

RESOLUTION NO. - 22 (PC)

**RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF
WATSONVILLE, CALIFORNIA, RECOMMENDING THE CITY COUNCIL
ADOPT A MITIGATED NEGATIVE DECLARATION (APP. NO. 1656) FOR
THE CROCKERS LOCKERS PROJECT ON A 4.4± ACRE SITE
LOCATED AT 70 NIELSON STREET, WATSONVILLE, CALIFORNIA
(APN 015-111-49); AND RECOMMENDING THE CITY COUNCIL ADOPT
CONCURRENTLY A MITIGATION MONITORING AND REPORTING
PROGRAM FOR THE PROJECT, IN ACCORDANCE WITH THE
CALIFORNIA ENVIRONMENTAL QUALITY ACT**

**Project: Crockers Lockers Project
APN: 015-111-49**

WHEREAS, on May 10, 2021, Ed Boersma, applicant, on behalf of Ted Crocker (APN: 015-111-49), property owner, applied for establishing a Planned Development Overlay District, Specific Development Plan and Special Use Permit with Design Review and Environmental Review (App. No. 1656) to allow the construction of 1,072 self-storage units with a manager's apartment at the subject site; and

WHEREAS, the California Environmental Quality Act (Public Resources Code section 21000, *et seq.*, and the California Environmental Quality Act Guidelines, 14 California Code of Regulations section 15000, *et seq.*, collectively, "CEQA") requires a lead agency to prepare a Mitigated Negative Declaration for projects that could have a significant impact on the environment without mitigation; and

WHEREAS, an Initial Study has been prepared for the proposed project (dated April 2022), in accordance with Section 15063 of the CEQA Guidelines. The Initial Study addresses the potential physical environmental effects of the proposed project for each of the environmental topics outlined in Appendix G of the CEQA Guidelines. Impacts to biological resources, cultural and tribal resources, geology and soils, and transportation were found to be potentially significant but mitigable to a less than significant level.

Impacts to other resource areas and environmental topics were found to be less than significant without mitigation; and

WHEREAS, on July 13, 2022, City staff filed a Notice of Intent and copies of the proposed Mitigated Negative Declaration (“MND”) with the State Clearinghouse, and thereby initiated the 30-day public review period for the document. Notice was also given to local and regional agencies by mail and to neighboring property owners and interested parties as part of public hearing notices. Copies of the Initial Study were made available for public review at the Community Development Department and Watsonville Public Library; and

WHEREAS, the City received two comment letters on the Initial Study and MND during the public review period, which ended on August 13, 2022, and was extended to August 26, 2022, to allow receipt of the letter provided by the California Department of Fish and Wildlife;

WHEREAS, the City completed a Response to Comments, dated October 2022, wherein four (4) additional mitigation measures were incorporated. These additional mitigation measures are included in an Errata to the Initial Study and do not change the Findings of the Initial Study; therefore, the changes did not trigger the need for the Initial Study to be recirculated, pursuant to Section 15073.5 of the CEQA Guidelines; and

WHEREAS, notice of time and place of the hearing to consider the requested Planned Development Overlay District, Specific Development Plan and Special Use Permit with Design Review and Environmental Review (App. No. 1656) was given at the time and in the manner prescribed by the Zoning Ordinance of the City of Watsonville. The matter called for hearing evidence both oral and documentary introduced and received, and the matter submitted for decision; and

WHEREAS, the Planning Commission has considered all written and verbal evidence regarding this application at the public hearing and has made Findings, attached hereto and marked as Exhibit “A,” in support of the MND (App. No. 1656) to allow construction of 1,072 self-storage units with a manager’s apartment on a 4.4± acre site located at 70 Nielson Street (APN 015-111-49).

