



FINAL LOCAL ACTION NOTICE AND ZONING PERMIT

March 23, 2023

Jessica Kahn - Public Works Department
420 Capitola Avenue
Capitola, CA 95010

RE: **Notice of Final Action on Project Application #23-0123**

Kennedy Drive Right-of-Way Between Sir Francis Avenue and Park Avenue #23-0123

Coastal Development Permit request for sidewalk, bike lane, and vehicle parking improvements on Kennedy Drive between Sir Francis Avenue and Park Avenue.

Environmental Determination: Categorical Exemption 15301, Existing Facilities

Property Owner: City of Capitola

Representative: Public Works Department, City of Capitola, Filed: 03.07.23

The above matter was presented to the City Council on March 23, 2023, and was approved, with the following findings and conditions. Any modifications to the conditions and findings are indicated below in ~~strikeout~~ and underline notation.

Conditions of Approval:

1. The project approval consists of a Coastal Development Permit for roadway and sidewalk improvements on Kennedy Drive between Sir Francis Avenue and Park Avenue in the R-1 and PD Zoning Districts. The improvements include a new sidewalk with curb and gutter on the south side of Kennedy Drive and a new bicycle lane on the north side of Kennedy Drive. The proposed project is approved as indicated on the final plans reviewed and approved by the City Council on March 23, 2023, except as modified through conditions imposed by the City Council during the hearing.
2. Construction hours shall be limited between the hours of 8:00 a.m. and 5:00 p.m. on weekdays. Construction shall be prohibited on weekends or legal holidays except in case of an emergency work approved by the Public Works Director. §9.12.080(B)

Coastal Development Permit Findings:

A. The project is consistent with the LCP land use plan, and the LCP implementation program.

The Kennedy Drive Sidewalk Project conforms to the City's certified Local Coastal Plan (LCP) land use plan and the LCP implementation program.

B. The project maintains or enhances public views.

The Kennedy Drive Sidewalk Project will maintain public views.

C. The project maintains or enhances vegetation, natural habitats and natural resources.

The Kennedy Drive Sidewalk Project is located within the Kennedy Drive right-of-way. The improvements will maintain and enhance vegetation and will not have an effect on natural habitats or natural resources.

D. The project maintains or enhances low-cost public recreational access, including to the beach and ocean.

The project involves improved pedestrian, bicycle, and auto circulation and will enhance safety connections to low impact low-cost public recreational access to New Brighton State Beach and the viewpoints along Park Avenue.

E. The project maintains or enhances opportunities for visitors.

The project involves improved pedestrian and bicycle circulation and will enhance opportunities for visitors through safer multimodal transportation options.

F. The project maintains or enhances coastal resources.

The project involves street improvements on Kennedy Drive and will not negatively impact coastal resources.

G. The project, including its design, location, size, and operating characteristics, is consistent with all applicable design plans and/or area plans incorporated into the LCP.

The proposed street improvements comply are consistent with the LCP.

H. The project is consistent with the LCP goal of encouraging appropriate coastal development and land uses, including coastal priority development and land uses (i.e., visitor serving development and public access and recreation).

The project involves pedestrian and bicycle improvements along Kennedy Drive, a coastal access route to New Brighton State Beach and Park Avenue viewpoints. The proposed project is consistent with the LCP by providing safe routes to the coast with a new sidewalk and improved bike lanes.

I. The proposed project is consistent with the general plan, any applicable specific plan, the zoning code, and the California Environmental Quality Act (CEQA) and is subject to Section 753.5 of Title 14 of the California Code of Regulations.

Section 15301 of the CEQA Guidelines exempts the alteration of existing public facilities that involve negligible or no expansion of use. Specifically, 15301(c) exempts projects involving existing streets, sidewalks, gutters, bicycle and pedestrian trails, and similar facilities (this includes road grading for the purpose of public safety), and other alterations such as the addition of bicycle facilities, including but not limited to bicycle parking, bicycle-share facilities and bicycle lanes, transit improvements such as bus lanes, pedestrian crossings, street trees, and other similar alterations that do not create additional automobile lanes. The project involves a new sidewalk, new bicycle lane, and related access improvements to an existing roadway. The project will not create additional automobile lanes and involves a negligible expansion of use. No adverse environmental impacts were discovered during review of the proposed project.

This permit is issued to the owner of the property. In executing this permit, owner agrees to comply with all terms of permit, including conditions of approval, if any. Permit must be exercised within 24 months of date of issuance (March 23, 2025) unless otherwise indicated in conditions of approval.