

Planning Commission Meeting Agenda

DATE OF MEETING:

Tuesday, January 20, 2015

TIME OF MEETING:

7:00 pm

PLACE OF MEETING:

Cotati City Hall, City Council Chambers

201 West Sierra Avenue, Cotati, CA 94931

- A. CALL TO ORDER
- B. ROLL CALL
- C. APPROVAL OF MINUTES

None

- D. CHANGES TO THE AGENDA
- E. ORAL AND WRITTEN COMMUNICATIONS Public is asked to please step to the podium and state your name and address for the record. Please limit your comments to items not already agendized for discussion.
- F. MATTERS AT HAND
 - 1. Elections of 2015 Commission Chair and Vice-Chair
 - 2. Public Hearing to consider recommendations to the City Council to adopt the 2013 update to the General Plan and certify the Final Environmental Impact Report (EIR) including adoption of Findings of Fact and Statement Overriding Considerations.
- G. REPORTS BY STAFF
- H. REPORTS BY COMMISSION
- I. ADJOURNMENT

Any writings or documents provided to a majority of the Cotati Planning Commission regarding any item on this agenda will be made available for public inspection in the Community Development Department located at 201 West Sierra Avenue, Cotati, California, during normal business hours.

Disabled Accommodation: Upon request, this agenda will be made available in appropriate formats to persons with disabilities as required by Section 202 of the Americans with Disabilities Act of 1990.

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Any person with a disability who requires a modification or accommodation in order to participate in a meeting should contact the Deputy City Clerk at (707) 665-3622 at least 48 hours in advance of the meeting.

STATE OF CALIFORNIA, COUNTY OF SONOMA, CITY OF COTATI, I declare under penalty of perjury that I am employed by the City of Cotati in the Planning Division; and that I posted this agenda on the bulletin boards of City Hall, U.S. Post Office, and Veteran's Memorial Building on or before Vanuary 15, 2015.

Keri L. Pajon, Administrative Secretary

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Planning Application No:	N/A	
Project Name:	2013 General Plan Update	
Assessor Parcel No:	Various	
Street Address:	Various	
Applicant:	City of Cotati	
Owner:	N/A	
General Plan Designation:	Various	
Zoning Classification:	Various	
Filing Date:	N/A	
Meeting Date:	January 20, 2015	
Report Authored By:	Vicki Parker and De Novo Planning Group	
Action:	Motions to recommend City Council adoption	
Recommendation:	Adopt Resolution No. 15-01 recommending City Council certification of the General Plan Update Final EIR; and Resolution No. 15-02 recommending an amendment updating the City's General Plan.	

I. Description of Request and Proposal

State law requires every city and county to prepare, adopt and maintain a general plan. A general plan is a "constitution" or "blueprint" for the future physical development of a city or county. The City's General Plan was last comprehensively updated in 1998 and the Housing Element was updated in 2012.

In the spring of 2011, the City began a multi-year process to update the General Plan. As part of the General Plan Update process, a "Background Report" was prepared to establish a baseline of existing conditions in the city. Additionally, a Priorities and Issues Report was prepared to identify the challenges facing the community and to provide an opportunity for citizens and policymakers to come together in a process of developing a common vision for the future.

II. Background

The General Plan Update includes a framework of goals, objectives, policies, and actions that will guide the community toward its common vision. The General Plan is supported with a variety of maps, including most notably a Land Use Map and Circulation Diagram.

Visioning Workshops

Between March and May 2011, the General Plan Update team held 4 public visioning workshops to help kick-off the General Plan Update process. A diverse group of city residents and stakeholders attended workshops at City Hall. The workshops provided an opportunity for the public to offer their thoughts on

what they value about their community and the city and what important issues should be addressed in preparing the general plan.

Community Open House

Two Open House workshops were held to present the Draft Goal and Policy Sets and Draft Land Use Map. The workshops provided the public with an overview of the General Plan Update process to date, presented the primary goals and priorities that have been developed, provided a summary of proposed land use changes, and provided the community an opportunity to comment on the General Plan Update.

Stakeholder Interviews

Between March and July 2011, the General Plan consultants and City Planning staff conducted interviews and outreach efforts with several key stakeholders in the City and surrounding areas of Sonoma County. These interviews and outreach efforts helped the General Plan Consultants gain perspectives and insights into the issues to be addressed by the General Plan Update.

Planning Commission Workshops

The Cotati Planning Commission worked with staff and the consultant team to develop the goals, objectives, policies and action items to be included in the 2013 General Plan, and also worked to develop and refine the Draft General Plan Land Use Map. The Planning Commission met a total of 12 times between August 2011 and October 2012 to work on the General Plan Update.

Public Outreach

For all public workshops and meetings, the Community Development Department conducted extensive outreach, using a wide variety of methods and tools, to inform and encourage the community to participate in the General Plan Update process. Following is a list of methods and tools used to inform the public of meetings, workshops, and the status of the General Plan Update work efforts:

- General Plan Update Website: The City maintains a website www.cotati.generalplan.org) devoted to informing the public about, and encouraging participation in, the General Plan Update process. The website includes all public notices, all workshop materials, presentations given to the Planning Commission, and City Council, background materials, draft policy documents, and draft versions of the General Plan Land Use Map.
- General Plan Update Newsletters: Periodic newsletters were prepared and disseminated to the public via e-mail, the General Plan Update website, and posted in locations throughout the city. The newsletters provide information regarding the status of the work efforts, upcoming meetings and workshops, and opportunities for public participation.
- Local Newspapers: Public notices, meeting notices, press releases, and public service announcements were published in the local newspaper prior to each public meeting or workshop.

<u>Public Review of the Draft General Plan and Draft Environmental Impact Report (EIR)</u>

In September 2014, staff and the consultant team completed the Draft General Plan and Draft EIR. Both of these documents were released for a 45-day public review and comment period that began on September 9, 2014 and ended on October 24, 2014. These documents were made available to the public and interested agencies via multiple methods, including:

- Posting the documents to the City's General Plan Update website;
- Distribution to the General Plan Update mailing list via e-mail; and
- Direct mailings to key State and regional agencies through the State Clearinghouse.

Additionally, printed copies were made available for public review at the Community Development Department.

III. Previous Actions

The City's current General Plan was adopted on October 14, 1998, with the Housing Element adopted separately on December 12, 2012.

IV. Planning Considerations and Issues

General Plan Content

The General Plan contains the following elements (i.e., chapters):

- The Land Use Element designates the general distribution and intensity of residential, commercial, industrial, open space, public/quasi-public, and other categories of public and private land uses. The Land Use Element includes the Land Use Map, which identifies land use designations for each parcel in the city limits and SOI (Figure 2-3).
- The Circulation Element correlates closely with the Land Use Element, and identifies the general locations and extent of existing and proposed major thoroughfares, transportation routes, and alternative transportation facilities necessary to support a multi-modal transportation system. This element is intended to facilitate mobility of people and goods throughout Cotati by a variety of transportation modes, including bicycle, pedestrian, and rail.
- The Open Space Element addresses the preservation of open space for the conservation of natural resources, and public health and safety related to open space and recreational opportunities. This element also includes provisions for parks and recreational facilities throughout the City.
- The Noise Element establishes standards and policies to protect the community from the harmful and annoying effects of exposure to excessive noise levels. This element includes strategies to reduce land use conflicts that may result in exposure to unacceptable noise levels.
- The **Safety Element** establishes policies and programs to protect the community from risk associated with geologic, flood, and fire hazards, as well as setting standards for emergency preparedness.
- The Conservation Element addresses the conservation, development, and use of natural resources, riparian environments, native plant and animal species, soils, mineral deposits, cultural/historical resources, air quality, and alternative energy. It also details plans and measures for preserving open space for natural resources and the managed production of resources.
- The Economic Vitality Element (optional element) is designed to support and enhance the City's economy, through programs to retain existing and attract new business, create jobs, to help maintain existing jobs, and to improve overall opportunities for businesses in the City.
- The Community Services and Facilities Element (optional element) sets forth standards for public service and utility systems including water, wastewater, solid waste, schools, medical facilities, libraries, parks, recreation, and historic preservation.
- The Community Health and Wellness Element (optional element) addresses a wide range of community health topics, including access to healthy foods, substance abuse, access to medical care, and maintaining healthy lifestyles.

Goals, Policies, and Actions

Each element of the General Plan contains a series of goals, objectives, policies, and actions. The goals, objectives, policies, and actions provide guidance to the City on how to direct change, manage growth,

and manage resources over the 20-year life of the General Plan. The following provides a description of each and explains the relationship of each:

- A **goal** is a description of the general desired result that the City seeks to create through the implementation of the General Plan.
- An objective further refines a goal and provides additional specificity on how a goal may be achieved by the General Plan. Each goal may have one or more objectives.
- A policy is a specific statement that guides decision-making as the City works to achieve its goals and objectives. Once adopted, policies represent statements of City regulations. The General Plan's policies set out the standards that will be used by City staff, the Planning Commission, and the City Council in its review of land development projects, resource protection activities, infrastructure improvements, and other City actions. Policies are on-going and require no specific action on behalf of the City.
- An action is an implementation measure, procedure, technique or specific program to be
 undertaken by the City to help achieve a specified goal or implement an adopted policy. The City
 must take additional steps to implement each action item in the General Plan. An action item is
 something that can and will be completed.

Comments Received on the Draft General Plan and Draft EIR:

A total of eight comment letters were received that addressed the content of the Draft General Plan and/or the Draft EIR. Comments were received from the following agencies, organizations, and individuals:

- Erik Alm, Caltrans
- Beth Dadko, Sonoma County
- Jenny Blaker, Resident
- Bryant R. Moynihan, Nexus Realty Group
- Robin Miller, Cotati Vintners Collective
- Robin Miller, Highway 116 Associated Investors
- Robin Miller, Townsend Capital Partners
- Linell Hardy, Resident

Proposed Changes to the Draft General Plan

In light of the comments received on the Public Draft General Plan and Draft EIR from interested agencies and members of the public, staff and the consultant team have prepared a series of minor changes proposed for the Goals, Objectives, Policies, and Actions contained in the Draft General Plan. Overall, these proposed changes are minor and do not change the purpose or intent of the General Plan. In most cases, changes simply provide additional clarity to the intent of the General Plan. In other cases, changes were made to eliminate redundancy within the General Plan. None of the revisions proposed to the Draft General Plan would change the environmental analysis and conclusions in the Draft and Final EIR nor would any of the changes result in new significant environmental impacts not disclosed in the Draft EIR.

