infantilis*), both of which are federally listed as endangered under the Endangered Species Act. These two insect species are known only from the Zayante/Santa Cruz Sandhills, including adjacent transitional soils in Santa Cruz County. The Project has potential to cause significant impacts to Mount Hermon June beetle and Zayante band-winged grasshopper because it would disturb the sandy soils, mixed woodland, and undeveloped areas that support habitat functions for both species. Although some areas are developed and degraded, the soil remains intact and are important for both of these species as they are restricted to sandy soils (USFWS 1998).

Specific impact, why the impact would occur, and evidence the impact would be significant: The draft EIR does not include focused surveys for Mount Hermon June beetle and Zayante band-winged grasshopper. It is unclear if the reconnaissance-level biological field survey conducted in July 2014 followed the USFWS protocol survey methods. The EIR acknowledges that portions of the Project area are mapped as Zayante/Santa Cruz Sandhills habitat and currently developed with soil

underlaying the developed area that could meet the requirements for Zayante/Santa Cruz Sandhills habitat. Mount Hermon June beetles are fossorial, and individuals may be present year-round (USFWS 2009). Both species are vulnerable to habitat disturbance, including grading, vegetation removal, and soil compaction.

Recommendation: A focused protocol-level survey should be conducted during the appropriate activity periods to determine presence or absence. If suitable habitat is confirmed, avoidance and mitigation measures should be developed in coordination with the USFWS.

As described in Section 5.0 Draft EIR Text Revisions of this FEIR, there are two undeveloped areas within the Plan area that are mapped as mixed woodland in Figure 3.4-1 of the EIR that are also mapped in the General Plan as Zayante/Santa Cruz Sandhills habitat. Additionally, a third area in the eastern portion of the Plan is mapped in the General Plan as Zayante/Santa Cruz Sandhills habitat and is currently developed with commercial buildings and associated paved parking. Consistent with General Plan Policy OSC-1.16, all future projects implementing the Plan that involve areas of the Plan identified in the Draft EIR as having the potential to support special status plants and/or animals would be required to complete all applicable protocol surveys during subsequent, project-level environmental review. For any future projects that are, based on site-specific surveys at the time of project-level CEQA review, determined to result in a significant impact to special status plants and/or animals, the appropriate mitigation would be identified by the City of Scotts Valley as lead agency, in consultation with the project biologist, to ensure impacts for the individual projects implementing the Plan are reduced to less than significant levels.

Comment A.10: ENVIRONMENTAL DATA

CEQA requires that information developed in environmental impact reports and negative declarations be incorporated into a database which may be used to make subsequent or supplemental environmental determinations. (Pub. Resources Code, § 21003, subd. (e).) Accordingly, please report any special-status species and natural communities detected during Project surveys to the California Natural Diversity Database (CNDDB). The CNDDB field survey form can be filled out and submitted online at the following link: https://wildlife.ca.gov/Data/CNDDB/Submitting-Data. The types of information reported to CNDDB can be found at the following link: https://www.wildlife.ca.gov/Data/CNDDB/Plants-and-Animals.

Response A.10: The comment is acknowledged. As the EIR is programmatic in nature, no specific development project is proposed at this time. The Plan will be implemented over an expected 20 year timeframe, and it would be premature to conduct protocol-level surveys now. Future projects implementing the Plan that involve areas of the Plan identified as having the potential to support special status plants and/or animals would be required to complete all applicable protocol surveys during subsequent, project-level environmental review. Accordingly, any special-status species and natural communities detected during future project-level surveys

would be reported to the California Natural Diversity Database (CNDDB) on a project-by-project basis.

Comment A.11: ENVIRONMENTAL DOCUMENT FILING FEES

The Project, as proposed, would have an impact on fish and/or wildlife, and assessment of environmental document filing fees is necessary. Fees are payable upon filing of the Notice of Determination by the Lead Agency and serve to help defray the cost of environmental review by CDFW. Payment of the environmental document filing fee is required in order for the underlying project approval to be operative, vested, and final. (Cal. Code Regs, tit. 14, § 753.5; Fish & G. Code, § 711.4; Pub. Resources Code, § 21089.)

Response A.11: The City acknowledges the comments and confirms that all required CDFW filing fees will be paid.

Comment A.12: CONCLUSION

CDFW appreciates the opportunity to comment on the draft EIR to assist the City in identifying and mitigating Project impacts on biological resources.

Response A.12: The City acknowledges and appreciates CDFW's participation in the environmental review process. As no CEQA issues were raised, no further response is required.

B. California Department of Transportation (dated November 24, 2025)

Comment B.1: The California Department of Transportation (Caltrans) appreciates the opportunity to review the Draft Environmental Impact Report (DEIR) dated October 2025, for the 2025 Scotts Valley Town Center Specific Plan (Plan). The Plan area consists of approximately 58-acres within the City and allows for up to 657 residential units (consistent with the City's 2023-2031 Housing Element); up to 82,000 square feet of commercial uses; and up to 35,000 square feet of public/civic uses. Caltrans offers the following comments in response to the DEIR:

General Comments:

- Caltrans supports local development that is consistent with State planning priorities intended to promote equity, strengthen the economy, protect the environment, and promote public health and safety. We accomplish this by working with local jurisdictions to achieve a shared vision of how the transportation system should and can accommodate interregional and local travel and development. Projects supporting smart growth principles, including improvements to pedestrian, bicycle, and transit infrastructure (or other key Transportation Demand Strategies) are supported by Caltrans and are consistent with our mission, vision, and goals.

Response B.1: The commenter's summary of the project description is acknowledged and is accurate. The comment does not raise any CEQA-related issues; therefore, no further response is required.

Comment B.2: Traffic Operations and Safety:

- The State Route (SR) 17 and Mt. Hermon Road interchange does not appear to have been included in the DEIR. The additional 657 residential units and additional commercial and public uses will most likely impact this interchange

Response B.2: The SR 17/La Madrona/Mt Hermon Road intersection was included in the Traffic Analysis (TA) LOS report, which was included as an Appendix to the Plan itself. The final TA states that this intersection operates at LOS C during PM peak under cumulative future growth conditions (down from LOS B), and that the queuing in the south-bound offramp would not cause safety or operational issues (see excerpted text below).

"Southbound SR-17 Off-Ramp Right-Turn to Mt. Hermon Road: A review of the 95th percentile queue was conducted for the southbound SR-17 off-ramp to ensure that the addition of project-generated trips would not extend onto the SR-17 highway travel lanes. The project is estimated to add 23 AM peak hour and 30 PM peak hour trips to the southbound right-turn movement from the southbound SR-17 off-ramp to Mt. Hermon Road. Synchro calculates the 95th percentile queue to be less than eight vehicles (200 feet) during the AM peak hour under all scenarios with the project and to be less than 22 vehicles (550 feet) during the PM peak hour under all scenarios with the project. These queue lengths can be accommodated within the existing off-ramp storage from the southbound SR-17 highway and the queues would not extend onto the highway."

Comment B.3: Please indicate how the impacts on the regional transportation network will be mitigated to address safety and operational concerns.

Response B.3: The Traffic Analysis (TA) LOS report, which was included as an Appendix to the Plan itself, does not indicate any impacts on the regional transportation network requiring mitigation.

Comment B.4: Any mitigation measures and conditions of approval related to the State Highway System (SHS) should be coordinated with Caltrans. Please contact Caltrans for early coordination.

Response B.4: Please see Response B.3 above. The comment does not raise any CEQA-related issues; therefore, no further response is required.

Comment B.5: **System Planning:**

- The Scotts Valley Transit Center is located within the Specific Plan area and the proposed improvements should encourage further usage of that facility.

> **Response B.5:** This comment is acknowledged and is in keeping with the intent of the Plan. The comment does not raise any CEQA-related issues; therefore, no further response is required.

Comment B.6: Mt. Hermon Road interchange at SR 17 would be the primary egress for this facility. Please coordinate with Caltrans on any impacts to the SHS.

> **Response B.6:** Please see Response B.2 above.

Comment B.7: **Permits:**

- Please be aware that if any future work is completed in the State's right-of-way it will require an encroachment permit from Caltrans and must be done to our engineering and environmental standards, and at no cost to the State. The conditions of approval and the requirements for the encroachment permit are issued at the sole discretion of the Permits Office, and nothing in this letter shall be implied as limiting those future conditions and requirements. For more information regarding the encroachment permit process, please visit our Encroachment Permit Website at: https://dot.ca.gov/programs/traffic-operations/ep.

> **Response B.7:** The comment is acknowledged. As the EIR is programmatic in nature, no specific development project is proposed at this time. Therefore, any future development in Scotts Valley that requires work within the Caltrans' right-of-way will be responsible for securing an encroachment permit. The comment does not raise any CEQA-related issues; therefore, no further response is required.

Comment B.8: Thank you for the opportunity to review and comment on the proposed project. We look forward to continued coordination with the City on this effort. If you have any questions, or need further clarification on items discussed above, please contact me at (805) 835-6555 or Ingrid.Mcroberts@dot.ca.gov.

> **Response B.8:** The City acknowledges and appreciates Caltrans' participation in the environmental review process. As no CEQA issues were raised, no further response is required.

Organizations, Businesses, and Individuals

C. Corbett Wright

<u>Comment C.1:</u> SVTC Specific Plan Comments

Chapter 3. Approved Uses

The stated goal of the specific plan is to allow the phased construction within the plan build out. This could include multiple developers vs a single developer. Therefore, the City must retain approvals as to the Tenant and use Mix or else the standards as proposed will not provide adequate parking. The concept of making it easier for the development of the specific plan to move forward without additional approvals is fine, with appropriate guardrails.