NOW, THEREFORE, BE IT RESOLVED by the Planning Commission of the City of Watsonville, California, as follows:

The Planning Commission does hereby recommend that the City Council make and adopt the following Findings and Mitigation Monitoring and Reporting Program, attached hereto and marked as Exhibit “A,” in support of the MND for the Crockers Lockers Project located at 70 Nielson Street, Watsonville (APN 015-111-49) in compliance with the requirements of CEQA:

1. The City, in its capacity as Lead Agency, has prepared an Initial Study and MND for the project. The purpose of the Initial Study is to determine whether the project could have a potentially significant effect on the environment and to identify and impose appropriate project mitigation measures to avoid such impacts or reduce them to a less-than significant level;
2. The Initial Study and MND reflects the City of Watsonville’s independent judgment and analysis;
3. The MND was prepared in accordance with all legal requirements, including all public notice and comment period requirements, set forth in CEQA;
4. The Initial Study examined all relevant environmental issues associated with the project and is a complete and adequate environmental document under the requirements of CEQA. Specifically, the Planning Commission

supports the conclusions of the Initial Study and the mitigation measures proposed for the MND, as both documents as supported by substantial evidence;

5. There is not substantial evidence in the record that the project, as additionally mitigated, will have a significant effect on the environment for areas analyzed in the Initial Study, including biological resources, cultural and tribal resources, geology and soils, and transportation. As discussed in the Initial Study analysis, mitigation measures have been identified that, when implemented, will avoid or reduce each of these impacts to less-than-significant levels.

I HEREBY CERTIFY that the foregoing Resolution was introduced at a regular meeting of the Planning Commission of the City of Watsonville, California, held on the 6th day of December, 2022, by Commissioner _____, who moved its adoption, which motion being duly seconded by Commissioner _____, was upon roll call, carried and the resolution adopted by the following vote:

Ayes: Commissioners:

Noes: Commissioners:

Absent: Commissioners:

Suzi Merriam, Secretary
Planning Commission

Veronica Dorantes-Pulido, Chairperson
Planning Commission

Application No: 1656

APNs: 015-111-49

Applicant: Ed Boersma, on behalf of Ted Crocker

Hearing Date: December 6, 2022

CEQA FINDINGS AND MITIGATION MEASURES

I. INTRODUCTION TO CEQA FINDINGS

These Findings of Fact are made pursuant to the California Environmental Quality Act (Pub. Res. Code §21000 et seq., CEQA) and the CEQA Guidelines (Cal. Code Regs. title 14, §15000 et seq.) by the City of Watsonville (City), as the lead agency for the Crockers Lockers Project (or the project). These Findings of Fact pertain to the Initial Study/Mitigated Negative Declaration (IS/MND) (State Clearinghouse No. 2022070219) prepared for the project.

II. LOCATION AND CUSTODIAN OF THE RECORD

The documents and other materials that constitute the record of proceedings on which the City of Watsonville's Findings of Fact are based are located at 250 Main Street, Watsonville, California. The custodian of these documents is Justin Meek, AICP, Principal Planner. This information is provided in compliance with Public Resources Code § 21081.6(a)(2) and 14 Cal. Code Regs. § 15074(c).

For purposes of CEQA and these Findings of Fact, the Record of Proceedings for the project consists of the following documents, at a minimum:

- The Notice of Intent (NOI) to adopt a Mitigated Negative Declaration and all other public notices issued by the City of Watsonville and in conjunction with the project.
- The Initial Study, including appendices and technical studies included or referenced in the Initial Study, including the Mitigation Measures for the project.
- All comments submitted by agencies or members of the public during the public comment period on the Initial Study.
- All comments and correspondence submitted to the City of Watsonville with respect to the project.
- All Findings and resolutions adopted by the City of Watsonville decision makers in connection with the project and all documents cited or referred to therein.
- All reports, studies, memoranda, maps, staff reports, or other planning documents relating to the project prepared by MIG, consultant to the City of Watsonville.
- All reports, memoranda, documentation, data output files relating to the land use and transportation modeling for the project.
- All documents and information submitted to the City of Watsonville by responsible, trustee, or other public agencies, or by individuals or organizations, in connection with the project, up through the date the City of Watsonville decision makers approved the project planning entitlements.

- Matters of common knowledge to the City of Watsonville, including, but not limited to federal, State, and local laws and regulations.
- Any documents expressly cited in these Findings of Fact, in addition to those cited above.