Exhibit A to Resolution No. 15-02, included as Attachment 5 of this staff report includes a summary of all changes proposed to the Draft General Plan. As explained further in this appendix, new or additional text added to the General Plan is shown in <u>underline format</u>, while deleted or removed text is shown in <u>strikethrough format</u>.

V. Environmental Review

<u>Draft Environmental Impact Report</u>

The City, as lead agency, determined that the General Plan Update is a "project" within the definition of the California Environmental Quality Act (CEQA). CEQA requires the preparation of an EIR prior to approving any project that may have a significant impact on the environment. For the purposes of CEQA, the term "project" refers to the whole of an action, which has the potential for resulting in a direct physical change or a reasonably foreseeable indirect physical change in the environment (CEQA Guidelines Section 15378[a]).

An EIR must disclose the expected direct and indirect environmental impacts associated with a project, including impacts that cannot be avoided, growth-inducing effects, impacts found not to be significant, and significant cumulative impacts, as well as identify mitigation measures and alternatives to the proposed project that could reduce or avoid its adverse environmental impacts. CEQA requires government agencies to consider and where feasible, minimize, environmental impacts of proposed development, and requires an obligation to balance a variety of public objectives, including economic, environmental, and social factors.

The Draft EIR was prepared according to CEQA requirements to evaluate the potential environmental impacts associated with the implementation of the General Plan. The Draft EIR also discusses alternatives to the General Plan, and proposes mitigation measures that will offset, minimize, or otherwise avoid significant environmental impacts. The Draft EIR has been prepared in accordance with CEQA, California Resources Code Section 21000 et seq.; the Guidelines for the California Environmental Quality Act (California Code of Regulations, Title 14, Chapter 3).

Final Environmental Impact Report

The Final Environmental Impact Report (FEIR) for the 2013 Cotati General Plan project has been prepared in accordance with the California Environmental Quality Act (CEQA) and State CEQA Guidelines. State CEQA Guidelines Section 15132 requires that an FEIR consist of the following:

- The Draft Environmental Impact Report (Draft EIR) or a revision of the draft;
- Comments and recommendations received on the Draft EIR, either verbatim or in summary;
- A list of persons, organizations, and public agencies commenting on the Draft EIR;
- The responses of the lead agency to significant environmental concerns raised in the review and consultation process; and
- Any other information added by the lead agency.

In accordance with State CEQA Guidelines Section 15132(a), the Draft EIR is incorporated by reference into the Final EIR.

The City Council will review and consider the Final EIR. If the City finds that the Final EIR is "adequate and complete," the City Council may certify the Final EIR in accordance with CEQA. The rule of adequacy generally holds that an EIR can be certified if:

- The EIR shows a good faith effort at full disclosure of environmental information; and
- The EIR provides sufficient analysis to allow decisions to be made regarding the proposed project in contemplation of environmental considerations.

Upon review and consideration of the Final EIR, the City Council may take action to approve, revise, or reject the project. A decision to approve the 2013 Cotati General Plan, for which the EIR identifies

significant environmental effects, must be accompanied by written findings in accordance with State CEQA Guidelines Sections 15091 and 15093. A Mitigation Monitoring and Reporting Program would also be adopted in accordance with Public Resources Code Section 21081.6(a) and CEQA Guidelines Section 15097 for mitigation measures that have been incorporated into or imposed upon the project to reduce or avoid significant effects on the environment. This Mitigation Monitoring and Reporting Program has been designed to ensure that these measures are carried out during project implementation, in a manner that is consistent with the EIR.

Mitigation Monitoring and Reporting Program

The Cotati General Plan has been prepared to be a self-mitigating document. The policies and actions provided in the General Plan provide mitigation for potentially significant and significant environmental impacts, to the extent feasible. No additional mitigation is available, as described in the Findings of Fact. The annual report on general plan status required pursuant to the Government Code will serve as the monitoring and reporting program for the project.

Findings of Fact and Statement of Overriding Consideration

The California Environmental Quality Act (CEQA) requires Cotati, as the CEQA lead agency to:

- Make written findings when it approves a project for which an environmental impact report was certified; and
- Identify overriding considerations for significant and unavoidable impacts identified in the EIR.

The findings explain how the City, as the lead agency, approached the significant and potentially significant impacts identified in the environmental impact report prepared for the 2013 Cotati General Plan (the Project). The statement of overriding considerations identifies economic, social, technological, and other benefits of the Project that override any significant environmental impacts that would result from the Project.

VI. Summary and Staff Recommendation

Based upon the foregoing discussion and the results of the City's multi-year General Plan update process and analysis of potential environmental impacts, staff is recommending that the Planning Commission adopt Resolution No. 15-01 recommending that the City Council certify the Final Environmental Impact Report for the General Plan Update project, including the adoption of Findings of Fact and a Statement of Overriding Consideration, and adopt Resolution No. 15-02 recommending that the City Council approve an amendment to the General Plan for the General Plan Update project, including the revisions which resulted from the environmental review, as detailed in Attachment 5.

Attachments

- 1. Draft General Plan Update dated September 2014
- 2. Draft Environmental Impact Report dated September 2014
- 3. PC Resolution No. 15-01, including Exhibit A Findings of Fact and Statement of Overriding Considerations
- 4. Final Environmental Impact Report dated November 2014
- 5. PC Resolution No. 15-02, including Exhibit A: Proposed Changes to the Draft General Plan

ATTACHMENT 1

Draft General Plan Update dated September 2014 (Copies previously distributed under separate cover to Commissioners)

Copies available to the public at: Community Development Department Cotati City Hall 201 West Sierra Avenue

ATTACHMENT 2

Draft Environmental Impact Report dated September 2014 (Copies previously distributed under separate cover to Commissioners)

Copies available to the public at: Community Development Department Cotati City Hall 201 West Sierra Avenue

ATTACHMENT 3

Planning Commission Resolution No. 15-01 (to be provided under separate cover)

Including Exhibit A Findings of Fact and Statement of Overriding Considerations (attached)

FOR THE

2013 COTATI GENERAL PLAN UPDATE

November 2014

Prepared for:

City of Cotati Community Development Department 201 West Sierra Avenue Cotati, CA 94931

Prepared by:

De Novo Planning Group 1020 Suncast Lane, Suite 106 El Dorado Hills, CA 95762 www.denovoplanning.com

De Novo Planning Group

FOR THE

2013 COTATI GENERAL PLAN UPDATE

November 2014

Prepared for:

City of Cotati Community Development Department 201 West Sierra Avenue Cotati, CA 94931

Prepared by:

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FOR THE

2013 COTATI GENERAL PLAN UPDATE

REQUIRED UNDER THE CALIFORNIA ENVIRONMENTAL QUALITY ACT (Public Resources Code, Section 21000 et seq)

I. Introduction

The California Environmental Quality Act (CEQA) requires the City of Cotati (City), as the CEQA lead agency to: 1) make written findings when it approves a project for which an environmental impact report (EIR) was certified, and 2) identify overriding considerations for significant and unavoidable impacts identified in the EIR.

These findings explain how the City, as the lead agency, approached the significant and potentially significant impacts identified in the environmental impact report (EIR) prepared for the 2013 General Plan Update (2013 General Plan, General Plan, or Project). The statement of overriding considerations identifies economic, social, technological, and other benefits of the Project that override any significant environmental impacts that would result from the Project.

As required under CEQA, the Final EIR describes the Project, adverse environmental impacts of the project, and mitigation measures and alternatives that would substantially reduce or avoid those impacts. The information and conclusions contained in the EIR reflect the City's independent judgment regarding the potential adverse environmental impacts of the Project.

The Final EIR (which includes the Draft EIR, comments on the Draft EIR, responses to comments on the Draft EIR, and revisions to the Draft EIR) for the Project, examined several alternatives to the Project that were not chosen as part of the approved project (the No Project Alternative, the Open Space and Parks/Reduced Development Alternative, and the Reduced Land use Intensity Alternative).

The Findings of Fact and Statement of Overriding Considerations set forth below ("Findings") are presented for adoption by the City Council (Council) as the City's findings under the California Environmental Quality Act ("CEQA") (Public Resources Code, §21000 et seq.) and the CEQA Guidelines (California Code of Regulations, Title 14, § 15000 et seq.) relating to the Project. The Findings provide the written analysis and conclusions of this Council regarding the Project's environmental impacts, mitigation measures, alternatives to the Project, and the overriding considerations, which in this Council's view, justify approval of the 2013 General Plan, despite its environmental effects.

II. GENERAL FINDINGS AND OVERVIEW

A. Project Background

In early 2011, Cotati began a multi-year process to update the City's General Plan. State law requires every city and county in California to prepare and maintain a planning document called a general plan. A general plan is a "constitution" or "blueprint" for the future physical development of a county or city. As part of the Cotati General Plan Update process, a General Plan Existing Conditions Report was prepared to establish a baseline of existing conditions in the city. Additionally, an Issues and Opportunities Report was prepared to identify the challenges facing the community, to provide an opportunity for citizens and policymakers to come together in a process of developing a common vision for the future, and to identify a range of options available to the City as the General Plan Land Use Map was modified and updated.

The updated Cotati General Plan includes a framework of goals, objectives, policies, and actions that will guide the community toward its common vision. The General Plan is supported with a variety of maps, including a Land Use Map and Circulation Diagram.

B. Procedural Background

The City of Cotati circulated a Notice of Preparation (NOP) of an EIR for the proposed project on August 12, 2013 to trustee and responsible agencies, the State Clearinghouse, and the public. A scoping meeting was held on August 19, 2013 with the Cotati Planning Commission. No public or agency comments on the NOP related to the EIR analysis were presented or submitted during the scoping meeting. However, during the 30-day public review period for the NOP, which ended on September 12, 2013, a written comment letter from the California Public Utilities Commission (CPUC) was received. Concerns raised in response to the NOP were considered during preparation of the Draft EIR.

The City published a public Notice of Availability (NOA) for the Draft EIR on September 9, 2014, inviting comment from the general public, agencies, organizations, and other interested parties. The NOA was filed with the State Clearinghouse (SCH # 2013082037) and the County Clerk, and was published in the Press Democrat pursuant to the public noticing requirements of CEQA. The Draft EIR was available for public review from September 9, 2014 through October 24, 2014. The Public Draft 2013 General Plan was also available for public review and comment during this time period.