For example, a max density of 30% percent restaurants would not require a CUP, anything beyond that would require a CUP. This only works with a minimum 4.5/1000 ratio though.

Case Study of Issue. 1420, 1430, and 1440, 41st Ave. Different owners. Common parking at 3.5/1000. Second generation space; a health and wellness use, (yoga) and an intense Verizon wireless were placed into 1430. The uses take up nearly all of the common parking. The building located at 1420 has had chronic vacancy. The building located at 1440, has been vacant for years. There is no parking.

Case Study of Issue. Hangar. Use within the parking lot works, (sort of – there are issues), with 4.5/1000 parking on gross, effective 7.82/1000 on food use on gross, with corresponds to 10/1000 on service area, with restrictions on employee parking, with a dynamic mixture of uses precisely because the lease regulates the hours of operation. For example, MADabolic, a health and wellness use, (which as proposed in the specific plan as an unregulated approved general use) can only be included in the tenant mix because of the restrictions. There was a CUP required for MADabolic.

Without restrictions, the use could easily take a disproportionate amount of the parking, which would damage the interests of the surrounding uses.

Without restrictions on approved uses at the city level, there would be no control over the mix of tenancy within the specific plan. This could be even more acute for second generation space. Therefore, there must be changes, guardrails, put in place or existing parking will be cannibalized, tenants will be damaged economically, buildings will sit vacant, or simply never be constructed because the design is not financially feasible.

Chapter 3.

1. Pg. 7 Approved Uses

Use	**MU-TC**	**PU-N**
Restaurants*	Over 30% max density -CUP	Over 30% max density -CUP
Banks and Financial	P	P
Commercial Daycare	P or CUP	P or CUP
Food Prep/Catering	P with Related Restaurant	P with related Restaurant
Medical/Dental	CUP	CUP
Massage	P – with Hotel	P – with Hotel
Theater Live	CUP	CUP
Theater Movie	CUP	CUP
Health and Wellness*	CUP	CUP

Note:
*What about entertainment permits? The inclusion of 100% restaurant approval would be a disaster for parking and competition. It is not a sustainable model
**Use not defined on Appendix A

2. Page 13. SFD, Attached, TH Density should be excluded from SVTC. The town center is where density should be approved. The lesser density residential uses should be excluded or severely limited to a max 10% or similar density. This inclusion of higher density would allow for more open space and more parking, both public and servicing the commercial. This is the main design issue for the specific plan model proposed by Good Cities. The plan tries to cut back on parking and open space, so that lesser density housing can use more of the site. This does not serve the interest of the public.

3. Page. 17. All Minimum setbacks should be 15'-20'. Future Internal Connections of 8' is ridiculous. Can you imagine a 8' setback for a town house off of the Laughing Monk Parking area? This is where amplified music is being played at night under the CUP/entertainment permit. The current plan shows a row of townhouses that are 50' +/- from the current live music location.

4. Page 18. No Zero Lot lines permitted at side interior. This could potentially place a TH on the lot line next to the Laughing Monk Parking Lot. This should be prohibited. It prevents adequate landscape.

5. Page 19. Parking
General Comment. A maximum parking within the commercial district should have posted regulation of 2 hour maximum guideline.

a. 3.5/1000 ratio **should be increased to a minimum of 4.5/1000**
b. 10/1000 sf good for seating area

c. Office 4/1000 minimum, including 2nd story. Office that is not properly parked should not be built. This is designing in a parking problem. The current office vacancy rate is **32.8%** in the scotts valley submarket. Adding office parked at 2/1000 will lead to more vacancy.
d. Standard 2. Sharing of Public/Private should be prohibited. On-Street Parking should absolutely not be counted in the commercial parking requirements. If any consideration is given, a max 50% should be allotted as credit, and that is only if the public parking is expanded. There is not enough parking at sky park now. If this standard is allowed, then the public frequenting sky park will take the commercial parking, and the commercial uses will not be successful.
e. Standard 3. Ratio. 4.5/1000 minimum. Proximity of Parking to Commercial facility entrance **should be 150' maximum**. **The definition should include all parking spaces attributed to the approved use, not just the entry of the parking lot.**
f. Each and every project, every building, ever building permit must be approved by a stand alone parking analysis or a documented shared parking program Agreement.

6. Page 46. Add new Standard. Garbage Enclosures should be integrated into the individual building design vs freestanding in parking lot. Service roads will need to be wide enough to accommodate trash vehicles. Current design does not illustrate wide enough ingress/egress/circulation and can not be constructed as illustrated.

7. Page 20. 3.5.1. Item #3. Reduce to 40.' Provide flexibility.

8. Page 22. 3.6.1. MU-N zone Modifications and improvement to and existing building should not be an approval of a change in use.

9. Page 22. Under no circumstances should minor exceptions to standards include a reduction to parking ratios and proximity.

10. Page 33. Item 7. B. Please consider reducing the height of tree requirement form 20" down to 15'. This improves retail visibility. Retail that can not be seen is not successful.

11. Page 34. Item 4. Should be required. Where there are multiple adjacent parking lots, they should be designed to have vehicular connectivity, both entries and exits, to adjacent parking lots. Suggested to redraft language to include all new major roadways, excluding new curb cuts to Mt. Hermon. Note. Chapter 2. Figure 2.1 illustrates connectivity from hangar parking lot to main street.

Chapter 4.

1. 4.7.1. Item 2. Strike item, and require a minimum of 15,500 sf. with a minimum of 12,000 sf at Hangar Plaza as currently shown on figure 4.9. and a minimum of 3,500 sf at Tower plaza. These are absolute minimums. There should be more open space on plazas. Why trade townhomes for public open space? Not in the public's interest.
2. Sidewalk - pedestrian friendly design should be encouraged. A minimum of 20' walkway standard should be preserved around the buildings on the Plaza(s).

3. The 3,500 sf tower plaza should not be decreased in size by the public walkway. It should be a net minimum. Really it is too small…
4. Page 105. ” Hangar Square is intended to be the main plaza for Scotts Valley.” It is simply too small as designed. Minimum plaza area 12,000 sf. net of all dining space. Standard 4. Strike. Plaza Space. The restaurants on the plaza should be designed to include seating area for adjacent restaurants, but the Plaza should not be reduced in size by the encroachment of the individual restaurants. Cohesion yes. But inclusion of the patio dining should not reduce the public space minimum requirements.
The actual effective size of the plaza is far less than the proposed is 9,000 sf. With the removal of 15’ for dining on both sides of the plaza, 2,900 – 3,000 sf total, the plaza is only 6,000 sf. This is not large enough to accommodate any of the envisioned public gatherings.
NOTE: The hangar building provides it’s own private patio space. Why should the new project skimp on open space? To provide for townhomes? SVTC needs more work force housing, apartments, not more single family.
5. Page 105 Guidelines: Use of tree canopy should not impede vision of storefront retail signage.
6. Page 106. Top image. Building to the north boundary. +/- 3,500 sf free standing. Bottom line is that that building can not be parked without the removal of the Town House residential to the north with a parking field installed in it’s place. The building as represented has no parking lot. This use as shown is a restaurant with 10/1000 sf for dining and 2.5/1000 sf back of house. Minimum parking would require 28 parking spaces for that building alone. This is excluding the patio dining in front of the building. It is disingenuous to represent to the public a building that can not be built. **Remove the town Homes and replace with a parking lot. It does no good to design inadequate parking that puts the Hangar tenants out of business.**

Note:
1. The circulation as proposed can not be constructed. There is a private open space patio in front of penny ice cream that is existing. It will not be removed. The illustrated plan should include circulation that is buildable.
2. The design of the square should not negatively impact the east elevation of the Hangar Building. Nearly the entire Hangar building mass is blocked from Park Street. The south building should be moved south, such that the entrance of the massing frames the Hangar Building, with an alignment matching the Hangar Building south façade. Meaning move it back 30’ and increase the size of the Hangar Plaza to 12,000 sf minimum.

Response C.1: The comment provides general observations regarding the proposed Plan but does not raise issues related to the adequacy of the DEIR or present substantial evidence of an environmental impact requiring additional evaluation under CEQA. The comments and recommendations have been provided to the Planning Commission and City Council for their consideration. The comment is acknowledged; however, because it does not pertain to the environmental analysis or conclusions presented in the DEIR, no further response or revisions to the EIR are warranted.

Comment C.2: Appendix C: Traffic: Hexagon Report dated October 1, 2025

Improvements to proposed intersections 3 & 4 are critical to avoiding undesired internal (service road and parking lot cross traffic) as well as sending increased traffic up Blue Bonnet/Bean Creek.

1. Figure 14. Intersection: Main St. @ Mt. Hermon. Please consider additional Direction. Exit from Main Street to Mt. Hermon.
Options:

a. Add a lane. Rt, ST/LT, LT
b. RT/ST/LT, LT – as discussed. This is probably the best balanced solution.

2. Figure 15. Great design. Please consider extending stacking lanes north to the entrance of the Post Office/Kings Village intersection.

Figure 8 & 9.
Intersection 2. The additional of 2 SB Trips onto Mt. Hermon might not be accurate, and should be reconsidered. Related Table 5. This indicates that the traffic will actually be improved by the addition of the town center. Please reconsider.