III. MITIGATION MONITORING AND REPORTING PROGRAM

This Mitigation Monitoring and Reporting Program (MMRP) has been prepared pursuant to the CEQA Guidelines, which state:

“When adopting a mitigated negative declaration, the lead agency shall also adopt a program for reporting on or monitoring the changes which it has either required in the project or made a condition of approval to mitigate or avoid significant environmental effects” (§15074(d)); and

“The Lead Agency may choose whether its program will monitor mitigation, report on mitigation, or both. “Reporting” generally consists of a written compliance review that is presented to the decision-making body or authorized staff person. A report may be required at various stages during project implementation or upon completion of the mitigation measure. “Monitoring” is generally an ongoing or periodic process of project oversight. There is often no clear distinction between monitoring and reporting and the program best suited to ensuring compliance in any given instance will usually involve elements of both.” (§15097 (c))

The City of Watsonville decision makers finds that a MMRP for the project have been prepared and have been adopted concurrently with these Findings of Fact (Public Resources Code, § 21081.6(a)(1)). The MMRP for the project have been prepared in compliance with the requirements of Section 21081.6 of the California Public Resources Code and Section 15074 of the CEQA Guidelines.

The purpose of the MMRP is to ensure that the adopted mitigation measures adopted in the Findings of Fact for the project are implemented, in accordance with CEQA requirements. The Findings of Fact adopt feasible mitigation measures to reduce the significant environmental impacts of the project. The table beginning on the next page list the adopted mitigation measures and their timing (i.e., when the measures will be implemented).

Impact	Mitigation Measure	Implementation and Timing	Monitoring Responsibility
Biological Resources			
<p>Impact BIO-1: Project construction could impact nesting birds if construction takes place during the nesting season.</p>	<p>Mitigation Measure BIO-1: Nesting Bird Avoidance or Conduct Preconstruction Surveys. To avoid impacts to nesting birds and violation of state and federal laws pertaining to birds, all construction-related activities (including but not limited to mobilization and staging, clearing, grubbing, vegetation removal, fence installation, demolition, and grading) should occur outside the avian nesting season (prior to February 1 or after September 15). If construction and construction noise occurs within the avian nesting season (from February 1 to September 15), all suitable habitats located within the project's area of disturbance including staging and storage areas plus a 250-foot (passerines) and 1,000-foot (raptor nests) buffer around these areas shall be thoroughly surveyed, as feasible, for the presence of active nests by a qualified biologist no more than five days before commencement of any site disturbance activities and equipment mobilization. If project activities are delayed by more than five days, an additional nesting bird survey shall be performed. Active nesting is present if a bird is building a nest, sitting in a nest, a nest has eggs or chicks in it, or adults are observed carrying food to the nest. The results of the surveys shall be documented and submitted to the City.</p> <p>If pre-construction nesting bird surveys result in the location of active nests, no site disturbance and mobilization of heavy equipment (including but not limited to equipment staging, fence installation, clearing, grubbing, vegetation removal, fence installation, demolition, and grading), shall take place within 250 feet of non-raptor nests and 1,000 feet of raptor nests, or as determined by a qualified biologist, until the chicks have fledged. Monitoring shall be required to ensure compliance with MBTA and relevant California Fish and Game Code requirements. Monitoring dates and findings shall be documented and submitted to the City.</p>	<p>Implementation: City of Watsonville or the applicant shall implement this measure with a qualified biologist.</p> <p>Timing: Prior to construction activities.</p>	<p>Monitoring: City of Watsonville and a qualified biologist.</p> <p>Initials: _____ Date: _____</p>