The Draft EIR contains a description of the project, description of the environmental setting, identification of project impacts, and mitigation measures for impacts found to be significant, as well as an analysis of project alternatives, identification of significant irreversible environmental changes, growth-inducing impacts, and cumulative impacts. The Draft EIR

identifies issues determined to have no impact or a less than significant impact, and provides detailed analysis of potentially significant and significant impacts. Comments received in response to the NOP were considered in preparing the analysis in the Draft EIR.

The City received eight (8) comment letters regarding the General Plan and Draft EIR from public agencies, organizations and members of the public during the public comment period. In accordance with CEQA Guidelines Section 15088, a Final EIR was prepared that responded to the written comments received, as required by CEQA. The Final EIR document and the Draft EIR, as amended by the Final EIR, constitute the Final EIR.

C. Record of Proceedings and Custodian of Record

For purposes of CEQA and the findings set forth herein, the record of proceedings for the City's findings and determinations consists of the following documents and testimony, at a minimum:

- The NOP, comments received on the NOP, Notice of Availability, and all other public notices issued by the City in relation to the 2013 Cotati General Plan Update EIR.
- The 2013 Cotati General Plan Update Final EIR, including comment letters and technical materials cited in the document.
- All non-draft and/or non-confidential reports and memoranda prepared by the City of Cotati and consultants in relation to the EIR.
- Minutes of the discussions regarding the Project and/or Project components at public hearings held by the City.
- Staff reports associated with Planning Commission and City Council meetings on the Project.
- Those categories of materials identified in Public Resources Code Section 21167.6.

The City Clerk is the custodian of the administrative record. The documents and materials that constitute the administrative record are available for review at the City of Cotati Office of the City Clerk at 201 West Sierra Avenue, Cotati, CA 94931.

D. Consideration of the Environmental Impact Report

In adopting these Findings, this Council finds that the Final EIR was presented to this Council, the decision-making body of the lead agency, which reviewed and considered the information in the Final EIR prior to approving the 2013 General Plan. By these findings, this City Council ratifies, adopts, and incorporates the analysis, explanation, findings, responses to comments, and conclusions of the Final EIR. The City Council finds that the Final EIR was

completed in compliance with the California Environmental Quality Act. The Final EIR represents the independent judgment and analysis of the City.

E. 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 2013 Cotati General Plan, shall continue in full force and effect unless amended or modified by the City.

III. FINDINGS AND RECOMMENDATIONS REGARDING SIGNIFICANT AND UNAVOIDABLE IMPACTS

A. Aesthetics and Visual Resources

- 1. General Plan implementation could result in substantial adverse effects on visual character, including impacts to scenic vistas or scenic resources (EIR Impact 3.1-1)
 - (a) <u>Potential Impact</u>. The potential for the Project to result in substantial adverse effect on visual character, including scenic vistas and resources, as discussed at pages 3.1-8 through 3.1-14 of the Draft EIR.
 - **(b)** <u>Mitigation Measures</u>. No feasible mitigation is available.
 - (c) <u>Findings</u>. Based upon the EIR and the entire record before this Council, this Council finds that:
 - (1) **Effects of Mitigation and Remaining Impacts.** As described on pages 3.1-11 through 3.1-14 of the Draft EIR, the Project includes numerous policies and actions that would reduce the severity of this impact to the extent feasible. However, even with the implementation of policies and actions that would reduce impacts to visual character, the potential remains for new development to interrupt, diminish, or obscure scenic views. While the 2013 General Plan policies and actions would ensure that impacts are reduced, the only method to completely avoid impacts to scenic resources on a Citywide basis would be to severely limit the development potential of undeveloped lands, including development such as housing units, business parks, commercial uses, and other structures that support job growth and the provision of a range of housing options. This type of mitigation is not consistent with the objectives of the 2013 General Plan to

- support a range of high-quality housing options and expand economic development and jobs-generating uses in the city. Therefore, this would represent a significant and unavoidable impact of the Project.
- (2) Overriding Considerations. The environmental, economic, social and other benefits of the Project, as stated more fully in the Statement of Overriding Considerations in Section VI, override any remaining significant adverse impact of the Project associated with impacts to scenic resources and visual character.

B. Noise

- 1. General Plan implementation may result in exposure to significant traffic noise sources (EIR Impact 3.10-1)
 - (a) <u>Potential Impact</u>. The potential for the Project to result in exposure to significant traffic noise sources is discussed at pages 3.10-19 through 3.10-25 of the Draft EIR.
 - **(b)** <u>Mitigation Measures</u>. No feasible mitigation is available.
 - (c) <u>Findings</u>. Based upon the EIR and the entire record before this Council, this Council finds that:
 - (1) Effects of Mitigation and Remaining Impacts

 As described on pages 3.10-19 through 3.10-25 of the Draft EIR, the Project includes policies and actions that would reduce the severity of this impact to the extent feasible, including use of best management practices related to site design and building orientation, consistency with the City's Land Use Code Noise Standards, and appropriate siting of noise-sensitive land uses. However, there are no mitigation measures that can eliminate significant traffic noise exposure while still allowing the City's economy to grow through new development, particularly residential, business park, and commercial uses. This would represent a significant and unavoidable impact of the Project.
 - (2) Overriding Considerations. The environmental, economic, social and other benefits of the Project, as stated more fully in the Statement of Overriding Considerations in Section VI, override any remaining significant adverse impact of the Project associated with transportation noise sources.

- General Plan implementation may result in cumulative noise impacts (EIR Impact 3.10-7)
 - (a) <u>Potential Impact</u>. The potential for the Project to result in cumulative noise impacts is discussed at pages 3.10-34 through 3.10-36 of the Draft EIR.
 - **(b)** <u>Mitigation Measures</u>. No feasible mitigation is available.
 - (c) <u>Findings</u>. Based upon the EIR and the entire record before this Council, this Council finds that:
 - (1) Effects of Mitigation and Remaining Impacts

 As described on pages 3.10-34 through 3.10-36 of the Draft EIR, the Project includes policies and actions that would reduce the severity of this impact to the extent feasible, including use of best management practices related to site design and building orientation, consistency with the City's Community Noise Environments Standards, and appropriate siting of noise-sensitive land uses. However, there are no mitigation measures that can eliminate significant cumulative noise exposure while still allowing the City's economy to grow through new development, particularly residential, business park, and commercial uses. This would represent a significant and unavoidable impact of the Project.
 - (2) Overriding Considerations. The environmental, economic, social and other benefits of the Project, as stated more fully in the Statement of Overriding Considerations in Section VI, override any remaining significant adverse impact of the Project associated with cumulative noise sources.

C. Transportation and Circulation

- 1. General Plan implementation may result in unacceptable traffic operations on City roadways and City intersections due to improvement funding uncertainty (EIR Impact 3.12-1)
 - (a) <u>Potential Impact</u>. The potential for the Project to result in unacceptable traffic operations on City roadways and intersections due to funding uncertainty is discussed at pages 3.12-35 through 3.12-38 of the Draft EIR.
 - **(b)** <u>Mitigation Measures</u>. No feasible mitigation is available.
 - (c) <u>Findings</u>. Based upon the EIR and the entire record before this Council, this Council finds that:

(1) Effects of Mitigation and Remaining Impacts As described on pages 3.12-35 through 3.12-38 of the Draft EIR, the Project includes policies and actions that would reduce the severity of this impact to the extent feasible. The General Plan includes a set of policies and actions designed to reduce impacts by striving to achieve acceptable travel conditions on local roadways through adequately planning and funding roadway improvements. Applicable General Plan policies and actions require development projects to address their project-level impacts, pay their proportional-share of roadway improvements, and/or provide necessary off-site improvements. The policies and actions also indicate that the City shall continue to seek funding for circulation improvements from diverse sources, and emphasize the use of transportation demand management (TDM) and intelligent transportation systems technologies (ITS) to reduce traffic impacts.

Through the planned adoption and implementation of the traffic impact fee update, along with roadway improvements that the City will require developers to construct as part of their projects, many of the circulation improvements identified in the General Plan as being needed to support citywide buildout will be constructed. It cannot be guaranteed, however, that full funding to achieve all improvements will ultimately be collected, nor can it be guaranteed that individual improvements can be fully funded and constructed by the time they are needed. This would represent a significant and unavoidable impact of the Project.

- (2) Overriding Considerations. The environmental, economic, social and other benefits of the Project, as stated more fully in the Statement of Overriding Considerations in Section VI, override any remaining significant adverse impact of the Project associated with traffic operations on local roadways and intersections.
- 2. General Plan implementation may result in unacceptable traffic operations on Gravenstein Highway, a Caltrans facility (EIR Impact 3.12-2)
 - (a) <u>Potential Impact</u>. The potential for the Project to result in unacceptable traffic operations on Gravenstein Highway is discussed at pages 3.12-38 through 3.12-43 of the Draft EIR.
 - **(b)** <u>Mitigation Measures</u>. No feasible mitigation is available.
 - (c) <u>Findings</u>. Based upon the EIR and the entire record before this Council, this Council finds that:

Effects of Mitigation and Remaining Impacts As described on pages 3.12-38 through 3.12-43 of the Draft EIR, the Project includes policies and actions that would reduce the severity of this impact to the extent feasible. While implementation of this policy and these actions would ensure that the City's proportional-share of funding from new development projects would be applied toward roadway impacts on facilities including Gravenstein Highway, to date such impact fee programs have not been created. Further, there is no guarantee that full or partial funding for the identified improvements will be available from the State within the planning horizon of this General Plan, that mechanisms will be in place in Cotati for the collection and administration of such funding, or that the roadway capacity expansion project to reduce the identified impacts will actually be constructed. While the policies and actions in the General Plan would address the City's proportional share of the improvements and ensure safe access to developments, the ability to fund and construct the widening of Gravenstein Highway and other improvements outside the City's control (as listed in General Plan Action CI 1c) also relies on funding from other non-City sources. Given the current lack of a regional fee program, or another identified source of funding to mitigate this regional funding, this impact would remain significant and unavoidable and no further mitigation is available.