Internal Circulation Reliance.

The report and design seems to include the reliance on the service ally located between the Hangar and Target Center. Please note that this ally is frequently impacted by truck/delivery, and trash pick up, which frequently blocks the traffic flow entirely. Any reliance on this internal parking lot connection without planning for peak flow to Main street and King's village is not accurate. Please reconsider impact assumptions.

Robert Gibbs Analysis in Appendix B is so outdated it is no longer accurate. Not that it was accurate in the first place. The report provides little to no benefit and should be excluded from the TCSP references.

There is currently over 20,000 sf of retail that is vacant in the scotts valley submarket. There is vacant retail that there are no tenants for because it is underparked.

There is vacant restaurant space that there are no tenants for because it is underparked.

Yes, the town center can support more highly curated, experiential related shopping and dining, but it is not accurate to indicate that the market is deep, and providing an out dated, unrealistic market analysis to the public should not be included because it provides a false sense of lease ability.

The only way that the town center commercial will be built is if it is adequately designed. Parking, Circulation, open space, mix, cross traffic with detailed highly curated intent; design that will not fail because it will generate the sales per foot in order to be successful.

Without exceeding the minimum standards demonstrated in successful project examples, the town center will fail or simply never be built.

Response C.2: This comment concerns traffic congestion, internal circulation within the Plan, and parking, and therefore is outside the scope of CEQA, given with the passage of SB 743, vehicle delay is no longer considered an impact on the environment, and transportation impacts are evaluated using Vehicle Miles Traveled (VMT). For informational purposes, the following information is provided from the Transportation Analysis Report, included as an Appendix to the Plan, which evaluated LOS conditions with Plan implementation.

For Figure 14 (Main St/Mt Hermon), the lane configuration shown (LT/TH + RT) is consistent with similar north/south legs intersecting Mt. Hermon within Scotts Valley and is adequate to serve project traffic. The north/south legs are likely to operate with permitted left-turn phasing (green ball that allows left turns for both directions). If there are two LT lanes out of Main Street, it would require protected left-turns (green arrow for LT only) or split phasing (only southbound direction is green), which would increase delay for all other movements and increase overall traffic delays at the intersection.

For Figure 15 (Kings Village/Mt Hermon), the request to consider extending stacking lanes north to the entrance of the Post Office/Kings Village intersection could be taken into consideration. The left-turn queue is expected to be at most 9-10 vehicles per lane in the afternoon periods with the proposed lane configuration.

For Figures 8+9 – it is unclear what is meant by additional 2 SB trips onto Mt. Hermon. Table 5 shows a decrease in average delay because the project would add vehicle traffic to a low-delay movement (WBT/EBT along Mt Hermon), decreasing the average vehicular delay.

Internal Circulation Reliance: The analysis considers most traffic to use Main Street or Kings Village Road for primary access to the Specific Plan area to provide the most conservative analysis for impacts to Main Street and Kings Village Road.

Comment C.3: EIR.

Hexagon. Figure 2. Existing Public Street Network. Coding in yellow showing internal streets is not accurate. Not all yellow is public. Page 7. Identified Banks. But it is an excluded use? Implementation:

Construction Management plan that does not put existing Tenants out of business should be part of all future approvals.

Response C.3: This comment pertains to a figure depicting existing public streets in the Transportation Analysis, which was included as an Attachment to the Plan itself, and also provides suggestions regarding requirements of construction management plans for future projects implementing the Plan. These issues are not related to the Draft EIR's analysis of the Plan's environmental impacts. The comments and recommendations have been provided to the Planning Commission and City Council for their consideration. The comment is acknowledged; however, because it does not pertain to the environmental analysis or conclusions presented in the DEIR, no further response or revisions to the EIR are warranted.

Comment C.4: Current Conceptual Design Analysis:

1. New Parking lot near hangar, supports only 42 spaces max vs 60 as shown. No landscape on western boundary, easement not plotted correctly, no handicap, no EV charging, not enough trash enclosure. Acute Radius does not work for truck delivery or trash pickup. Supports 9,300 sf @ 4.5/1000

2. Lot near post office. 33 existing spaces are to be shared with post office vs 45, plus 12 on street, as shown. 57 in count but only 24 new. No landscape on western boundary, easement not plotted correctly, no handicap, no EV charging, not enough trash enclosure. Acute Radius does not work for truck delivery or trash pickup. Supports 5,300 sf @ 4.5/1000.

3. New lot behind tower supports only 28 spaces vs 36 as shown. No landscape on east, no handicap, no EV charging, no trash closure. Acute Radius Doesn't work for truck delivery or trash pickup. Supports, 6,200 sf @ 4.5/1000

Current Design Parking Totals: The Current Layout only supports a Total sf. 25,111 sf with 113 spaces vs the actual 28,725 sf as illustrated on the plan which requires 130 minimum. However, that is with the following assumptions:

- zero shared public private, and
- adequate guest parking on residential parcels, and
- at 30% max restaurant density.

Minimum Parking Changes Suggested:

1. **Commercial:** 4.5/1000 minimum commercial parking with maximum restaurant at 30% with all parking in close proximity. (preferably including of the Parking Ratio/Mix Schedule. please see below)

   Solution: CUP governance of increase beyond 30% max restaurant space to increase parking ratio.

2. **Guest Parking for Residential:**

Solution: 100% Guest Parking on-site within the residential. Existing City of Scotts Valley Guest Parking standard should be maintained.

3. **Inadequate Public Parking:**

   Solution: Add a parking garage at the metro site as a requirement of the specific plan.

4. **Effective Commercial Parking Proximity:** all parking count, per the approved schedule, to be within 150' radius maximum of business entry.

Parking Ratio/Mix Schedule

Please consider regulating the specific plan as the Parking Ratio must match relative intensity of restaurant space as follows:

- At 30% max restaurants 4.5 with Optimal mix
- At 40% max restaurants 5.5 with Optimal mix
- At 50% max restaurants 6.5 with Optimal mix

Optimal Mix: a dynamic mixture of food service boutiques, cafes, and restaurants, which have diverse peak parking requirements (Breakfast, Lunch, Dinner) This concept should be used by the PC/CC in the parking study analysis for all future CUPs.

For example: With 113 parking stalls shown on the current plan with current restaurant/café design as shown at 50% max restaurant use, the maximum buildable commercial sf would be 17,380 sf
Or roughly 40% fewer commercial buildings than currently shown.
In other words, there is 40% less parking than needed for the project to be minimally successful. Importantly, this is with zero shared public/private parking.
If shared parking is allowed as currently proposed in the specific plan guidelines, then the project as shown is 50% under parked.

Existing Parking:

None of the existing sky park parking should be used to support the new town center commercial. There isn't enough public parking as it is to support existing skypark events.
Please consider adding a parking garage to the metro lot as a specific requirement of the Specific Plan.

Outdoor Dining Space:

In the restaurant guest dining space, there is no provision for the consideration of the total outdoor dining space in the parking ratio analysis. The specification is 10/1000 for indoor dining only. Meaning, this current plan is further deficient by the outdoor patio space shown at 10/1000.

There is nearly 5,000 sf of patio shown as dining area. That is another 50 parking stalls.

Shared Parking Condition of Approval:

The Hangar development has a condition of approval which was intended "…to assist in the future of an orderly development of the town center specific plan core."

"The property owner shall work with the City and future town center developers on a shared parking program when development of the town center core area occurs."

This statement does not provide the City of Scotts Valley the right to design a specific plan that has a structural parking deficiency which cannibalizes the Hangar project parking.

The Hangar is parked at 4.66/1000. The Specific Plan should maintain this as an absolute minimum design standard with a 30% restaurant mix.

The City should seek to exceed the design standards so that the commercial within the core can generate the per sf sales required to support the high cost and maintenance of new construction, or else the project will simply yet again, not be built, or worse yet, have the commercial portion of the project be an economic failure because that which was not economically feasible was subsidized by the townhomes, "just to get it built." This does not serve the Citizens interests.

Response C.4: The comment provides detailed observations, commentary and recommendations regarding parking supply and parking requirements for the Plan but does not raise issues related to the adequacy of the DEIR or present substantial evidence of an environmental impact requiring additional evaluation under CEQA. Parking supply is a planning consideration apart from the evaluation of the Plan's environmental impacts under CEQA, as parking stalls are not environmental resources. The comments and recommendations have been provided to the Planning Commission and City Council for their consideration. The comment is acknowledged; however, because it does not pertain to the environmental analysis or conclusions presented in the DEIR, no further response or revisions to the EIR are warranted.

D. Juliana Maggio (dated November 19, 2025)

Comment D.1: The proposed plan for the town center appears to have an excessive amount of house units and we are concerned about the traffic that this will create in such a small area.

Response D.1: This comment expresses an opinion regarding the amount of housing included in the Plan. It should be noted the housing included within the Plan is intended to help facilitate implementation of the City's adopted 2023-2031 Housing Element, which assumes up to 657 new housing units within the Plan area. The resulting traffic that would be generated by the Plan's proposed land uses, including

commercial and civic uses in addition to the planned housing, is addressed in Section 3.17.3 of the DEIR (pages 240-242). With the passage of SB 743, traffic congestion is no longer considered a significant environmental impact, and instead is considered as part of the Plan's conformance with applicable General Plan policies regarding traffic congestion management. The Transportation Analysis included as Appendix C to the Plan provides a level of service (LOS) analysis in accordance with City practice and General Plan Policy M-3.9, which requires maintaining the established LOS C or better at intersections throughout Scotts Valley with the exception of Scotts Valley Drive at Mt. Hermon Road and Granite Creek Road at Scotts Valley Drive, which shall be required to maintain a LOS D or better. However, the City Council may also take into consideration General Plan Policy M-3.10, which allows the City to accept a lower level of service if right-of-way constraints and/or economic feasibility constraints of roadway infrastructure improvements exist. Both of these constraints exist at the Kings Village Road and Mt. Hermon Road intersection, and therefore the City Council can consider adopting the Plan and allowing the intersection to operate at LOS D.