Impact	Mitigation Measure	Implementation and Timing	Monitoring Responsibility
<p>Impact BIO-2: The project could have a substantial adverse effect on federally protected wetlands (including, but not limited to marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means.</p>	<p>Mitigation Measure BIO-2: Best Management Practices. The initiation of grading and any earthmoving activities shall be limited to the dry season between June 15th and October 15th of each year. Project activities will be ceased when the National Weather Service (NWS) 24-hour weather forecast predicts a 40 percent or greater chance of precipitation of at least 0.10-inch of precipitation. The project shall employ Best Management Practices (BMPs) to protect water quality per the National Pollutant Discharge Elimination System (NPDES) permit. A list of example BMPs may include the following:</p> <ul style="list-style-type: none"> • Store, handle, and dispose of construction materials and wastes properly to prevent their contact with stormwater. • Control and prevent the discharge of all potential pollutants, including solid wastes, paints, concrete, petroleum products, chemicals, wash water or sediment, and non-stormwater discharges to storm drains and water courses. • Avoid cleaning, fueling, or maintaining vehicles on-site, except in a designated area in which run-off is contained and treated. • Perform clearing and earth moving activities during dry weather to the maximum extent practical. • Remove spoils promptly and avoid stockpiling of fill materials when rain is forecast. Cover soil stockpiles and other materials with a tarp or other waterproof material during rain events. • Trash and construction related solid wastes must be deposited into a covered receptacle to prevent contamination and dispersal by wind. • In the event of rain, all grading work is to cease immediately. 	<p>Implementation: The applicant shall implement this measure with a QSP.</p> <p>Timing: During construction activities.</p>	<p>Monitoring: City of Watsonville and QSP.</p> <p>Initials: _____ Date: _____</p>
	<p>Mitigation Measure BIO-2a: Pre-Activity Focused Survey for Santa Cruz Tarplant. Prior to initial ground disturbance and during the appropriate blooming period (June to October), a focused survey for Santa Cruz tarplant will be conducted by a qualified plant ecologist within suitable habitat in the project footprint and a 50-foot buffer around the project footprint, where feasible. The purpose of the survey will be to assess the presence or absence of Santa Cruz tarplant. If Santa Cruz tarplant is not found in the impact area or the identified buffer, then no further surveys or mitigation will be warranted. If Santa Cruz tarplant is found in the impact area, then Mitigation Measures BIO-1b will be implemented. The results of the survey will be documented.</p>	<p>Implementation: The applicant shall implement this measure with a qualified botanist.</p> <p>Timing: Prior to construction activities.</p>	<p>Monitoring: City of Watsonville and a qualified botanist.</p> <p>Initials: _____ Date: _____</p>

Impact	Mitigation Measure	Implementation and Timing	Monitoring Responsibility
	<p>Mitigation Measure BIO-2b: Avoidance Buffers. To the extent feasible, and in consultation with a qualified botanist, the project proponent will construct the project to avoid impacts on all populations of special-status plant species within the project site or within the identified buffer of the impact area. Avoided special-status plant populations will be protected by establishing and observing the identified buffer between plant populations and the impact area. All such populations located in the impact area or the identified buffer, and their associated designated avoidance areas, will be clearly depicted on any construction plans. In addition, prior to initial ground disturbance or vegetation removal, the limits of the identified buffer around special-status plants to be avoided will be flagged or fenced. The flagging will be maintained intact and in good condition throughout project-related construction activities. If avoidance is not feasible, then CDFW and/or USFWS will be consulted to determine the appropriate mitigation measures, which may include salvage and relocation of individual plants and/or off-site preservation, enhancement, and management of occupied habitat for the species.</p>	<p>Implementation: The applicant shall implement this measure with a qualified botanist.</p> <p>Timing: During construction activities.</p>	<p>Monitoring: City of Watsonville and a qualified botanist.</p> <p>Initials: _____ Date: _____</p>
Cultural Resources			
<p>Impact CUL-1: The project could result in disturbance to known or unknown existing cultural resources.</p>	<p>Mitigation Measure CUL-1: Conduct Archaeological Sensitivity Training for Construction Personnel. The applicant shall retain a qualified professional archaeologist who meets U.S. Secretary of the Interior's Professional Qualifications and Standards to conduct an archaeological sensitivity training for construction personnel prior to commencement of excavation activities. The training session shall be carried out by a cultural resource professional with expertise in archaeology, who meets the U.S. Secretary of the Interior's Professional Qualifications and Standards. The applicant and/or qualified professional archaeologist shall propose a date for scheduling the training at the pre-construction meeting with City staff. The applicant shall notify the City at least 48 hours before holding the training and keep a log of all attendees. The training session shall include a handout and shall focus on how to identify archaeological resources that may be encountered during earthmoving activities and the procedures to be followed in such an event, the duties of archaeological monitors, and the general steps a qualified professional archaeologist would follow in conducting a salvage investigation, if one is necessary.</p>	<p>Implementation: The applicant shall implement this measure with a qualified archaeologist.</p> <p>Timing: Prior to construction activities.</p>	<p>Monitoring: City of Watsonville and a qualified archeologist</p> <p>Initials: _____ Date: _____</p>