(1)

- **Overriding Considerations.** The environmental, economic, social and other benefits of the Project, as stated more fully in the Statement of Overriding Considerations in Section VI, override any remaining significant adverse impact of the Project associated with traffic operations on Gravenstein Highway.
- 3. General Plan implementation would contribute the unacceptable operation on US 101 freeway facilities (EIR Impact 3.12-3)
 - (a) <u>Potential Impact</u>. The potential for the Project to contribute to unacceptable traffic operations on the US 101 freeway is discussed at pages 3.12-43 through 3.12-45 of the Draft EIR.
 - **(b)** <u>Mitigation Measures</u>. No feasible mitigation is available.
 - (c) <u>Findings</u>. Based upon the EIR and the entire record before this Council, this Council finds that:

- (1) Effects of Mitigation and Remaining Impacts As described on pages 3.12-43 through 3.12-45 of the Draft EIR, the Project includes policies and actions that would reduce the severity of this impact to the extent feasible. The projected unacceptable operation on US 101 could be mitigated by widening the freeway to include additional through lanes in each direction. Further widening of US 101 is not included in the SCTA's Comprehensive Transportation Plan, nor do any financing mechanisms currently exist to fund the improvement. Widening the freeway would require major reconstruction of multiple freeway structures, rightof-way acquisition including many homes and businesses, potential relocation of City streets paralleling the freeway corridor (including Redwood Drive and Commerce Boulevard), and the likely creation of additional secondary environmental impacts. The environmental, social, and financial impacts render such a widening project infeasible. This impact remains significant and unavoidable.
- (2) Overriding Considerations. The environmental, economic, social and other benefits of the Project, as stated more fully in the Statement of Overriding Considerations in Section VI, override any remaining significant adverse impact of the Project associated with traffic operations on US 101.

D. Utilities

- 1. General Plan implementation may exceed wastewater treatment capacity or the requirements of the RWQCB (EIR Impact 3.13-3)
 - (a) <u>Potential Impact</u>. The potential for the Project to exceed wastewater treatment capacity or the requirements of the RWQCB is discussed at pages 3.13-30 through 3.13-35 of the Draft EIR.
 - **(b)** <u>Mitigation Measures</u>. No feasible mitigation is available.
 - (c) <u>Findings</u>. Based upon the EIR and the entire record before this Council, this Council finds that:
 - (1) <u>Effects of Mitigation and Remaining Impacts</u> As described on pages 3.13-30 through 3.13-35 of the Draft EIR, the Project includes policies and actions that would reduce the severity of this impact to the extent feasible, including steps to reduce wastewater generation and limitations on new development until

it can be demonstrated that adequate wastewater treatment capacity exists. Action CSF 2I requires that upon adoption of the General Plan, the City shall apply to the subregional partners for an incremental increase in its wastewater flow allocation to meet projected demand though 2035. And Action CSF 2m requires the City to coordinate with the Laguna Wastewater Treatment Plant to increase the National Pollutant Discharge Elimination System (NPDES) permit capacity of the plant to meet projected 2035 demand for all sources of wastewater treated at the plant.

However, at the time of preparation of this EIR, an increase in permitted capacity cannot be guaranteed. This would represent a significant and unavoidable impact of the Project.

(2) Overriding Considerations. The environmental, economic, social and other benefits of the Project, as stated more fully in the Statement of Overriding Considerations in Section VI, override any remaining significant adverse impact of the Project associated with wastewater treatment capacity.

E. Cumulative Impacts

- 1. Aesthetics Cumulative Degradation of the Existing Visual Character of the Region (EIR Impact 4.1)
 - (a) <u>Potential Impact</u>. The potential for the Project to result in a considerable contribution to the cumulative degradation of visual character is discussed at page 4.0-4 of the Draft EIR.
 - **Mitigation Measures**. No feasible mitigation measures are available.
 - (c) <u>Findings</u>. Based upon the EIR and the entire record before this Council, this Council finds that:
 - (1) <u>Mitigation and Remaining Impacts</u>. As described on page 4.0-4 of the Draft EIR, the Project includes policies and actions that would reduce the severity of this impact to the extent feasible. However, even with implementation of adopted policies and regulations, the 2013 General Plan has the potential to considerably contribute to permanent changes in visual character, such as obstruction of scenic views, conversion of existing visual character, and increased lighting. No feasible mitigation is available to fully reduce the cumulative effect on visual character, or to mitigate the proposed project's contribution to a less-thansignificant level. This would represent a cumulatively

- considerable contribution by the Project to the significant and unavoidable cumulative impact.
- (2) Overriding Considerations. The environmental, economic, social and other benefits of the Project, as stated more fully in the Statement of Overriding Considerations in Section VI, override any remaining significant adverse impact of the Project associated with cumulative degradation of visual character.
- Noise Cumulative Exposure of Noise-Sensitive Land Uses to Noise in Excess of Normally Acceptable Noise Levels or to Substantial Increases in Noise (EIR Impact 4.11)
 - (a) <u>Potential Impact</u>. The potential for the Project to result in a considerable contribution to cumulative noise impacts is discussed at pages 4.0-12 and 4.0-13 of the Draft EIR.
 - **(b)** Mitigation Measures. No feasible mitigation measures are available.
 - (c) <u>Findings</u>. Based upon the EIR and the entire record before this Council, this Council finds that:
 - (1) Mitigation and Remaining Impacts. As described on pages 4.0-12 and 4.0-13 of the Draft EIR, the Project includes policies and actions that would reduce the severity of this impact to the extent feasible. However, it may not be feasible to mitigate this impact to a less-than-significant level in all instances, particularly in areas where existing development is located near proposed development. Although the policy and regulatory controls for noise related impacts are in place in the cumulative analysis area, subsequent development projects may result in an increase in ambient noise levels at specific project locations, which may subject surrounding land uses to increases in ambient noise levels. No feasible mitigation is available to fully reduce the cumulative effect on noise, or to mitigate the proposed project's contribution to a less-than-significant level. This would represent a cumulatively considerable contribution by the Project to the significant and unavoidable cumulative impact.
 - (2) Overriding Considerations. The environmental, economic, social and other benefits of the Project, as stated more fully in the Statement of Overriding Considerations in Section VI, override any remaining significant adverse impact of the Project associated with cumulative increases in noise levels.

- 3. Transportation and Circulation Cumulative Impact on the Transportation Network (EIR Impact 4.13)
 - (a) <u>Potential Impact</u>. The potential for the Project to result in a considerable contribution to cumulative transportation network impacts is discussed at pages 4.0-14 and 4.0-17 of the Draft EIR.
 - **(b)** <u>Mitigation Measures</u>. No feasible mitigation measures are available.
 - (c) <u>Findings</u>. Based upon the EIR and the entire record before this Council, this Council finds that:
 - (1) Mitigation and Remaining Impacts. As described on pages 4.0-14 and 4.0-17 of the Draft EIR, the Project includes policies and actions that would reduce the severity of this impact to the extent feasible. However, it may not be feasible to mitigate this impact to a less-than-significant level in all instances, particularly on facilities under the jurisdiction of Caltrans. No feasible mitigation is available to fully reduce the cumulative effect on the transportation network, or to mitigate the proposed project's contribution to a less-than-significant level. This would represent a cumulatively considerable contribution by the Project to the significant and unavoidable cumulative impact.
 - (2) Overriding Considerations. The environmental, economic, social and other benefits of the Project, as stated more fully in the Statement of Overriding Considerations in Section VI, override any remaining significant adverse impact of the Project associated with cumulative transportation network impacts.
- 4. Utilities and Service Systems Cumulative Impact on Utilities (EIR Impact 4.14)
 - (a) <u>Potential Impact</u>. The potential for the Project to result in a considerable contribution to cumulative utilities impacts is discussed at pages 4.0-17 and 4.0-20 of the Draft EIR.
 - **(b)** <u>Mitigation Measures</u>. No feasible mitigation measures are available.
 - (c) <u>Findings</u>. Based upon the EIR and the entire record before this Council, this Council finds that:
 - (1) <u>Mitigation and Remaining Impacts</u>. As described on pages 4.0-17 and 4.0-20 of the Draft EIR, the Project includes policies and actions that would reduce the severity of this impact to the extent feasible. However, it may not be feasible to mitigate this impact to a less-than-significant level in all instances, given that the City cannot guarantee that the NPDES permit capacity of the Laguna

Wastewater Treatment Plant will be increased. No feasible mitigation is available to fully reduce the cumulative effect to wastewater treatment capacity, or to mitigate the proposed project's contribution to a less-than-significant level. This would represent a cumulatively considerable contribution by the Project to the significant and unavoidable cumulative impact.

(2) Overriding Considerations. The environmental, economic, social and other benefits of the Project, as stated more fully in the Statement of Overriding Considerations in Section VI, override any remaining significant adverse impact of the Project associated with cumulative wastewater treatment impacts.

F. Significant Irreversible Effects

- 1. Irreversible Effects (EIR Impact 4.15)
 - (a) <u>Potential Impact</u>. The potential for the Project to result in a significant irreversible effect associated with the consumption of nonrenewable resources and irretrievable commitments/irreversible physical changes is discussed at page 4.0-24 of the Draft EIR.
 - **(b) Mitigation Measures**. No feasible mitigation measures are available.
 - (c) <u>Findings</u>. Based upon the EIR and the entire record before this Council, this Council finds that:
 - (1) Mitigation and Remaining Impacts. As described on page 4.0-24 of the Draft EIR, the Project includes policies and actions that would reduce the severity of this impact to the extent feasible. One of the objectives of the 2013 General Plan is to preserve surrounding agricultural lands and protect the city's rural smalltown heritage. As such, the 2013 General Plan focuses new development to infill areas, and areas immediately adjacent to the city limits. As a result of this land use pattern, the 2013 General Plan will minimize the potential for impacts to the nonrenewable resources in the Planning Area, including agricultural resources, biological resources, mineral resources, and energy resources, and the irretrievable commitment of resources and irreversible physical changes. However, the 2013 General Plan establishes a Land Use Map for the entire Cotati Planning Area that anticipates urbanization and development over a 20-year period. This development is necessary to achieve the economic development goals as well as other goals and

objectives of the Project. In summary, the 2013 General Plan includes an extensive policy framework that is designed to address land use and environmental issues to the greatest extent feasible while allowing growth and economic prosperity for the City. However, even with the policies and actions that will serve to reduce potential significant impacts, the 2013 General Plan will result in significant irreversible changes. This would represent a cumulatively considerable contribution by the Project to the significant and unavoidable cumulative impact.