Comment D.2: The town center we imagine is a place for gathering where there's outdoor and indoor space to hang out with friends, family and neighbors, outdoor space for sport games, pump track, skate park and space for music events, arts fairs, and food tracks. We do not envision any of those key parts of sky park to disappear! We envision more restaurants, cafes and shops where we can buy clothes, and shoes and gives these town a more cohesive look and feel. Buildings is not a town center. Apartment is not a town center. That is not what residents of this town are looking for.

Many issues with creating a denser population in his small town with such limited roads and resources, and especially limited roads in case of need for evacuations, Please give this town what it deserves

Response D.2: The comment provides general observations regarding the proposed Plan but does not raise issues related to the adequacy of the DEIR or present substantial evidence of an environmental impact requiring additional evaluation under CEQA. The comment generally references the issue of evacuations without specifically commenting on any of the Draft EIR's discussion of the Plan's consistency with emergency evacuation plans in Section 3.9 Hazards and Hazardous Materials and regarding emergency access in Section 3.17 Transportation. The comment is acknowledged; however, because it does not pertain to the environmental analysis or conclusions presented in the DEIR, no further response or revisions to the EIR are warranted.

E. Kate Halper (dated November 19, 2025)

Comment E.1: I am writing in response to the EIR for the new Town Center project, submitting my public comments within the timeframe. I am seeking detailed response to these comments, as I am

unable to attend the meeting tomorrow night. I don't see the following items addressed in the available documentation.

- How will the City address current traffic congestion on Mt. Hermon Rd once it's amplified by the addition of new community space and more than 650 new residences? As you are aware, traffic currently backs up onto the 17 off-ramp in the afternoons.

> **Response E.1:** Traffic congestion resulting from new Plan trips is addressed in Section 3.17.3 of the DEIR (pages 240-242), as well as in the Transportation Analysis completed for the Plan, included as Appendix C to the Plan itself. With the passage of SB 743, traffic congestion is no longer considered an environmental impact. Regardless, Section 3.17.3 of the DEIR provides a level of service (LOS) discussion in accordance with City practice and General Plan Policy M-3.9.

Comment E.2: How do adequate bike lanes and safe bike parking/lockers factor into the Town Center? That doesn't appear to be referenced anywhere

> **Response E.2:** Page 234-235 of the DEIR provides a discussion of the Plan's consistency with plans related to bicycle and pedestrian facilities. As explained in the DEIR, the project would not interfere with the creation of bikeway and pedestrian facilities outlined in the City of Scotts Valley Active Transportation Plan. Further, collection of development fees under buildout of the Plan could contribute financially to bikeway and pedestrian improvement projects outlined in the City of Scotts Valley Active Transportation Plan. Goals and policies related to bike lanes and access are presented in the Plan, see Chapter 4 Circulation and the Public Realm, and bicycle site access is discussed on Page 40 of the Transportation Analysis, included as Appendix C to the Plan itself.

Comment E.3: In the EIR, it appears we will lose several existing community features at Sky Park - mainly the pump track, skate park, and dog parks. Is that accurate? Will those amenities be relocated? As a parent with two kids and a dog raising my family in Scotts Valley, these safe and accessible community features are essential.

> **Response E.3**: The Plan incorporates a future renovation of the portion of Skypark within the Plan area (the "Skypark Master Plan"), which may include an amphitheater with a stage and canopy, as well as a flexible lawn area and public recreational facilities. The current pump track and dog park were intended as temporary uses until the Town Center was built and those amenities are likely to be removed but possibly relocated somewhere else in Skypark or other city parks. The skate park is not in the Town Center Specific Plan area and is not impacted by the project.

Comment E.4: I understand there are plans for a dog park on the other side of town, but what about this current side of town? Surely many of the residents of the new 657 homes, all of whom

will not have a yard of their own, will have dogs that need daily exercise. If even 20% of those homes have dogs, that's more than 100 dogs with no place to play

Response E.4: The comment pertains to the availability of a dog park in the Plan area, and does not raise issues related to the adequacy of the DEIR or present substantial evidence of an environmental impact requiring additional evaluation under CEQA. The comment is acknowledged; however, because it does not pertain to the environmental analysis or conclusions presented in the DEIR, no further response or revisions to the EIR are warranted. As noted in Response E.3, the City is undertaking a Master Plan process for the renovation of Skypark and a dog park may be included in the renovated Skypark.

Comment E.5: There does not seem to be adequate parking for the new homes or the retail spaces; what formula is used to calculate how much parking is required to serve retail, gathering, and residential space? There are many mentions of being "pedestrian-friendly", but folks still need to park somewhere to enjoy walking around.

Response E.5: Parking is an element of the Plan, presented in Chapter 3 Land Use, Development, and Objective Design Standards, and is also briefly described on page 17 of the DEIR. Future development in the Plan would be required to comply with the City's parking standards as expressed in the Plan and Municipal Code as it pertains to parking minimums. Under CEQA, the adequacy of parking is not considered a physical environmental impact, as parking stalls are not an environmental resource. Accordingly, parking availability is not evaluated in the EIR, and no further response is required.

Comment E.6: For those not living in the town center, where will parking be for community events, like the Art & Wine and Food Truck Fridays?

Response E.6: The comment does not raise issues related to the adequacy of the DEIR or present substantial evidence of an environmental impact requiring additional evaluation under CEQA. The comment is acknowledged; however, because it does not pertain to the environmental analysis or conclusions presented in the DEIR, no further response or revisions to the EIR are warranted.

Comment E.7: Questions aside, this plan seriously lacks in planning for residents who already live in Scotts Valley. Inadequate plans for traffic flow on Mt. Hermon, safe bike access and parking, auto parking, kid-friendly features, and removing the pump track and dog park demonstrate a significant lack of judgment from the planning department. Without updating our infrastructure and adding improved amenities rather than removing them, we can't serve existing community members, let alone those that move into the new units. For a plan that has taken so long to develop, this one is an overall disappointment.

I look forward to understanding the answers to the questions I've posed. And, I hope the planning department and city council will take into account the many community members who are concerned about these issues as well.

> **Response E.7:** The comment provides general observations regarding the proposed Plan but does not raise issues related to the adequacy of the DEIR or present substantial evidence of an environmental impact requiring additional evaluation under CEQA. The comment is acknowledged; however, because it does not pertain to the environmental analysis or conclusions presented in the DEIR, no further response or revisions to the EIR are warranted.

F. King's Village Shopping Center (November 19, 2025)

Comment F.1: We are writing regarding the draft 2025 Scotts Valley Town Center Specific Plan and EIR. We are the owners and operators of King's Village Shopping Center, which is Scotts Valley's longtime retail anchor and within the Specific Plan's boundaries. We are, and have been for decades, greatly supportive of the City's attempts to modernize the City's zoning and planning codes to help get the Town Center developed. With our many decades of commercial real estate experience in Scotts Valley and the local community, we write to respectfully request some edits to the Specific Plan to help improve it. Most of our requests fall within two major categories: please (1) make the Specific Plan sufficiently flexible to be a valuable document for the Town Center for many decades to come and (2) revise provisions that needlessly make development more expensive, making the desired Town Center less likely to be built.

As longtime commercial real estate professionals, we have seen many changes in commercial real estate uses and trends over the years. Commercial uses have changed drastically due to the decline in brick-and-mortar retail, rise of Amazon and e-commerce, ability to work remotely, and increased popularity in fitness and service related uses. One thing we have learned is that change is constant. Please allow the Specific Plan to be nimble enough to accommodate whatever changes come, even (perhaps, especially) the ones we cannot predict. Please change the General Land Use Standards in the Specific Plan to be inclusive instead of exclusive. Please remove "All uses not permitted by right or CUP are prohibited." Please make more uses permitted by right; uses that are not permitted by right should be permitted by CUP. If a future planning department or city council believes that a use is appropriate for the Town Center area, it should be allowed by CUP rather than banned by a document that may be decades old. Specifically, for the Neighborhood Mixed Use district please make Night Clubs allowable by CUP, Bars, Tasting Rooms Tap Houses and Taverns Permitted (not CUP), Boutique Alcohol Sales Store Permitted (not CUP), Commercial Cannabis Business CUP, Auto and Light Truck CUP (like a small Rivian Dealership, not just a tiny showroom), grandfather existing Drive Through facilities so they do not have to be removed even if the tenant changes; it is safer/more healthy for sick patients to pick up prescriptions at Walgreens via the drive through; Laboratories (Restricted R&D) make CUP, Warehousing and Logistics CUP, minor repair and maintenance CUP, vehicle rental (not including onsite fleet) should be permitted, hostels should be CUP, SRO should be P or at minimum CUP, Wireless Telecommunication Facilities should be Permitted.