Impact	Mitigation Measure	Implementation and Timing	Monitoring Responsibility
<p>Impact CUL-2: The project may unearth archeological resources.</p>	<p>Mitigation Measure CUL-2: Cease Ground-Disturbing Activities and Implement Treatment Plan if Archaeological Resources are Encountered. In the event archaeological resources are unearthed during ground-disturbing activities, all ground-disturbing activities within 50 feet of the find shall be halted so that the find can be evaluated. Ground-moving activities shall not be allowed to continue until a qualified archaeologist has examined the newly discovered artifact(s) and has evaluated the area of the find. All archaeological resources unearthed by project construction activities shall be evaluated by a qualified professional archaeologist, who meets the U.S. Secretary of the Interior's Professional Qualifications and Standards. In the event that the newly discovered artifacts are determined to be prehistoric, Native American Tribes/Individuals shall be contacted and consulted, and Native American construction monitoring shall be initiated.</p> <p>Because it is possible for a lead agency to determine that an artifact is considered significant to a local tribe (and thus be a significant resource under CEQA, even if it would not otherwise be considered significant under CEQA), all Native American artifacts (tribal finds) shall be considered as a significant Tribal Cultural Resource, pursuant to PRC 21074 until the lead agency has enough evidence to make a determination of significance. The City shall coordinate with the archaeologist to develop an appropriate treatment plan for the resources. The plan may include implementation of archaeological data recovery excavations to address treatment of the resource along with subsequent laboratory processing and analysis. If appropriate, the archaeologist may introduce archaeological monitoring on the site. An archaeological report will be written detailing all archaeological finds and submitted to the City and the Northwest Information Center.</p>	<p>Implementation: The City of Watsonville shall implement this measure.</p> <p>Timing: During construction activities.</p>	<p>Monitoring: City of Watsonville. In the event archeological resources are encountered, an archeologist shall be contacted to evaluate the find.</p> <p>Initials: _____ Date: _____</p>

Impact	Mitigation Measure	Implementation and Timing	Monitoring Responsibility
Geology and Soils			
Impact GEO-1: The project may lead to the over-excavation of North and Northwestern soils.	Mitigation Measure GEO-1: Over-Excavate North and Northwestern Soils. Prior to issuance of a grading permit, the applicant, in partnership with a geotechnical engineer, shall implement an over-excavation program to mitigate the possible settlements resulting from dry sand settlement during an earthquake. Potholing throughout the site should occur under the observation of an engineer technician to explore the presence of undocumented fill onsite and guide recommendations for over-excavation depths. The over-excavation and placement of excavated material as engineered fill shall be focused on the northeastern and northwestern portions of the site in locations with high calculated settlements. Over-excavation depths shall be kept at least two feet above the water table. Actual depth and limits of over-excavations shall be determined in the field by a qualified engineering professional. Undocumented fill across the site shall be excavated and placed back as engineered fill if the fill material is deemed to be acceptable by the engineer.	Implementation: The applicant shall implement this measure with a qualified geotechnical engineer. Timing: Measures to be implemented prior to construction.	Monitoring: City of Watsonville and a qualified geotechnical engineer. Initials: _____ Date: _____
Impact GEO-2: Construction of the project could potentially result in disturbance to unknown paleontological resources.	Mitigation Measure GEO-2: Conduct Paleontological Sensitivity Training for Construction Personnel. The applicant shall retain a professional paleontologist, who meets the qualifications set forth by the Society of Vertebrate Paleontology and shall conduct a paleontological sensitivity training for construction personnel prior to commencement of excavation activities. The applicant and/or qualified professional paleontologist shall propose a date for scheduling the training at the pre-construction meeting with City staff. The applicant shall notify the City at least 48 hours before holding the training and keep a log of all attendees. The training will include a handout and will focus on how to identify paleontological resources that may be encountered during earthmoving activities and the procedures to be followed in such an event, the duties of paleontological monitors, notification and other procedures to follow upon discovery of resources, and the general steps a qualified professional paleontologist would follow in conducting a salvage investigation if one is necessary.	Implementation: The applicant shall implement this measure with a qualified paleontologist. Timing: Measures to be implemented prior to construction.	Monitoring: City of Watsonville and a qualified paleontologist. Initials: _____ Date: _____