- (2) Overriding Considerations. The environmental, economic, social and other benefits of the Project, as stated more fully in the Statement of Overriding Considerations in Section VI, override any remaining significant adverse impact of the Project associated with irreversible effects.
- IV. FINDINGS AND RECOMMENDATIONS REGARDING THOSE IMPACTS WHICH ARE LESS THAN SIGNIFICANT, LESS THAN CUMULATIVELY CONSIDERABLE, OR HAVE NO IMPACT
 - **A.** Specific impacts within the following categories of environmental effects were found to be less than significant as set forth in more detail in the Draft EIR.
 - **1. Aesthetics and Visual Resources:** The following specific impact was found to be less than significant:
 - **a.** Impact 3.1-2: General Plan implementation could result in the creation of new sources of nighttime lighting and daytime glare
 - **2. Air Quality:** The following specific impacts were found to be less than significant:
 - **a.** Impact 3.2-1: The General Plan would not conflict with or obstruct implementation of the applicable air quality plan
 - **b.** Impact 3.2-2: General Plan implementation would not cause health risks associated with toxic air contaminants
 - **c.** Impact 3.2-3: The General Plan would not create objectionable odors
 - **d.** Impact 3.2-4: The General Plan would not conflict with Regional Plans

- **3. Biological Resources:** The following specific impacts were found to be less than significant:
 - a. Impact 3.3-1: General Plan implementation could 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 the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service
 - b. Impact 3.3-2: General Plan implementation could have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations, or by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service
 - c. Impact 3.3-3: General Plan implementation could have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means
 - d. Impact 3.3-4: General Plan implementation would not interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites
 - **e.** Impact 3.3-5: The General Plan would not conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance
 - f. Impact 3.3-6: General Plan implementation would not conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or State habitat conservation plan
- **4. Cultural Resources:** The following specific impacts were found to be less than significant:
 - **a.** Impact 3.4-1: General Plan implementation could result in a substantial adverse change in the significance of a historical or archaeological resource
 - **b.** Impact 3.4-2: Implementation of the General Plan could lead to the disturbance of human remains
 - **c.** Impact 3.4-3: General Plan implementation may result in damage to or the destruction of paleontological resources

- **5. Geology and Soils:** The following specific impacts were found to be less than significant:
 - **a.** Impact 3.5-1: General Plan implementation has the potential to expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving rupture of a known earthquake fault, strong seismic ground shaking, seismic-related ground failure, including liquefaction
 - **b.** Impact 3.5-2: General Plan implementation has the potential to result in substantial soil erosion or the loss of topsoil
 - c. Impact 3.6-3: General Plan implementation has the potential to result in development located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse
 - **d.** Impact 3.5-4: General Plan implementation has the potential to result in development on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial risks to life or property
 - **e.** Impact 3.5-5: General Plan implementation does not have the potential to have soils incapable of adequately supporting the use of septic tanks or alternative waste water disposal systems where sewers are not available for the disposal of waste water
- **6. Greenhouse Gases and Climate Change:** The following specific impacts were found to be less than significant:
 - **a.** Impact 3.6-1: General Plan implementation could generate GHGs, either directly or indirectly, that may have a significant effect on the environment
 - **b.** Impact 3.6-2: General Plan implementation would not conflict with an applicable plan, policy, or regulation adopted for the purpose of reducing the emissions of greenhouse gases
- **7. Hazards:** The following specific impacts were found to be less than significant:
 - a. Impact 3.7-1: General Plan implementation has the potential to create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials, or through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment
 - **b.** Impact 3.7-2: General Plan implementation has the potential to emit hazardous emissions or handle hazardous or acutely hazardous

- materials, substances, or waste within one-quarter mile of an existing or proposed school
- c. Impact 3.7-3: General Plan implementation has the potential to have projects located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5
- **d.** Impact 3.7-4: General Plan implementation is not located within an airport land use plan, two miles of a public airport or public use airport, or within the vicinity of a private airstrip, and would not result in a safety hazard for people residing or working in the project area
- e. Impact 3.7-5: General Plan implementation does not have the potential to impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan
- f. Impact 3.7-6: General Plan implementation does not have the potential to expose people or structures to a significant risk of loss, injury or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands
- **8. Hydrology and Water Quality:** The following specific impacts were found to be less than significant:
 - **a.** Impact 3.8-1: General Plan implementation could result in a violation of water quality standards or waste discharge requirements
 - **b.** Impact 3.8-2: General Plan implementation could result in the depletion of groundwater supplies or interfere substantially with groundwater recharge
 - **c.** Impact 3.8-3: General Plan implementation could alter the existing drainage pattern in a manner which would result in substantial erosion, siltation, flooding, or polluted runoff
 - **d.** Impact 3.9-4: General Plan implementation could otherwise substantially degrade water quality
 - e. Impact 3.8-5 General Plan implementation could place housing and structures within a 100-year flood hazard area as mapped on a Federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map
 - **f.** Impact 3.8-6: General Plan implementation would not expose people or structures to a significant risk of loss, injury, or death involving flooding as a result of failure of a levee or dam, seiche, tsunami, or mudflow

- **9. Land Use, Agriculture, and Population:** The following specific impacts were found to be less than significant or to have no impact:
 - **a.** Impact 3.9-1: General Plan implementation has the potential to physically divide an established community
 - **b.** Impact 3.9-2: General Plan implementation has the potential to conflict with an applicable land use plan, policy, or regulation of an agency with jurisdiction over the project adopted to avoid or mitigate an environmental effect
 - **c.** Impact 3.9-3 Conversion of Farmlands, including Prime Farmland, Unique Farmland, and Farmland of Statewide Importance
 - **d.** Impact 3.9-4: Conflict with Existing Farmlands, Agricultural Zoning, or Williamson Act Contracts
 - **e.** Impact 3.9-5: General Plan implementation has the potential to induce substantial population growth
 - **f.** Impact 3.9-6: General Plan implementation does not have the potential to displace substantial numbers of people or existing housing
- **10. Noise:** The following specific impacts were found to be less than significant:
 - **a.** Impact 3.10-2: General Plan implementation may result in exposure to excessive railroad noise sources
 - **b.** Impact 3.10-3: Implementation of the General Plan could result in the generation of excessive stationary noise sources
 - **c.** Impact 3.10-4: General Plan implementation may result in an increase in construction noise sources
 - **d.** Impact 3.10-5: General Plan implementation may result in construction vibration
 - **e.** Impact 3.10-6: General Plan implementation may result in exposure to groundborne vibration
- **11. Public Services and Recreation:** The following specific impacts were found to be less than significant:
 - **a.** Impact 3.11-1: General Plan implementation could result in adverse physical impacts on the environment associated with governmental facilities and the provision of public services
 - **b.** Impact 3.11-2: General Plan implementation may result in adverse physical impacts associated with the deterioration of existing parks and recreation facilities or the construction of new parks and recreation facilities

- **12. Transportation and Circulation:** The following specific impacts were found to be less than significant:
 - **a.** Impact 3.12-4: The proposed General Plan would not conflict with an applicable congestion management program
 - **b.** Impact 3.12-5: The proposed General Plan would not result in a change in air traffic patterns
 - c. Impact 3.12-6: Implementation of the proposed General Plan would not substantially increase hazards due to a design feature
 - **d.** Impact 3.12-7: Emergency Access
 - **e.** Impact 3.12-8: The proposed General Plan would accommodate increased demand for public transit and supports a shift in trips from automobile to transit modes
 - **f.** Impact 3.12-9: The proposed General Plan is consistent with adopted bicycle and pedestrian plans, and supports enhancements that emphasize bicycle and pedestrian circulation
- **13. Utilities:** The following specific impact was found to be less than significant:
 - **a.** Impact 3.13-1: General Plan implementation would result in an increased demand for water supplies
 - **b.** Impact 3.13-2: General Plan implementation may require or result in the construction of new water treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects
 - **c.** Impact 3.13-3: General Plan implementation has the potential to exceed wastewater treatment capacity or the requirements of the RWQCB
 - **d.** Impact 3.13-4: General Plan implementation may require or result in the construction of new wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects
 - **e.** Impact 3.13-5: The project would be served by a landfill for solid waste disposal needs and will require compliance with various laws and regulations
- **14. Growth-Inducing:** The 2013 General Plan was found to result in a less than significant impact related to growth inducement (pages 4.0-21 through 4.0-23 of the Draft EIR).
- **B.** The project was found to have a less than cumulatively considerable contribution to specific impacts within the following categories of environmental effects as set forth in more detail in the Draft EIR.

- **1. Air Quality:** The project would have a less than cumulatively considerable contribution to cumulative impacts on the region's air quality (Impact 4.2).
- **2. Biological Resources:** The project would have a less than cumulatively considerable contribution to cumulative loss of biological resources including habitats and special status species (Impact 4.3).
- **3. Cultural Resources:** The project would have a less than cumulatively considerable contribution to cumulative impacts on known and undiscovered cultural resources (Impact 4.4).
- **4. Geology and Soils:** The project would have a less than cumulatively considerable contribution to cumulative impacts related to geology and soils (Impact 4.5).
- 5. Greenhouse Gases and Climate Change: The project would have a less than cumulatively considerable contribution to cumulative impacts related to increased greenhouse gas emissions that may contribute to climate change (Impact 4.6).
- **6. Hazards:** The project would have a less than cumulatively considerable contribution to cumulative impacts from hazardous materials and risks associated with human health (Impact 4.7).
- **7. Hydrology and Water Quality:** The project would have a less than cumulatively considerable contribution to cumulative impacts to hydrology and water quality (Impact 4.8).
- **8. Land Use and Population:** The project would have a less than cumulatively considerable contribution to cumulative impacts associated with communities and local land uses (Impact 4.9).
- **9. Agriculture:** The project would have a less than cumulatively considerable contribution to impacts to agricultural lands (Impact 4.10).

- **10. Public Services and Recreation:** The project would have a less than cumulatively considerable contribution to cumulative impacts on public services and recreation (Impact 4.12).
- **C.** The above impacts are less than significant or less than cumulatively considerable for one of the following reasons:
 - 1. The EIR determined that the impact is less than significant for the Project.
 - 2. The EIR determined that the Project would have a less than cumulatively considerable contribution to the cumulative impact.