Many of the “active retail uses” that are required on the ground floor of the Town Center Core (like hot yoga, Pilates, coffee shops, bars, etc.), have real world parking needs that far exceed the required 3.5 spaces per 1,000sf, especially if street parking is allowed to be counted towards the total. Further, the customers of these active retail businesses should have access to parking within close proximity. The real world parking needs and location of the provided parking must be considered or the customers of the active retail businesses will try and poach parking at neighboring properties with more parking.

We also believe that there should be more flexibility in possible residential redevelopment projects within the Neighborhood Mixed Use area. Please allow for more density in the Neighborhood Mixed Use district; the density range of 20-32 units per acre is too narrow and provides little flexibility to adapt to the needs of the community and market conditions. Make density 15-50 units per acre and adjust the commercial floor area maximum to 2.5 accordingly. We have seen narrow development standards like these stymie projects that communities want because old specific plans were not flexible and didn't foresee what would be wanted and needed in the future. Also, please allow more broad building heights and don't rely on state law to supersede local height limits. Increase the current height limit to 60 feet (this may be desired 20+ years from now). Similarly, allow more flexibility and eliminate the maximum 20 foot setback from Kings Village Road (it may be desired to have buildings farther from the street; especially with 1,000+ new residents making the street busier). Likewise, please make the parking requirements for residential development more flexible; 20+ years from now car ownership could be very different than it is today.

We also respectfully request that any new public art program only apply to the development of new buildings. Any such public art program should be able to be satisfied via a project’s own inclusion of art that meets certain basic requirements or by paying a reasonable fee (under .5% of the development cost). Existing buildings, especially those in shopping centers like King’s Village, which have numerous large scale murals, should not be forced to deal with significant expenses when making repairs or upgrades for new or existing local businesses.
We also ask that the Specific Plan specify that property owners of existing buildings shall not be charged any fees, taxes, or be forced into a Property and Business Improvement District (or any similar association or improvement districts) for Town Center related improvements; especially infrastructure improvements. Existing property owners have already paid impact fees and constructed the necessary infrastructure for their properties so the responsibility for new infrastructure and improvements should be the sole responsibility of the Town Center core developers.

Please have the Specific Plan specify that any redevelopment of the METRO site will have to honor its agreement with the Ow Family and provide as much accessible parking as is currently provided. We have partnered with the City and other local governmental agencies for many, many years and we would like our cooperative relationship to be respected and upheld.
Thank you all so much for your hard work on this very important document, which has the ability to make or break Town Center development and city prosperity for future generations. Please ensure

that the Specific Plan has the requisite flexibility to ensure it's beneficial to the community for many decades. We really appreciate your service to this great City!

Response F.1: The comment provides general observations regarding the proposed Plan but does not raise issues related to the adequacy of the DEIR or present substantial evidence of an environmental impact requiring additional evaluation under CEQA. The comments and recommendations have been provided to the Planning Commission and City Council for their consideration. The comment is acknowledged; however, because it does not pertain to the environmental analysis or conclusions presented in the DEIR, no further response or revisions to the EIR are warranted.

G. Renee Inlow (dated November 5, 2025)

Comment G.1: I write to you with concerns about the Town Center proposal. After reviewing the documents posted online I found an error in the upload of Appendix E - Water Supply. That link directs you to the transportation analysis. Water supply is a critical component of this project and impacts all current and future Scotts Valley Residents. We depend completely on ground water in our community. Please provide this document to me via email or post to the website correctly.

Response G.1: The City acknowledges the comment. The City upon receiving the comment November 5, 2025 identified and corrected the incorrect link to the Appendix E on the City's website. This clarification does not result in any substantive changes to the environmental analysis.

Comment G.2: I was also not able to determine how many housing units are actually proposed. Within various documents, I see numbers ranging from a minimum of 300 units and a maximum of 657 units! This is a massive range and will greatly impact Skypark community use, the existing Skypark neighborhood, and surrounding shopping centers.

Response G.2: While no specific development is proposed at this time, the Plan allows for up to 657 residential units over the Plan's 20-year horizon (refer to page 14 of the DEIR), consistent with the housing assumptions for the Town Center in the adopted 2023-2031 Housing Element. The Plan requires a minimum of 300 units within the Core, and up to 657 units across the entire 58-acre Plan area. The City acknowledges the commenter's general concerns. However, the comment does not identify specific environmental issues related to the Draft EIR, nor does it provide substantial evidence supporting a claim of significant environmental impacts. As such, no additional CEQA response is warranted.

Comment G.3: Reviewing the transportation study I did not see any mention of parking. How can we propose over 600 homes + new shops without a clear parking proposal? What is the current proposed number of parking spaces? The drawings show 3 tiny parking lots that will be terribly

insufficient for even the residents of this new development, little alone the customers of the shops and restaurants.

Already the events held at Skypark are well attended (without an additional 1200 residents added to the mix). Finding parking during the art and wine fest, and even simple soccer games and food truck events is already challenging. Often these events depend on the dirt lot for parking. The dirt lot will soon be developed.

> **Response G.3:** Parking is an element of the Plan, presented in Chapter 3 Land Use, Development, and Objective Design Standards, and is also briefly described on page 17 of the DEIR. Future development in the Plan would be required to comply with the City's parking standards as expressed in the Plan and Municipal Code as it pertains to parking minimums. Under CEQA, the adequacy of parking is not considered a physical environmental impact, as parking stalls are not an environmental resource. Accordingly, parking availability is not evaluated in the EIR, and no further response is required.

Comment G.4: How will the existing residents of Scotts Valley (not living in the new development) access the park and its events? Will all of these fun community gatherings stop?

> **Response G.4:** The Plan includes a robust network of streets to facilitate continued access to Skypark, refer to Plan Chapter 4, Section 4.7 Publicly Accessible Plaza and Open Space Requirements. The intent is to continue to utilize the park for a wide range of community events.

Comment G.5: Thank you for your consideration. I am not against the development of this area, I simply want the proposal to be realistic in size and scope. I do not think that the area can accommodate the current proposal.

> **Response G.5:** The commenters' concerns raised are noted; however, it does not pertain to the adequacy of the Draft EIR or raise any environmental issues under CEQA. Therefore, no further response is required.

H. Santa Cruz Community Farmers' Markets (dated November 21, 2025)

Comment H.1: This is an exciting development for both the community and City of Scotts Valley and I look forward to seeing it come to fruition.

After some review, I could not locate any mention of space for a farmers' market which has unique needs. The proposed project has many references to civic activities, events and other community engagement objectives. However, there is no specific designation for a certified farmers market (CFM) or consideration as far as I can tell in this proposal. Santa Cruz Community Farmers' Markets (SCCFM) understanding was the future development would not only include the necessary infrastructure (utilities,weather protection,etc) to operate an effective year round market in the heart of the development but also have the opportunity to participate in those discussions. I think

our feedback and experience in the region would be valuable to the discourse. We encourage the planning department to consider the positive impact of a year round farmers' market as both an incubator for new food ideas, access to locally grown produce and a time tested community engagement tool that can be leveraged for a variety of needs to enhance the community cohesion.

Presently, we are looking for another site for the seasonal Scott's Valley FM. The current location is slated for redevelopment (Boys and Girls Club) and the footprint is not going to work to have an event. Additionally, after 16 years, operating at multiple locations in Scott's Valley, we are convinced that Mount Herman Road is where we need to be and ultimately part of the fabric work of the future town center. Space is limited but we are on the search.

Please considering the following in your discussions concerning the Town Center:

1. Specific mention for the need of a "certified farmers' market" in the design plans and permanent site for the Scott's Valley FM.

2. Consultation with SCCFM on "best" design concept/options and infrastructure basics.

3. Efficient and effective layout/design integration of CFM and new retail, civic events an entertainment.

4. Consideration of Santa Cruz County Agriculture and its regional economic impact and importance.

5. Strong consideration of the relationship between local food production and restaurants (farm to table). A local year round market would be the source for restaurants and cafes that prioritize locally farmed goods, value added products and unique cuisines.

6. CFM's represent a distribution point for CAL FRESH (EBT) and food assistance programs like "Market Match" (https://santacruzfarmersmarket.org/campaigns/market-match/). SCCFM distributes over 600K in Cal Fresh through the five markets we operate in the county.

7. CFM's serve as emergency food distribution points (farmed goods, food boxes,etc) and were determined to be an "essential business" during the Covid-19 lock down.

Please let me know how SCCFM can assist in this project and thank you for considering our suggestions.

Response H.1: The comment provides general observations and recommendations regarding the proposed Plan but does not raise issues related to the adequacy of the DEIR or present substantial evidence of an environmental impact requiring additional evaluation under CEQA. The comments and recommendations have been provided to the Planning Commission and City Council for their consideration. The comment is acknowledged; however, because it does not pertain to the environmental analysis or conclusions presented in the DEIR, no further response or revisions to the EIR are warranted.

I. Santa Cruz YIMBY (dated November 24, 2025)

Comment I.1: On behalf of Santa Cruz YIMBY, thank you for the opportunity to comment on the City of Scotts Valley's ongoing Housing Element implementation efforts, including the rezonings tied to the Housing Element and the Town Center Specific Plan Update.

The City continues to undercount the amount of housing it must plan for under its certified Housing Element. As we described in our prior comments on the Town Center EIR NOP, the City's current Rezone Program and Specific Plan work continue to rely on **unit counts that are substantially below** what the Housing Element itself requires. In the Housing Element, the City clearly committed to both:

1. **Implementing Program H-1.1**, which requires adopting a Specific Plan amendment that supports the full buildout scale in Appendix F; and
2. **Implementing Program H-1.10**, which requires the three City-owned Town Center parcels—APNs 022-721-06, 022-212-19, and 022-601-01—to be declared surplus and developed as a mixed-use project **with a minimum of 300 residential units**, at least 25% affordable, with the City expressing its intent that these parcels be 100% affordable.

