

**RESOLUTION NO. \_\_\_\_\_**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CAPITOLA AMENDING  
THE GENERAL PLAN LAND USE ELEMENT RESIDENTIAL ACTION LU-9.3 TO BE  
CONSISTENT WITH PROPOSED CAPITOLA MALL ZONING CODE AMENDMENTS  
AND FINDING THAT THE PROJECT'S ENVIRONMENTAL EFFECTS WERE  
ADEQUATELY ANALYZED IN A PREVIOUS EIR SUCH THAT CEQA REQUIRES NO  
SUPPLEMENTAL OR SUBSEQUENT ENVIRONMENTAL REVIEW**

WHEREAS, on August 22, 2024, the City Council adopted amendments to the 2023-2031 Housing Element of the General Plan ("Housing Element") and Addendum to the General Plan Final Environmental Impact Report;

WHEREAS, on August 30, 2025, the California Department of Housing and Community Development ("HCD") certified the Housing Element;

WHEREAS, Housing Element Program 1.7 states that the City shall revise development standards in the Zoning Code to facilitate residential development on the Capitola Mall property;

WHEREAS, the Planning Commission held work sessions on October 2, October 30, and November 19, 2025 to consider Zoning Code amendments for the Capitola Mall in furtherance of Housing Element Program 1.7;

WHEREAS, on October 8, 2025, the City hosted a community meeting, to receive public input on design standards for residential development on the Capitola Mall property;

WHEREAS, a text amendment to the General Plan Land Use Element Action LU-9.3 is necessary for consistencies with the proposed Zoning Code amendments;

WHEREAS, City staff prepared a text amendment to the General Plan Land Use Element Action LU-9.3 to implement Housing Element Program 1.7 and ensure consistency between the General Plan and Zoning Code;

WHEREAS, notice of the General Plan Amendment and associated Zoning Code Amendment availability was mailed on November 13, 2025, and a public review draft made available on November 26, 2025, in compliance with California Coastal Act public participation requirements and applicable state law;

WHEREAS, a second notice of the General Plan Amendments and associated Zoning Code Amendment availability was mailed on January 8, 2026, and an updated public review draft made available on January 30, 2026, in compliance with California Coastal Act public participation requirements and applicable state law;

WHEREAS, the General Plan Amendment was analyzed and considered as part of the City's adoption of the Addendum to the General Plan EIR for the City's Housing Element, such that nothing further is required under CEQA. There are no substantial changes proposed to the Housing Element, including Program 1.7, that would require major revisions of the previous EIR or its Addendum due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects. The General Plan

Amendment merely implements Housing Element Program 1.7, which was studied and evaluated in the General Plan EIR Addendum. There are no substantial changes with respect to the circumstances under which implementation of the Housing Element will be undertaken which will require major revisions of the previous environmental document due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects. There is no new information of substantial importance, which was not known and could not have been known with the exercise of reasonable diligence at the time the previous Addendum was adopted. No subsequent or supplemental environmental review is required pursuant to CEQA Guidelines Section 15162;

WHEREAS, at a duly noticed public hearing on February 5, 2026, the Planning Commission recommended that the City Council adopt the General Plan Amendment;

WHEREAS, at a duly noticed public hearing on February 23, 2026, the City Council reviewed the proposed General Plan Amendment at which time it considered all evidence presented, both written and oral.

NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of Capitola as follows:

1. The foregoing recitals are true and correct and are incorporated by reference into this action.
2. Based on substantial evidence in the record, the Amendment is consistent with state and local law, including the Municipal Code subject to approval of the associated Zoning Code amendments, and the other elements of the General Plan, including the City of Capitola Housing Element.
3. The Amendment was analyzed and considered as part of the City's adoption of the Addendum to the General Plan EIR for the City's Housing Element, such that nothing further is required under CEQA, consistent with CEQA Guidelines section 15162. There are no substantial changes proposed to the Housing Element, including Program 1.7, that would require major revisions of the previous EIR or its Addendum due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects. The Project merely implements Housing Element Program 1.7, which was studied and evaluated in the General Plan EIR Addendum. There are no substantial changes with respect to the circumstances under which implementation of the Housing Element will be undertaken which will require major revisions of the previous environmental document due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects. There is no new information of substantial importance, which was not known and could not have been known with the exercise of reasonable diligence at the time the previous Addendum was adopted.
4. The City Council hereby adopts the text amendment to the General Plan Land Use Element as set forth in Exhibit A attached hereto and incorporated herein.
5. This resolution shall become effective at such time as Ordinance No. \_\_\_\_\_ approving the Zoning Ordinance amendments becomes effective, and if such Ordinance has not become effective by December 31, 2026, this resolution shall be deemed to be void and of no further force or effect.

#### SEVERABILITY

If any term, provision, or portion of these findings or the application of these findings to a particular situation is held by a court to be invalid, void or unenforceable, the remaining provisions of these findings, or their application to other actions related to the Project, shall continue in full force and effect unless amended or modified by the City.

I HEREBY CERTIFY that the foregoing resolution was passed and adopted by the City Council of the City of Capitola on the 23<sup>rd</sup> day of February, 2026, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

Margaux Morgan, Mayor

ATTEST:

Julia Gautho, City Clerk