V. PROJECT ALTERNATIVES

A. Identification of Project Objectives

An EIR is required to identify a "range of potential alternatives to the project [which] shall include those that could feasibly accomplish most of the basic purposes of the project and could avoid or substantially lessen one of more of the significant effects." Chapter 2.0 of the Draft EIR identifies the Project's goals and objectives. The Project objectives include:

- 1. Reflect the current goals and vision expressed by City residents, businesses, decision-makers, and other stakeholders;
- 2. Address issues and concerns identified by City residents, businesses, decision-makers, and other stakeholders;
- 3. Maintain and enhance the City's small-town character and quality of life;
- 4. Increase opportunities for economic development, including programs that attract new business and industry to Cotati, and programs that assist and strengthen existing local businesses;
- 5. Increase opportunities for bicycle and pedestrian connectivity; and
- 6. Address new requirements of State law.

B. Alternatives Analysis in EIR

1. Alternative 1: No Project Alternative

The No Project Alternative is discussed on pages 5.0-4 through 5.0-6 of the Draft EIR. Under Alternative 1, the City would continue to implement the adopted 1998 General Plan and no changes would be made to address the requirements of state law. Since adoption of the 1998 General Plan, state legislation has been passed requiring the City to address new safety and circulation requirements in the General Plan and to address greenhouse gas emissions. These requirements of state law would not be addressed. The General Plan goals, objectives, policies, and actions as well as the Land Use Map would not be updated to address the vision and concerns of the City's residents, property owners, decision-makers, and other stakeholders that actively participated in the Visioning and goal and policy development process.

Alternative 1 would result in the continuation of existing conditions and development levels, as described in Chapter 3.9, Land Use, and shown on Figure 3.9-3 of the Draft EIR. New growth would be allowed as envisioned under the 1998 General Plan, with land uses required to be consistent with the 1998 General Plan Land Use Map as shown on Figure 3.10-1 and summarized in Table 5-1 of the Draft EIR. As shown in Table 5-1, Alternative 1 would result in a reduction in Agriculture (-592.9 acres) and Parks (-28.4 acres), replacing these uses primarily with Rural Residential (606.8 acres). Alternative 1 would also result in increased acreage for General Commercial (112.3 acres), Office (17.4 acres), and Public Facilities (9.6 acres). Approximately 80 acres of General Commercial that is shown in Alternative 1 would be redesignated to Specific Plan under the Project and would result in land uses consistent with the applicable Specific Plan under either alternative. Alternative 1 would also result in decreases in Low Density Residential, Medium Density Residential, and High Density Residential as shown in Table 5-1.

Under Alternative 1, there would be a reduction in residential growth (-138 units) and an increase in jobs-creating uses (22,317 s.f. of commercial uses and 28,429 s.f. of office uses) within the City limits. Alternative 1 would result in a 4.9 jobs:housing ratio associated with new development accommodated within the City, compared to the 4.4 ratio associated with the proposed project. However, under buildout conditions, Alternative 1 would result in a reduced jobs:housing ratio of 3.7 compared with the proposed project (4.1).

Under cumulative conditions, development in the SOI under Alternative 1 would result in an increase in residential units (220 units) and an increase in office uses (88,949 s.f.) and a decrease in industrial uses (-595,071 s.f.).

- **a. Findings:** The No Project Alternative is rejected as an alternative because it would not achieve the Project's objectives.
- b. Explanation: This alternative would not realize the benefits of the Project and fails to meet three of the basic project objectives, which are: 1) to bring the City's General Plan into consistency with State laws pertaining to General Plan updates, 2) to reflect the current goals and visions for the City based on input received during the public participation process, and 3) to address current issues and concerns raised during the public participation process. Additionally, this alternative would not fully avoid or mitigate any of the impacts associated with the Project.

2. Alternative 2: Open Space and Parks/Reduced Development Alternative

The Open Space and Parks/Reduced Development Alternative is discussed on pages 5.0-7 through 5.0-12 of the Draft EIR. Alternative 2 would revise the General Plan Update to increase the amount of open space and parks uses and reduce development associated with commercial, industrial, and residential uses. General Commercial, Commercial Industrial, and Low Medium Density Residential uses would be decreased in the City and SOI and would be replaced with less intense uses, primarily Open Space. This alternative was developed to reduce impacts associated with scenic resources, traffic noise, traffic impacts to US 101 and SR 116, and to reduce cumulative impacts associated with development.

Land use designations under Alternative 2 would be modified as shown on Figure 5-1 and summarized in Table 5-3. The goals, objectives, policies, and actions of the General Plan Update would apply to subsequent development, planning and infrastructure projects.

As shown in Table 5-3 below, Alternative 2 would convert 27.0 acres of land designated within the City for General Commercial and Low Density Residential uses to Open Space and Parks. Within the SOI, this alternative would result in an increase in lands designated Open Space/Parks (266 acres) and a decrease in lands designated Agriculture (-134.8 acres), General Commercial (-8 acres), Commercial Industrial (-19.8 acres), Rural Residential (-15.4 acres), Low Density Residential (-68.4 acres), and Low/Medium Density Residential (-19.6 acres).

During the planning horizon, the total amount of residential units within the City under Alternative 2 would be comparable to the proposed project (a reduction of 21 units) and there would be a decrease in non-residential uses (-127,245 commercial s.f. and -53,393 office s.f.). Under cumulative conditions, future development within the SOI would be significantly decreased in comparison to the proposed project. There would be a reduction of 232 residential units, 185,414 s.f. of commercial, 275,693 s.f. of industrial,

and 27,989 s.f. of office uses within the SOI. Alternative 2 would result in a 4.4 jobs:housing ratio associated with new development accommodated within the City, which is the same as the 4.4 ratio associated with the proposed project. However, under buildout conditions, Alternative 2 would result in a reduced jobs:housing ratio of 3.8 compared with the proposed project (4.1).

- a. Findings: The Open Space and Parks/Reduced Development Alternative is rejected as an alternative because it would not achieve the Project's objectives.
- b. Explanation: This alternative would not achieve some of the Project objectives. This alternative would not be consistent with the land use vision identified by City residents, businesses, decision-makers, and other stakeholders during the Visioning and General Plan Advisory Committee processes. This alternative would provide for reduced opportunities to promote economic development by allocating few acres of land for future commercial and jobs-generating uses within the City limits and the SOI.

3. Alternative 3: Reduced Land Use Intensity Alternative

The Reduced Land Use Intensity Alternative is discussed on pages 5.0-12 through 5.0-17 of the Draft EIR. Under Alternative 3, urban and industrial development under the General Plan Update Land Use Map would be focused more tightly around the City. General Commercial, Commercial Industrial, and Low Medium Density Residential uses would be decreased in the City and SOI and would be replaced with less intense uses, such as agricultural and rural residential. This alternative was developed to reduce impacts associated with scenic resources, traffic noise, traffic impacts to US 101 and SR 116, and to reduce cumulative impacts associated with development.

Alternative 3 was created to reduce environmental impacts associated with the growth accommodated by the General Plan Update by reducing the extent to which growth could occur. Development intensities along the Gravenstein Highway corridor and in the Alder Avenue area were reduced in order to reduce significant impacts associated with traffic and noise that were specific to these areas.

Land use designations under Alternative 3 would be modified as shown on Figure 5-2 and summarized in Table 5-5 of the Draft EIR. As shown in Table 5-5 of the Draft EIR, Alternative 2 would convert 19.8 acres of land designated within the City for General Commercial, Low Density Residential, and Low/Medium Density Residential uses to Agriculture. Within the SOI, this alternative would result in an increase in lands designated Agriculture (33.4 acres) and Rural Residential (56.6 acres) and a decrease in lands designated General Commercial (-8.0 acres), Commercial Industrial (-19.8 acres),

Low Density Residential (-42.6 acres), and Low/Medium Density Residential (-19.6 acres).

During the planning horizon, the total amount of residential growth within the City under Alternative 3 would be slightly reduced in comparison to the proposed project (a reduction of 57 units) and there would be a decrease in non-residential uses (-67,660 commercial s.f. and -28,294 office s.f.). Under cumulative conditions, future development within the SOI would be significantly decreased in comparison to the proposed project. There would be a reduction of 206 residential units, 185,414 s.f. of commercial, 275,693 s.f. of industrial, and 27,989 s.f. of office uses within the SOI. Alternative 3 would result in a jobs:housing ratio of 4.6 associated with new development within the City, which is slightly higher than the 4.4 ratio associated with the proposed project. However, under buildout conditions, Alternative 3 would result in a reduced jobs:housing ratio of 4.0 compared with the proposed project (4.1).

- **a. Findings:** The No Project Alternative is rejected as an alternative because it would not achieve the Project's objectives.
- b. Explanation: This alternative would not achieve some of the Project objectives. This alternative would not be consistent with the land use vision identified by City residents, businesses, decision-makers, and other stakeholders during the Visioning and General Plan Advisory Committee processes. This alternative would provide for reduced opportunities to promote economic development by allocating few acres of land for future commercial and jobs-generating uses within the City limits and the SOI.

CEQA requires that an environmentally superior alternative be identified among the alternatives that are analyzed in the EIR. If the No Project Alternative is the environmentally superior alternative, an EIR must also identify an environmentally superior alternative among the other alternatives (CEQA Guidelines Section 15126.6(e)(2)). The environmentally superior alternative is that alternative with the least adverse environmental impacts when compared to the proposed project.

As discussed in Chapter 5.0 of the Draft EIR and summarized in Table 5-7 of the Draft EIR, Alternative 2 (Open Space and Parks/Reduced Development) is the environmentally superior alternative because it provides the greatest reduction of potential impacts in comparison to the other alternatives. Alternatives 3 (Reduced Land Use Intensity) and 1 (No Project) would have reduced environmental impacts compared to the proposed project.

As previously discussed, Alternative 2 would not achieve the Project Objectives, and it would not be consistent with the land use vision identified by City residents, businesses,

decision-makers, and other stakeholders during the Visioning and General Plan Advisory Committee processes for the areas within and outside of the city limits. Throughout the preparation of the General Plan Update, the City Council, Planning Commission, and public all expressed a desire and commitment to ensuring that the General Plan not only reflect the community's values and priorities, but also serve as a self-mitigating document and avoid significant environmental impacts to the greatest extent feasible. The result of this approach and this process is a proposed General Plan and Land Use Map that has reduced potentially significant impacts to the environment to the greatest extent feasible, while still meeting the basic project objectives identified by the City of Cotati. For these economic, social, and other reasons, the Project is deemed superior to Alternative 2, the Open Space and Parks/Reduced Development Alternative.