Our previous comments explained that the City's use of a "realistic capacity" figure of 188 units on these three parcels is inconsistent with its own Housing Element. Program H-1.10 makes clear that **300 units is the minimum**, not 188. And the 100% density-based capacity in Appendix F yields **235 units**, not 188. When all Town Center parcels are evaluated at 100% capacity—as required for consistency—the total is **898 units**, increasing to **963 units** when the additional Program H-1.10 requirement is applied (the additional 65 units reflects the gap between 300 committed units and the 235 in Appendix F).

Given this statutory and internal inconsistency, we reiterate: **The City must plan, analyze, and zone for the actual level of housing capacity its Housing Element already obligates it to accommodate.** Continuing to plan for sub-capacity figures would render subsequent rezonings and the Specific Plan non-compliant with state law and expose the City to substantial legal risk.

> **Response I.1:** The comment pertains to the amount of housing included in the proposed Plan, but does not raise issues related to the adequacy of the DEIR or present substantial evidence of an environmental impact requiring additional evaluation under CEQA. The amount of housing included in the Plan is based on the adopted 2023-2031 Housing Element. The comments and recommendations have been provided to the Planning Commission and City Council for their consideration. The comment is acknowledged; however, because it does not pertain to the environmental analysis or conclusions presented in the DEIR, no further response or revisions to the EIR are warranted.

Comment I.2: 2. **The City should treat all Housing Element–related rezonings as CEQA-exempt under the new statewide rezoning exemption enacted in SB 131 (2025).**

The Legislature adopted SB 131 earlier this year to eliminate unnecessary procedural barriers that historically delayed implementation of certified Housing Elements. SB 131 creates a **statutory CEQA exemption for rezonings that jurisdictions are required to adopt to implement their Housing Elements**, provided they meet the statute's procedural conditions.
Under SB 131:

- Rezoning actions required by a certified Housing Element—including density increases, height increases, mixed-use allowances, and objective standards necessary to make Housing Element sites viable—**are categorically exempt from CEQA**;

- No EIR, MND, or addendum is required;

- The exemption applies to rezonings adopted to meet statutory rezoning deadlines or Housing Element implementation programs.

Scotts Valley's Housing Element explicitly relies on Town Center rezonings, increased densities, and new mixed-use allowances to meet its RHNA allocation. These rezonings are not discretionary "optional" legislative actions—they are **mandated** by Government Code §§ 65583, 65583.2, and the certified Housing Element itself.

Accordingly: **All Housing Element–required rezonings—whether inside the Town Center Specific Plan area or citywide—qualify for the CEQA exemption under SB 131.**

The City should acknowledge this exemption publicly and apply it consistently to expedite timely Housing Element implementation. Conducting unnecessary CEQA review for mandated rezonings is not only unnecessary, but risks delaying compliance with the City's committed program deadlines. It opens the door for delays if the EIR for the housing component of the rezoning is challenged.

> **Response I.2:** As stated in the comment, recent legislation under SB 131 created a statutory exemption for rezonings that implement the schedule of actions in an adopted Housing Element. However, the proposed Plan consists of various amendments to the City's General Plan and Zoning Ordinance, changing certain existing land use designations in the Plan area, creating new zoning districts, and updating existing or establishing new development standards to replace some of the current zoning provisions applicable to the Plan area. Therefore, the full range of proposed discretionary actions required go beyond simply rezoning property to allow housing and would not be covered by the SB 131 statutory exemption noted in the comment, and the Final EIR has been prepared to cover all aspects of the Plan, which includes other integral components, including the proposed commercial uses, civic uses, and supporting public facilities.

Comment I.3: 3. **Scotts Valley should evaluate higher housing capacity broadly across the Town Center.**

Our earlier letter also documented that the Town Center Planning Area is significantly underutilized relative to its development potential. The approximately 15 acres of centrally located vacant land could, on their own, support **600+ units**, and the full 58-acre area could support **well over 1,000 units** at modest urban infill densities.

This is especially critical given that Scotts Valley lies within one of the highest-cost rental markets in the nation. Under-planning in the Town Center would directly undermine Housing Element compliance, future RHNA cycles, and the City's progress toward fulfilling its state-mandated duty to accommodate its share of regional housing needs.

In conclusion, we respectfully request that Scotts Valley:

1. **Correct the unit-count methodology** used for Town Center and other Housing Element sites, ensuring that rezoning reflects the actual capacity required by Programs H-1.1 and H-1.10;
2. **Acknowledge and apply the CEQA exemption** for Housing Element-required rezonings under SB 131 to avoid unnecessary environmental review and delays; and
3. **Plan for significantly higher capacity** in the Town Center area, consistent with both state law and the City's own Housing Element commitments.

Thank you for your attention and for the opportunity to provide comments.

> **Response I.3:** This comment pertains to the Plan itself, and the amount of housing proposed in the Plan, which is based on the adopted 2023-2031 Housing Element. The comments and recommendations have been provided to the Planning Commission and City Council for their consideration. The comment is acknowledged; however, because it does not pertain to the environmental analysis or conclusions presented in the DEIR, no further response or revisions to the EIR are warranted.

J. Scotts Valley Shopping Center, LLC (dated November 19, 2025)

Comment J.1: Scotts Valley Shopping Center, LLC (dba TRC) is the owner of two parcels located at 232 Mt. Hermon Road (APN 022-601-02) and 201 Kings Village Road (APN 022-601-04) in Scotts Valley (see Exhibit A). TRC owns and manages more than 37 retail centers throughout California, as well as in Colorado and Texas. Our portfolio is primarily comprised of grocery-anchored, daily-needs shopping centers.

Regarding the Planning Commission's November 20 Study Session of the draft Scotts Valley Town Center Specific Plan, TRC has appreciated the direct outreach of City Manager Mali LaGoe over the last several months concerning the strategic importance of the TRC parcels to the Specific Plan. Our discussions about planning options for the parcels within the context of the Specific Plan have been positive, and we agree that the TRC parcels will play an important role in activating the Town Center as a "mixed-use district that will become the heart of the city."

While we continue to carefully evaluate the draft Specific Plan against our long-term objectives for the TRC parcels, it's important we immediately share with the Planning Commission and Staff our concerns related to the proposed Land Use Standards in Section 3.3 of the proposed Specific Plan.

The TRC parcels- approximately 1.81 acres combined - are currently within the C-S Service Commercial Zoning District as designated on the City's Official Zoning Map (SVMC 17.06.030 and 17.08.010).
Under the proposed Specific Plan, the TRC parcels would be zoned Mixed Use - Town Center (MU-TC) (See Exhibit B).

While we support the MU-TC zoning for the TRC parcels, we are very concerned that certain allowable uses within the existing C-S Zone are proposed to be excluded or eliminated as permitted and/or conditionally permitted uses in the MU-TC Zone. Specifically, if adopted as proposed, Banks/Financial Institutions will be prohibited uses in the MU-TC Zone, while drive-through ATM services will remain prohibited in both the MU-JC and MU-N Zones.
We would suggest that prohibiting such fundamentally important uses from the Town Center core of the Specific Plan undermines several important stated Land use Goals and Policies within the draft Specific Plan, including:

- Policy 3-1.1: Ensure that development within the Town Center supports a balanced 111 ix of community serving commercial uses, new housing, civic/public buildings, and community-serving spaces.

- Policy 3-1.4: Prioritize land uses such as retail, dining, health and wellness entertainment, and civic spaces in the Town Center, in order to create a dynamic environment that fosters community engagement and supports a diverse mix of activities.

- Policy 3-3.1: Implement a market-viable strategy that attracts private sector investment, providing incentives and ensuring the economic sustainability of the Town Center.

Banking and financial services combined with daily-need grocery uses are the primary anchors of successful commercial retail development. When strategically sited on the edges of a large mixed-use planning area with high visibility and easy access, these uses enable resident- and visitor-serving daily commerce more accessible to pedestrian and bicycle traffic.

As such, they impose fewer impacts on the lower-intensity, residential core at the center of the mixed-use planning area. Their attendant drive-thru ATM facilities support pass-by trips of residents and workers commuting to or from their residence or place of work.

In the instance of the TRC parcels, their location on the hard corner of Mt. Hermon Road and Kings Village Road will serve as a principal gateway to the Scotts Valley Town Center. As important, the

TRC parcels developed to their highest and best use(s) will provide an important transition between the more intensive existing retail uses of the proposed Mixed Use-Neighborhood (MU-N) Zone and the more residential, pedestrian centric character of the MU-TC Zone.

TRC has been working through site planning concepts for a small-format neighborhood grocer as the highest and best primary use for the TRC parcels. But it remains unclear to us that the key players in the small-format grocery space see a primary market in Scotts Valley. Having the option to develop the site with a Bank or other Financial Services w/ ATM drive-through uses represents the best commercial retail alternative for easy pedestrian and bicycle, and pass-by trip access to daily financial services for residents and business owners of the Town Center Core.

