

RESOLUTION NO. \_\_\_\_\_ (CM)

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WATSONVILLE APPROVING VARIANCE TO SECTION 7-6.400 (DESIGN STANDARDS FOR EXCAVATIONS) OF THE WATSONVILLE MUNICIPAL CODE TO ALLOW CONSTRUCTION OF ADA COMPLIANT TRAIL ON THE EAST SIDE OF THE RAMSAY PARK RENAISSANCE PROJECT, NO. PK-22-01; AND AUTHORIZING CITY MANAGER TO EXECUTE SAME**

**WHEREAS**, on December 12, 2023, the City Council adopted Resolution No. 229-23 (CM), approving plans and specifications for the Ramsay Park Renaissance Project, No. PK-22-01 and authorized calling for bids; and

**WHEREAS**, an Initial Study/Mitigated Negative Declaration was prepared for the project, in accordance with the provisions of the California Environmental Quality Act (CEQA) to disclose the potential impacts of a project and suggest methods to minimize those impacts; and

**WHEREAS**, the Zoning Administrator, in the exercise of his/her independent judgement as the decision-maker of the City of Watsonville for this project, found there is no substantial evidence that the project will have a significant effect on the environment and a Mitigated Negative Declaration has been prepared for the project in accordance with Public Resources Code section 21080(c); and

**WHEREAS**, an Administrative Use Permit and Design Review Permit with Environmental Review (PP2022-4245) was approved for the Ramsay Park Renaissance Project on August 16, 2023, by the Community Development Department; and

**WHEREAS**, a Mitigation Monitoring and Reporting Program (MMRP) has also been prepared for the project, in accordance with CEQA Guidelines section 15074 to ensure all identified mitigation measures are incorporated as conditions of approval; and

**WHEREAS**, on March 26, 2024, the City Council adopted Resolution 45-24 (CM), awarding a construction contract to Robert A Bothman Inc., dba Robert A Bothman Construction, for the Ramsay Park Renaissance Project, No. PK-22-01, in the amount of \$24,530,000; and

**WHEREAS**, permit No. 2024-8171 reflects a change order to modify the eastern pedestrian path for the Ramsay Park Renaissance Project, No. PK-22-01, that is adjacent to the Watsonville Slough to become ADA assessable; and

**WHEREAS**, the grading for the eastern pedestrian path would require Clean Water Act Section 401 Water Quality Permit for encroaching into Watsonville Slough, as part of compliance with biological mitigation measure eleven known as Impacts to Riparian or Wetland Areas Permitting; and

**WHEREAS**, per section 7-6.314 (Variances) of the Watsonville Municipal Code, a variance is hereby requested from section 7-6.400(a), to allow for a steeper slope than the required three to one (3:1) slope for the eastern pedestrian path, adjacent to Watsonville Slough, to be reconstructed as an ADA compliant path; and

**WHEREAS**, a variance from provisions of Municipal Code Section 7-6.400 is in the best interest of the City to allow for an ADA compliant trail on the eastern path of the Ramsay Park Renaissance Project, No. PK-22-01.

**NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF WATSONVILLE, CALIFORNIA, AS FOLLOWS:**

1. A variance is approved to Municipal Code Section 7-6.400 to allow construction of an ADA compliant trail at the Ramsay Park Renaissance Project No. PK-22-01 in the form on file in the Office of the City Clerk.

2. An Initial Study/Mitigated Negative Declaration was prepared for the project, in accordance with the provisions of the California Environmental Quality Act (CEQA) to disclose the potential impacts of a project and suggest methods to minimize those impacts.

3. The Zoning Administrator, in the exercise of his/her independent judgment as the decision-maker of the City of Watsonville for this project, found there is no substantial evidence that the project will have a significant effect on the environment and a Mitigated Negative Declaration has been prepared for the project in accordance with Public Resources Code section 21080(c).

4. A Mitigation Monitoring and Reporting Program (MMRP) was also prepared for the project, in accordance with CEQA Guidelines section 15074 to ensure all identified mitigation measures are incorporated as conditions of approval.

5. EMC Planning Group, Inc. ("EMC") completed the 2022 Ramsay Park Renaissance Project CEQA Initial Study/Mitigated Negative Declaration (IS/MND) and also evaluated the scope of work for the proposed ADA Variance Slope on the East Side of the Ramsay Park Renaissance Project, and determined the proposed redesign of the eastern trail does not alter the conclusions of the 2022 Ramsay Park Renaissance Project CEQA determination and no new impacts would occur with approval of the ADA slope variance.

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