VI. STATEMENTS OF OVERRIDING CONSIDERATIONS

Pursuant to CEQA Section 21081(b) and the CEQA Guidelines Section 15093, the City of Cotati has balanced the benefits of the proposed General Plan against the following unavoidable adverse impacts associated with the proposed General Plan and has included all feasible mitigation measures as policies and action items within the General Plan. Cotati has also examined alternatives to the proposed project, and has determined that adoption and implementation of the proposed General Plan is the most desirable, feasible, and appropriate action. The other alternatives are rejected as infeasible based on consideration of the relevant factors discussed in Chapter 5.0 of the Draft EIR.

A. Significant Unavoidable Impacts

Based on the information and analysis set forth in the EIR and reiterated in Section III of these Findings, implementation of the proposed General Plan would result in the following project-specific significant impacts related to: aesthetics and visual resources, traffic noise, cumulative noise exposure, traffic operations, wastewater treatment capacity, cumulative degradation of visual character, cumulative exposure of sensitive land uses to noise, cumulative impacts to the transportation network, cumulative impacts to utilities, and irreversible effects.

- Impact 3.1-1: General Plan Implementation could result in Substantial Adverse Effects on Visual Character, including Scenic Vistas or Scenic Resources (significant and unavoidable)
- Impact 3.10-1: Traffic Noise Sources (Significant and Unavoidable)
- Impact 3.10-7: Cumulative Noise Impacts (Significant and Unavoidable)
- Impact 3.12-1: Implementation of the proposed General Plan would result in acceptable traffic operation at the study intersections and roadway segments controlled by the City

- of Cotati, though the ability to fully fund all identified improvements is uncertain (Significant and Unavoidable)
- Impact 3.12-2: Implementation of the proposed General Plan would result in acceptable traffic operation on Gravenstein Highway, though the funding and timing of improvements needed to accommodate regional and local growth on the highway is uncertain (Significant and Unavoidable)
- Impact 3.12-3: Implementation of the proposed General Plan would contribute to unacceptable operation on US 101 freeway facilities (Significant and Unavoidable)
- Impact 3.13-3: Potential to exceed wastewater treatment capacity or the requirements of the RWQCB (Cumulatively Considerable and Significant and Unavoidable)
- Impact 4.1: Cumulative Degradation of the Existing Visual Character of the Region (Considerable Contribution and Significant and Unavoidable)
- Impact 4.11: Cumulative Exposure of Noise-Sensitive Land Uses to Noise in Excess of Normally Acceptable Noise Levels or to Substantial Increases in Noise (Considerable Contribution and Significant and Unavoidable)
- Impact 4.13: Cumulative Impact on the Transportation Network (Considerable Contribution and Significant and Unavoidable)
- Impact 4.14: Cumulative Impact on Utilities (Considerable Contribution and Significant and Unavoidable)
- Impact 4.15: Irreversible Effects (Significant and Unavoidable)

Aesthetics and Visual Resources

Buildout of the proposed General Plan would allow for new development to occur in areas that have historically been used for grazing or small-scale rural agricultural operations and areas that have been previously undeveloped, which remain in a naturalized condition. The introduction of new development into previously undisturbed areas may result in potentially significant impacts to scenic resources or result in the degradation of the Planning Area's visual character. Additionally, new development may result in changes to the skyline throughout the Planning Area, which may obstruct or interfere with views of the surrounding hillsides and the surrounding foothill areas.

While growth is anticipated to occur in the cumulative analysis area, the majority of growth is anticipated to occur in and around existing urban development within the Cotati city limits. Development of land uses and associated infrastructure is planned to occur in the future to accommodate growth envisioned in the general plans that are effective within the cumulative analysis area, including Sonoma County and the City of Rohnert Park.

The proposed General Plan is representative of this planned development within the city limits of Cotati and the unincorporated portions of Sonoma County within the cumulative analysis area. Regional growth has and will continue to result in a cumulative aesthetic effect by converting undeveloped land into developed and occupied areas and increasing overall levels of nighttime lighting. Cumulative development entails grading/landform alteration, the development of structures, and the installation of roadways and other infrastructure that has altered and will continue to permanently alter the region's existing visual character. Subsequent projects implemented under the proposed General Plan would be required to be consistent with the policies and actions of the proposed General Plan and adopted regulations pertaining to aesthetics and lighting in Cotati. However, even with implementation of adopted policies and regulations, the proposed General Plan has the potential to considerably contribute to permanent changes in visual character, such as obstruction of scenic views, conversion of existing visual character, and increased lighting. No feasible mitigation is available to fully reduce the cumulative effect on visual character, or to mitigate the proposed project's contribution to a less-than-significant level. Therefore, the proposed General Plan's contribution to this impact is considerable and the impact is significant and unavoidable.

Noise

Growth associated with buildout of the 2013 General Plan would cause some areas to experience greater construction and operational noise disturbances relative to others. This would result as noise sensitive development becomes more clustered near noise producing land uses, including roadways. The proposed General Plan indirectly increases noise levels by accommodating additional growth and ultimately allowing more traffic on roadways.

The proposed General Plan establishes noise-related policies that, when implemented, protect sensitive receptors from significant noise. The policies that are identified in the Noise Element of the General Plan are consistent with Federal and State regulations designed to protect noise sensitive receptors. Although the policy and regulatory controls for noise-related impacts are in place in the cumulative analysis area, subsequent development allowed under the General Plan would result in an increase in noise. For most projects, consistency with the adopted policies and actions would help to reduce exposure of sensitive receptors to noise levels. However, it may not be feasible to mitigate this impact to a less-than-significant level in all instances, particularly in areas where existing development is located near proposed development. Although the policy and regulatory controls for noise related impacts are in place in the cumulative analysis area, subsequent development projects may result in an increase in ambient noise levels at specific project locations, which may subject surrounding land uses to increases in ambient noise levels.

Table 3.10-13 in Draft EIR Section 3.10 (Noise) shows the existing and cumulative noise levels associated with traffic on the local roadway network, including projects within the city and within the Planning Area. Cumulative conditions include traffic due to buildout of the

General Plan in addition to pass through traffic from other jurisdictions. The tables also show the estimated noise level increases which may occur under cumulative conditions.

Cumulative conditions would contribute to an exceedance of the City's transportation noise standards and result in significant increases in traffic noise levels at existing sensitive receptors. The General Plan includes policies and actions that are intended to reduce noise increases associated with traffic. Specifically, policies N 1.1, N 1.2, N 1.3, N 1.6, N 1.7, N 1.10, N 1.11, N 1.13, and N 1.14 would reduce noise increases associated with traffic, as described in Impact 3.10-1. As described in Impact 3.10-1, some traffic noise impacts cannot be mitigated to a less-than-significant level due the proximity of sensitive receivers to major roadways, and because noise attenuation may not be feasible in all circumstances. As a result, this is a significant and unavoidable cumulative impact.

Transportation and Circulation

Growth associated with buildout of the 2013 General Plan would cause an increase in traffic on local roadways within the City of Cotati, as well as state-controlled roadways, including Highway 101 and State Route 116. The General Plan includes a range of policies and actions that would reduce traffic congestion locally to the greatest extent feasible, including policies and actions that promote alternative modes of transportation to reduce vehicle trips, and policies and actions that require future development projects to construct or fund their fair share of identified roadway improvements.

The planned future roadway network is depicted in General Plan Figure CI-1. The following circulation network modifications needed on City streets to support buildout of the General Plan are identified in General Plan Action CI 1b, and included in the cumulative transportation analysis.

- Install a traffic signal on Madrone Avenue at the intersection of Gravenstein Highway, establishing the north leg as the primary roadway connection to Derby Lane and Locust Avenue.
- Eliminate the current skewed intersection at Gravenstein Highway/Derby Lane.
- Realign the eastern portion of Derby Lane so that it extends as an east-west collector street to Alder Avenue.
- Construct a new north-south collector street in the western portion of the City, intersecting Gravenstein Highway approximately midway between Locust Avenue and Alder Avenue. Extend the street northward to Helman Lane and southward to intersect with an extension of Isabel Drive as warranted by future development.
- Install a traffic signal on the new north-south collector street at the intersection of Gravenstein Highway.

- Eliminate the intersection at Gravenstein Highway/Alder Avenue once a connection between Alder Avenue and the new north-south collector street is established.
- Construct a minor realignment of West Cotati Avenue to intersect Gravenstein
 Highway at an improved angle, and install a traffic signal at the intersection.
- Add a southbound right turn pocket on Redwood Drive at the Gravenstein Highway intersection (improvement is only needed with buildout to SOI/UGB).
- Widen Helman Avenue to include a center turn lane in areas with abutting Commercial and/or Industrial uses.
- Eliminate the northbound left-turn pocket at Old Redwood Highway/Commerce Avenue/ US 101 North Onramp and convert to a through lane.
- Eliminate the southbound left-turn movement at Gravenstein Highway/Old Redwood Highway (modification is only needed with buildout to SOI/UGB).
- Install a traffic signal at Old Redwood Highway/William Street-George Street.
- Reassign lanes at the Old Redwood Highway/East Cotati Avenue-West Sierra Avenue intersection to better serve traffic demands. One possible modification includes restriping the southbound approach to include dual left-turn lanes and a combined through/right-turn lane; restriping the westbound approach to include separate through and right-turn lanes; restriping East Cotati Avenue to include dual eastbound through lanes through the La Plaza intersection before merging to a single lane, and eliminating the westbound left-turn lane and movements (except buses).
- Install a traffic signal at East Cotati Avenue/Charles Street.
- Install a traffic signal at East Cotati Avenue/Lasalle Avenue.
- Install a traffic signal at East Cotati Avenue/Santero Way and add a northbound right-turn pocket.
- Install all-way stop-controls at the intersection of West Sierra Avenue/US 101
 South Onramp-West School Street

The following circulation network modifications on roadways owned and operated by jurisdictions other than the City of Cotati (including Caltrans and the County of Sonoma) are identified in General Plan Action CI 1b, and included in the cumulative transportation analysis.