Given our comments, we respectfully request the city consider the following options:

- Permit Banks and Financial Institutions w/ ATM drive-throughs in the MU-TC Zone
- Allow conditionally permitted (CUP) Banks and Financial Institution w/ ATM drive-throughs in the MU-TC Zone
- Stipulate by footnote in the Specific Plan that Banks and Financial Institutions with ATM drive-throughs are permitted uses on the TRC parcels
- Stipulate by footnote in the Specific Plan that Banks and Financial Institutions with ATM drive-throughs are conditionally permitted (CUP) uses on the TRC parcels
- Place the TRC parcels in the MU-N Zone and allow permitted or conditionally permitted ATM drive-throughs

The draft Specific Plan offers a vision with many goals and policies to achieve it. Among them is "the intent is to customize the land use requirements to encourage reinvestment and revitalization of the Town Center Plan Area consistent with the Specific Plan vision."

TRC hopes to be part of that reinvestment and revitalization effort.

Response J.1: The comment provides general observations regarding the proposed Plan but does not raise issues related to the adequacy of the DEIR or present substantial evidence of an environmental impact requiring additional evaluation under CEQA. The comments and recommendations have been provided to the Planning Commission and City Council for their consideration. The comment is acknowledged; however, because it does not pertain to the environmental analysis or conclusions presented in the DEIR, no further response or revisions to the EIR are warranted.

K. Sue Draper (dated November 24, 2025)

Comment K.1: Regarding the current EIR for the proposed Town Center please address the following questions:

1) Where in the report does it address the recharge of water to our aquifer Scotts Valley

currently uses its open space to collect and recharge the aquifer. Every additional business and residence has a direct impact on our water usage.

Response K.1: Groundwater recharge is discussed on pages 166 and 169 of the DEIR. As noted in the DEIR, the Plan is within a groundwater recharge area. The Plan would rely on water from SVWD and would not rely on groundwater pumped from beneath the Plan area itself. Therefore, the DEIR concluded that implementation of the Plan would not substantially decrease groundwater supplies or interfere substantially with groundwater recharge. See also Response L.2 below.

Comment K.2: Please explain the measures taken to mitigate the loss of open space (12.5 acres) of recharge down to 2.68 acres of recharge space. This appears to be an Irreversible Use of Nonrenewable Resource
Is that really (Less than Significant Impact? What exactly is the Mitigation Incorporated)

Response K.2: See Response K.1 above, and Response L.2 below.

Comment K.3: 2) Traffic impacts Every resident and business owner using Mt Hermon as an access to Hwy 17, getting children safely to and from school, and day to day operations of vital business for the residents they support. I see several New streets in the Town Center Plan but no alternative routes are proposed. With our current volume of traffic, residential neighborhoods are already experiencing the impact from inadequate flow, Estrella Drive has had to implement speed bumps to try and detour "cut through" traffic. Baja Sol and Whispering Pines are also being negatively affected by additional "cut through" traffic as we speak.

Response K.3: This comment concerns traffic flow in the Plan area, including observations of 'cut-through' traffic on neighborhood streets as congestion occurs on Mt. Hermon Road. Traffic conditions under existing conditions and with the addition of traffic generated by the proposed uses within the Plan are evaluated and presented in the Transportation Analysis that was included as an Appendix to the Plan. As congestion, or vehicle delay, is not considered an environmental impact under CEQA with the passage of SB 743, this comment does not raise issues related to the adequacy of the DEIR or present substantial evidence of an environmental impact requiring additional evaluation under CEQA. The comments and recommendations have been provided to the Planning Commission and City Council for their consideration. The comment is acknowledged; however, because it does not pertain to the environmental analysis or conclusions presented in the DEIR, no further response or revisions to the EIR are warranted.

Comment K.4: Please explain how the hundreds of additional housing units, all using Mt Hermon as their access to work, schools, and business will have a (Less than Significant Impact? What exactly is the Mitigation Incorporated)

Response K.4: It is unclear from the comment what particular impact conclusion is being questioned that was presented in the Draft EIR. A number of environmental impacts were identified in the Draft EIR that would be significant, and for which the Plan incorporates policies or other mitigation measures to reduce the impact to levels considered acceptable, i.e. Less Than Significant with Mitigation Incorporated. The comment is acknowledged; however, because it does not specifically identify or address the environmental analysis or conclusions presented in the DEIR, no further response or revisions to the EIR are warranted.

Comment K.5: 3) Parking for residents and business owners appears to be adequate. ALL of our schools, shopping/ restaurants, and many residential neighborhoods are currently impacted by not planning for necessary parking. Did anyone drafting this report try parking in Victor Sq on an afternoon in order to get groceries, a meal, or a beer. Try finding a space at Nob Hill since the EV conversion of the parking lot during the afternoon. Try parking even remotely close to Chase Bank any time of the day. Honestly the huge missing link in the Town Center for success is inadequate parking. I predict the overflow will end up using existing parking intended and paid for by our current business owners.

These are my biggest concerns.

Response K.5: Parking is an element of the Plan, presented in Chapter 3 Land Use, Development, and Objective Design Standards, and is also briefly described on page 17 of the DEIR. Future development in the Plan would be required to comply with the City's parking standards as expressed in the Plan and Municipal Code as it pertains to parking minimums. Under CEQA, the adequacy of parking is not considered a physical environmental impact, as parking stalls are not an environmental resource. Accordingly, parking availability is not evaluated in the EIR, and no further response is required.

L. Planning Commission Study Session November 20, 2025

The majority of the public testimony and Commissioner questions and feedback received during the November 20, 2025 study session was focused on the Plan itself, and not the Draft EIR's analysis of the environmental impacts from Plan implementation. Issues were raised concerning the Plan such as traffic congestion, parking supply, installation of additional signals on Mount Herman Road, the location and intensity of new development within the Plan, and the ability of medical personnel, fire fighters, and other emergency responders to serve the community with increased demands from the Plan residents and other housing projects in the area. These issues are addressed in the Plan itself and the Staff Report prepared for the December 4, 2025 Planning Commission. Two environmental issues were raised, both related to groundwater supply, during the Study Session, and are addressed below.

Comment L. 1. Water Supply. A concern was raised that the water supply had not been adequately figured out to serve the future Plan residents, employees, and visitors.

Response L.1: The City has fully complied with the requirements of CEQA Guidelines Section 15155 and SB 610 to consult with the water retailer that would serve the Plan's new growth. The Scotts Valley Water District (SVWD) has adopted a Water Supply Assessment (WSA), included as Appendix E to the Draft EIR, which evaluated the Plan's water demand over a 20 year horizon, in five year increments, while also accounting for cumulative water demand within the District's service area over the next 20 years, under normal, single dry, and multiple year dry conditions. The WSA documents adequate supplies for implementation of the Plan along with cumulative demand under normal, single dry, and multiple year drought conditions.

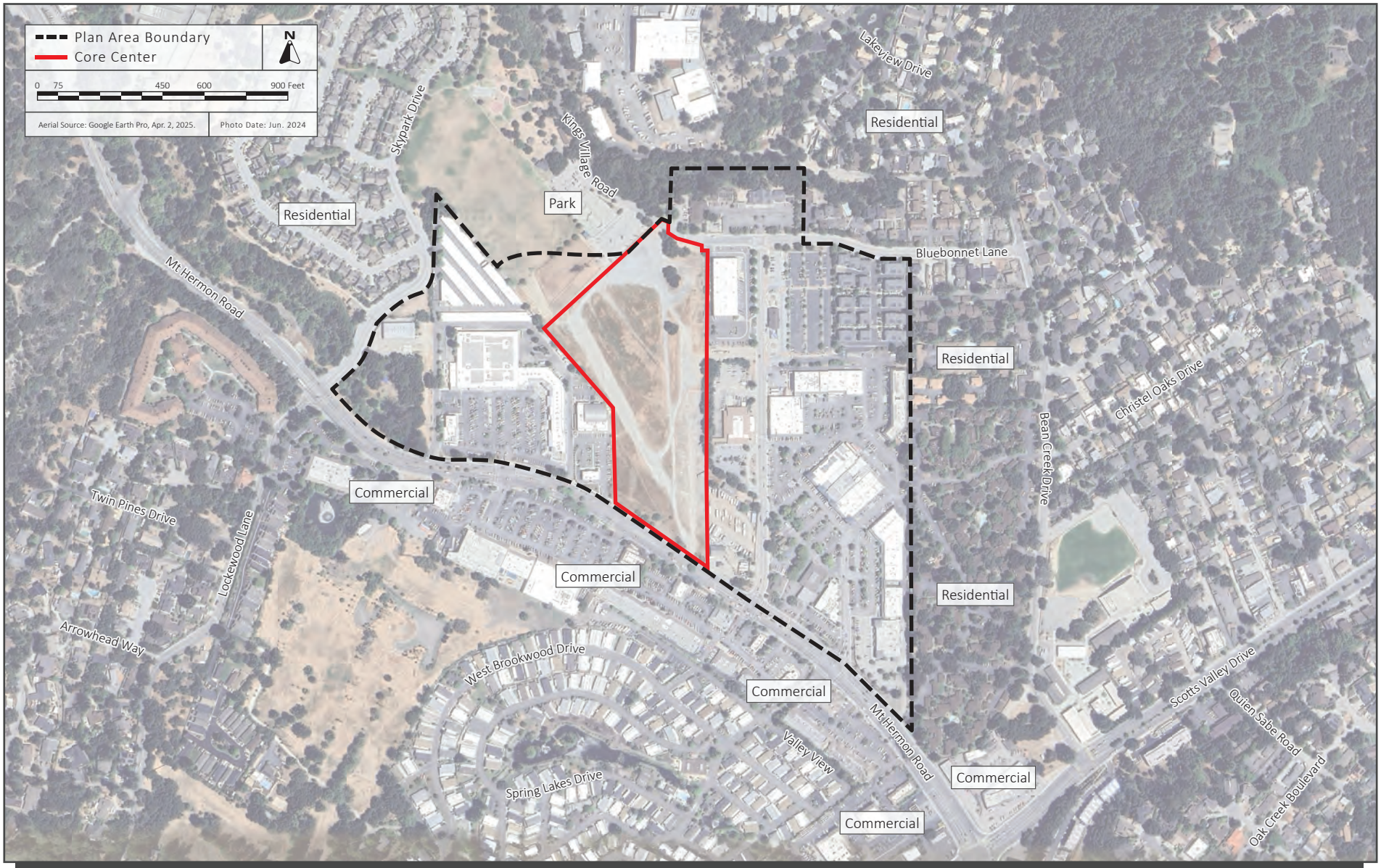
Comment L.2. Groundwater Recharge. It was noted the increase in impervious surface area that would result from implementation of the Plan could lead to a reduction in groundwater recharge, and groundwater is the primary source of supply to serve the community.