Impact	Mitigation Measure	Implementation and Timing	Monitoring Responsibility
Impact GEO-3: The project has the potential to unearth paleontological resources, including fossils.	Mitigation Measure GEO-3: Cease Ground-Disturbing Activities and Implement Treatment Plan if Paleontological Resources Are Encountered. If paleontological resources and or unique geological features are unearthed during ground-disturbing activities, ground-disturbing activities shall be halted or diverted away from the vicinity of the find so that the find can be evaluated. A buffer area of at least 50 feet shall be established around the find where construction activities shall not be allowed to continue until appropriate paleontological treatment plan has been approved by the applicant and the City. Work shall be allowed to continue outside of the buffer area. The applicant and City shall coordinate with a professional paleontologist, who meets the qualifications set forth by the Society of Vertebrate Paleontology, to develop an appropriate treatment plan for the resources. Treatment may include implementation of paleontological salvage excavations to remove the resource along with subsequent laboratory processing and analysis or preservation in place. At the paleontologist's discretion and to reduce construction delay, the grading and excavation contractor shall assist in removing rock samples for initial processing.	Implementation: The applicant shall implement this measure with a qualified paleontologist, in the event paleontological resources are encountered. Timing: Measures to be implemented during construction.	Monitoring: City of Watsonville and a qualified paleontologist. Initials: _____ Date: _____
Transportation			
Impact TRANS-1: The proposed development may inhibit sight distances.	Mitigation Measure TRANS-1: Sight Distances. To achieve a minimum sight distance of 150 feet at each project driveway access point, on-street parking shall be restricted on Nielson Street for 25 feet on either side of the eastern driveway. Vegetation along the frontage on Nielson Street shall be trimmed to a height of three feet or less and trees trimmed so that no piece of a tree hangs below a height of seven feet from the surface of the roadway.	Implementation: The City of Watsonville and the applicant shall implement this measure. Timing: Measures to be implemented during construction.	Monitoring: City of Watsonville. Initials: _____ Date: _____
Impact TRANS-2: The project may affect traffic and public safety during development.	Mitigation Measure TRANS-2: Construction Period Transportation Impacts. The applicant shall submit a Construction Period Traffic Control Plan to the City for review and approval. The plan shall include traffic safety guidelines compatible with Section 12 of the Caltrans Standard Specifications ("Construction Area Traffic Control Devices") to be followed during construction. The plan shall also specify provision of adequate signage and other precautions for public safety to be provided during project construction. In particular, the plan shall include a discussion of bicycle and pedestrian safety needs, including ADA accessibility standards, due to project construction and later, project operation. In addition, the plan shall address emergency vehicle access	Implementation: The applicant shall implement this measure. Timing: Measures to be implemented during construction.	Monitoring: City of Watsonville. Initials: _____ Date: _____

Impact	Mitigation Measure	Implementation and Timing	Monitoring Responsibility
	<p>during construction. The applicant or their general contractor for the project shall notify the Public Works & Utilities Department and local emergency services (i.e., the Police and Fire Departments) prior to construction to inform them of the proposed construction schedule and that traffic delays may occur. Prior to approval of a grading permit, the City shall review and approve the project Construction Period Traffic Control Plan. During construction, the City shall periodically verify that traffic control plan provisions are being implemented.</p>		
	<p>Mitigation Measure Land Use and Planning 1: Glare Prevention. All exterior lighting shall be directed such that lights create as little off-site glare and nuisance as is feasible. All exterior lighting fixtures shall be glare-shielded and down-facing. All exterior lighting shall be limited to warm light colors with an output temperature of 2700 kelvin.</p>	<p>Implementation: The applicant shall implement this measure.</p> <p>Timing: Measures to be implemented during construction.</p>	<p>Monitoring: City of Watsonville.</p> <p>Initials: _____ Date: _____</p>