Response L.2: Draft EIR Section 3.10 Hydrology and Water Quality explains the Santa Margarita Groundwater Basin (SMGB) is a primary water supply source for Scotts Valley and covers over 30 square miles. The Plan area is within a groundwater recharge area. The SMGB covers over 34 square miles (21,760 acres) in the Santa Cruz Mountains foothill forming a triangular area that extends from Scotts Valley to the east, Boulder Creek to the northwest, and Felton to the southwest. The SMGB contains the City of Scotts Valley, and the communities of Boulder Creek, Brookdale, Ben Lomond, Lompico, Zayante, Felton, and Mount Hermon. The Draft EIR acknowledges that future development implementing the Plan would result in an increase in impervious surfaces within the Plan, however, new development would be required to implement Low Impact Development (LID) systems designed to retain stormwater runoff equal to the volume of runoff generated by the 85th percentile 24-hour storm event, which would allow for infiltration of stormwater runoff, contributing to continued recharge of the local aquifer. The WSA states that the SMGB recharges quickly. Additionally, SMGB groundwater levels are monitored via a network of 40 wells. Further, all SVWD extraction and monitoring wells are equipped with pressure transducers to continuously record groundwater levels.

Section 5.0 Draft EIR Text Revisions

This section contains revisions to the text of the 2025 Scotts Valley Town Center Specific Plan Draft EIR dated October 2025. Revised or new language is underlined. All deletions are shown with a ~~line through the text~~.

Page 11 Figure 2.1-3 will be REPLACED with the following figure to update the Town Center Core boundary to be consistent with the other figures in the EIR and the Plan.



AERIAL PHOTOGRAPH AND SURROUNDING LAND USES | FIGURE 2.1-3

Page 15 Section 2.3.1.3 Public/Quasi-Public; the text will be REVISED as follows:

The Public/Quasi-Public (P) land use designation and zone would be maintained for the existing Scotts Valley Senior Center, Community Center, and a portion of the post office located along Kings Village Road. The Public/Quasi-Public designation and zone will be extended to the community theater and library, the remainder of the post office site, and the portion of Skypark that is within the Plan Area. Within the Public/Quasi-Public land use designation, the maximum building height would be ~~45~~ 35 feet.

Page 16 Section 2.3.1.3 Public/Quasi-Public; the text will be REVISED as follows:

Allowed land uses within the P zone include, but are not limited to:

- Public and private educational facilities
- Emergency services
- Health care facilities
- ~~Religious facilities~~ Community assembly facilities
- Governmental buildings
- Cultural facilities

Page 16 Section 2.3.2.1 Roadway Improvements; the text will be REVISED as follows:

Theater ~~Street~~ Walk is proposed to be a "woonerf" style street, meaning that it would provide a throughway for vehicles, pedestrians, and bicyclists but would be designed to be closed for special temporary events, such as farmers markets.

Page 16 through Page 17 Section 2.3.2.1 Roadway Improvements; Table 2.3-2 will be REPLACED with the following table:

Table 2.3-2: Proposed Roadways

Street	Vehicle Lanes	Street Parking	Pedestrian Facility	Bike Lanes[1]
Main Street	Two-way, 11-feet wide lanes	Accommodated on both sides of the street	17-feet wide pedestrian zone on both sides of street, pedestrian zone on both sides of street, including sidewalks, landscaping and frontage zones.	Class III (shared lane)
Park Street	Two-way, 11-feet wide lanes	Accommodated on both sides of the street	13-feet wide pedestrian zone on both sides of street, including sidewalks, landscaping and frontage zones.	Class IV (5 to 6 feet wide lanes on both sides of street, separated from vehicle lane) or alternative with Class III (shared lane).
Theater Walk	Two-way, 11-feet wide lanes	Accommodated on both sides of the street	14-feet wide pedestrian zone on both sides of street, including sidewalks, landscaping and frontage zones.	Class III (shared lane)
Aero Lane	Two-way, 12-feet wide lanes	Accommodated on both sides of the street, perpendicular parking	6-feet wide sidewalks on both sides of street	None (Class 1 multiuse path planned to be located immediately adjacent in Skypark, to be constructed as part of Future Skypark Master Plan project)

Page 17 through Page 18 Section 2.3.3 Public Space and Landscaping; the text will be REVISED as follows:

The Plan would include two new public plazas: Tower Point and Hangar Square, as well as landscaping and public use improvements to a portion of Skypark:

- The Tower Point Plaza would be a public plaza located on Park Street, <u>at the visual and physical terminus of Main Street</u>. ~~across from Main Street adjacent to the proposed pedestrian and bicycle paseo.~~

[1] Bike lane classifications are based of the classification system described in the City's Active Transportation Plan. Source: City of Scotts Valley. City of Scotts Valley Active Transportation Plan. Page 14. March 17, 2021.

Page 25 Section 2.3.4 Plan Buildout Phasing; the text will be REVISED as follows:

Buildout of the Plan is envisioned to occur over a 20-year period and be comprised of two phases: Phase 1 and Phase 2. Phase 1 is defined by implementation of the Town Center Core Development Agreement while Phase 2 refers to the other projects occurring outside of the purview of the Core Development Agreement, ~~including the future redevelopment of the METRO site,~~ development of the parcels at Skypark Drive and Mt Hermon Road, and other long-term projects occurring outside of the Town Center Core, such as reconstruction of the Target Center, Nob Hill Shopping Center, or the Public Storage property. The future redevelopment of the METRO site could occur in either phase. Certain properties identified above with a dashed outline may be included in Phase 1, depending on their disposition at the time of the approval of the Development Agreement.

Page 76 Section 3.4.1.2 Existing Conditions; the text will be REVISED as follows:

There are two undeveloped areas of the Plan that are mapped as mixed woodland in Figure 3.4-1 that are mapped in the General Plan as ~~A small corner of the western and eastern Plan area is mapped in the General Plan as~~ Zayante/Santa Cruz Sandhills habitat. Additionally, a third area in the eastern portion of the Plan is mapped in the General Plan as ~~However, the portions of the Plan area mapped as~~ Zayante/Santa Cruz Sandhills habitat ~~are~~ and is currently developed with commercial buildings and associated parking. ~~The soil underlaying the developed area could meet the requirements for Zayante/Santa Cruz Sandhills habitat.~~

Page 93 Section 3.4.2.1 Project Impacts under checklist discussion a); the text will be REVISED as follows:

As described in Section 3.4-1.2 Existing Conditions, two undeveloped areas and one developed area of the Plan are mapped in the General Plan as Zayante/Santa Cruz Sandhills habitat. ~~small corner areas of the western and eastern Plan area are mapped in the General Plan as Zayante/Santa Cruz Sandhills habitat (although the eastern portion of the Plan area mapped as containing this habitat is developed and the soil is overlain with concrete and~~ Additionally, the mixed woodland habitat contained within the Plan area (see Figure 3.4-1) could potentially be categorized as Ponderosa Pine habitat. These habitat communities support a variety of special-status plants and animals that occur or could potentially occur within the City.

Page 233 Section 3.17.2.1 Project Impacts under checklist discussion a); the text will be REVISED as follows:

As discussed in Section 3.17.3 Non-CEQA Effects below and detailed in Appendix C (Level of Service Transportation Analysis) to the Plan ~~Appendix D~~, certain intersection operations would degrade under the Plan.

Page 240 Section 3.17.3 Non-CEQA Effects; the text will be REVISED as follows:

The study intersections analyzed, traffic analysis methodology, and trip generation are described in Appendix C (Level of Service Transportation Analysis) to the Plan ~~Appendix D~~.

Page 260 – Page 261 Section 3.19.2.1 Project Impacts under checklist discussion b); text will be DELETED as follows:

The City's total potable water demand is not the same as the SVWD's total demand within its service area, as a portion of the City is serviced by the San Lorenzo Valley Water District.~~af/yr compared to the demand accounted for under the General Plan. The City's total potable water demand is not the same as the SVWD's total demand within its service area, as a portion of the City is serviced by the San Lorenzo Valley Water District.af/yr compared to the demand accounted for under the General Plan. The City's total potable water demand is not the same as the SVWD's total demand within its service area, as a portion of the City is serviced by the San Lorenzo Valley Water District.~~