- Reconstruct Gravenstein Highway between Madrone Avenue and Redwood Drive to include sidewalks, bicycle lanes, two vehicle travel lanes in each direction, and left-turn pockets.
- Widen Gravenstein Highway to include two travel lanes in each direction between Madrone Avenue and a point approximately 500 feet to the west of Madrone Avenue (improvement is only needed with buildout to SOI/UGB).
- Widen Gravenstein Highway to include three eastbound lanes between a point just west of Redwood Drive and the US 101 South Ramps intersection.

- Add a right-turn lane on the US 101 Southbound off-ramp at Gravenstein Highway (improvement is only needed with buildout to SOI/UGB).
- o Implement coordinated signal timing along the Gravenstein Highway corridor between Old Redwood Highway and Madrone Avenue.
- Upgrade the US 101 freeway interchange at Railroad Avenue to a full diamond interchange.
- Complete capacity improvements on Railroad Avenue between Petaluma Hill Road and US 101.

The General Plan includes a set of policies and actions designed to reduce impacts by striving to achieve acceptable travel conditions on local roadways through adequately planning and funding roadway improvements. Applicable General Plan policies and actions require development projects to address their project-level impacts, pay their proportional-share of roadway improvements, and/or provide necessary off-site improvements. The policies and actions also indicate that the City shall continue to seek funding for circulation improvements from diverse sources, and emphasize the use of transportation demand management (TDM) and intelligent transportation systems technologies (ITS) to reduce traffic impacts.

Through the planned adoption and implementation of the traffic impact fee update, along with roadway improvements that the City will require developers to construct as part of their projects, many of the circulation improvements identified in the General Plan as being needed to support citywide buildout will be constructed. It cannot be guaranteed, however, that full funding to achieve all improvements will ultimately be collected, nor can it be guaranteed that individual improvements can be fully funded and constructed by the time they are needed. Given this uncertainty, the potential impacts to City of Cotati intersections and roadway segments would be considered a significant and unavoidable impact, and no further mitigation is available.

General Plan Policy CI 4.7 and Action CI 4a state that Cotati will work with surrounding jurisdictions to implement a regional transportation impact fee program that may be used, for example, to fund circulation improvements on facilities like Gravenstein Highway that serve both local and regional traffic, or for one jurisdiction to fund improvements to offset its traffic impacts in a neighboring jurisdiction. Action CI 1p also indicates that the City shall, in consultation with Caltrans, establish an impact fee that allows development along the portion of Gravenstein Highway within the City to contribute a proportional-share of the costs associated with improving this Caltrans-owned facility. While implementation of this policy and these actions would ensure that the City's proportional-share of funding from new development projects would be applied toward roadway impacts on facilities including Gravenstein Highway, to date such impact fee programs have not been created. Further, there is no guarantee that full or partial funding for the identified improvements will be available from the State within the planning horizon of this General Plan, that mechanisms will be in place in Cotati for the collection and administration of such funding, or that the roadway

capacity expansion project to reduce the identified impacts will actually be constructed. While the policies and actions in the General Plan would address the City's proportional share of the improvements and ensure safe access to developments, the ability to fund and construct the widening of Gravenstein Highway and other improvements outside the City's control (as listed in General Plan Action CI 1c) also relies on funding from other non-City sources. Given the current lack of a regional fee program, or another identified source of funding to mitigate this regional funding, this impact would remain significant and unavoidable and no further mitigation is available.

The projected unacceptable operation on US 101 could be mitigated by widening the freeway to include additional through lanes in each direction. Further widening of US 101 is not included in the SCTA's Comprehensive Transportation Plan, nor do any financing mechanisms currently exist to fund the improvement. Widening the freeway would require major reconstruction of multiple freeway structures, right-of-way acquisition including many homes and businesses, potential relocation of City streets paralleling the freeway corridor (including Redwood Drive and Commerce Boulevard), and the likely creation of additional secondary environmental impacts. The environmental, social, and financial impacts render such a widening project infeasible.

The Metropolitan Transportation Commission, County of Sonoma, City of Cotati, and SCTA recognize that US 101 will experience congestion into the foreseeable future, and that there will be no further major capacity enhancements such as expansions or new freeways. All four jurisdictions concur in various planning and policy documents that long-range solutions to regional mobility must focus on better land use planning that supports transit and alternative transportation modes; stronger jobs-housing balance; and increased support of transportation demand measures. While the Cotati General Plan emphasizes each of these goals, its potential impact to US 101 would remain significant and unavoidable.

Utilities (Wastewater)

As described in greater detail in Section 3.13 of the Draft EIR, upon full buildout of the 2013 General Plan within the City limits, total ADWF is projected to be 0.74 mgd. Within the entire Planning Area, the ADWF would be 0.83 mgd upon full buildout of the General Plan. These ADWF projections exceed the projections used in the 2011 Sewer Collection System Master Plan.

The generation of 0.74 mgd associated with General Plan buildout within the City limits is within the flow allocation of 0.76 mgd allocated to Cotati under the 2002 fourth amendment to the Subregional Partnership with the City of Santa Rosa. However, the 0.83 mgd ADWF associated with full buildout of the Planning Area would exceed the 0.76 mgd allocation under the existing Subregional agreement terms.

The Laguna Wastewater Treatment Plant is a tertiary-level treatment facility with the capacity to process 21.34 million gallons per day (mgd).1 According to the Treatment Plant utility overview website, average daily dry weather flow is 17.5 million gallons, using about 82% of the plant's permitted capacity.

According to the 2007 Update to the Incremental Recycled Water Plan, the Laguna Treatment Plant will be expanding total permitted treatment capacity from 21.34 mgd to 25.9 mgd. The plan states that, at the earliest, total 2020 projected flow demand will be 25.89 mgd.

Future Subregional Partner wastewater treatment allocations for the Laguna Treatment Plant will be based on approved General Plans or General Plan updates (including the 2013 Cotati General Plan). At the time of preparation of this EIR, Cotati's capacity allocation remains at 0.76 mgd. In order to meet projected flows under cumulative General Plan buildout conditions, the City's allocation would need to be increased to at least 0.83 mgd.

The City of Santa Rosa's 2007 Update to the Recycled Water Master Plan estimates that in 2020, total ADWF to the Laguna Plant will be approximately 25.89 mgd, which exceeds the current NPDES permit capacity of the plant. While the City of Cotati is projected to contribute approximately 3.2% of the wastewater treated at the Laguna Plant, under 2035 buildout conditions, the existing permitted capacity of the Plant would be exceeded.

General Plan Policy CSF 2.16 requires the City to work with the Santa Rosa Subregional Wastewater System and neighboring cities to assist in the maintenance of an adequate sewage treatment and disposal system for the region. Action CSF 2I requires that upon adoption of the General Plan, the City shall apply to the subregional partners for an incremental increase in its wastewater flow allocation to meet projected demand though 2035. And Action CSF 2m requires the City to coordinate with the Laguna Wastewater Treatment Plant to increase the National Pollutant Discharge Elimination System (NPDES) permit capacity of the plant to meet projected 2035 demand for all sources of wastewater treated at the plant.

Implementation of the policies and actions identified in greater detail in Section 3.13 of the Draft EIR would assist in ensuring that adequate treatment plant capacity and permitted capacity is available to meet 2035 buildout conditions, including wastewater demands generated by the City of Cotati and the rest of the Regional Partners. However, at the time of preparation of this EIR, an increase in permitted capacity cannot be guaranteed. As such, this impact is considered cumulatively considerable and significant and unavoidable.

B. Benefits of the Proposed General Plan/Overriding Considerations

The City of Cotati has (i) independently reviewed the information in the EIR and the record of proceedings; (ii) made a reasonable and good faith effort to eliminate or substantially lessen the impacts resulting from the proposed 2013 General Plan to the extent feasible by including policies and actions in the General Plan that effectively mitigate potential environmental impacts to the greatest extent feasible; and (iii) balanced the project's benefits against the project's significant unavoidable impacts.

Adoption and implementation of the 2013 General Plan would provide the following economic, social, legal, and other considerable benefits:

- The 2013 General Plan promotes compact and environmentally-sustainable development through goals and policies that balance the need for adequate infrastructure, housing, and economic vitality with the need for resource management, agricultural preservation, environmental protection, and preservation of quality of life for Cotati residents.
- The 2013 General Plan implements principles of sustainable growth by concentrating new urban development around existing urban development, around nodes of transportation, and along key commercial and transportation corridors; thereby minimizing land consumption while maintaining open space, habitat, recreation, and agricultural uses throughout the Planning Area.
- 3. The 2013 General Plan provides a land use map that accounts for existing development, physical constraints, open space preservation, economic development, hazards, and incompatible uses and assigns densities and use types accordingly to enhance the safety, livability, and economic vitality of Cotati.
- 4. The 2013 General Plan improves mobility options through the development of a multi-modal transportation network that enhances connectivity, supports community development patterns, limits traffic congestion, promotes public and alternative transportation methods, and supports the goals of adopted regional transportation plans.
- 5. The 2013 General Plan directs the preservation and environmental stewardship of the vast array of agricultural, natural, cultural and historic resources that uniquely define the character and ecological importance of the City and greater region.
- 6. The 2013 General Plan addresses adverse environmental effects associated with global climate change by facilitating sustainable development, promoting energy efficiency, and promoting development that reduces greenhouse gas emissions.

- 7. The 2013 General Plan enhances the local economy and provides opportunities for future jobs and business development commensurate with forecasted growth by planning for commercial and industrial development near existing urbanized areas and transportation corridors.
- 8. The 2013 General Plan is the product of a comprehensive public planning effort driven by members of the public, city stakeholders, the Planning Commission and the City Council through a series of public meetings, hearings and workshops that resulted in a thoughtful balance of community, economic, agricultural, and environmental interests.

VII. CONCLUSION

After balancing the specific economic, legal, social, technological, and other benefits of the proposed project, the Council finds that the unavoidable adverse environmental impacts identified may be considered "acceptable" due to the specific considerations listed above which outweigh the unavoidable, adverse environmental impacts of the proposed project.

The Cotati City Council has considered information contained in the EIR prepared for the proposed General Plan as well as the public testimony and record of proceedings in which the project was considered. Recognizing that significant unavoidable aesthetics and visual resources, noise, traffic, and utilities impacts may result from implementation of the proposed General Plan, the Council finds that the benefits of the General Plan and overriding considerations outweigh the adverse effects of the Project. Having included all feasible mitigation measures as policies and actions in the General Plan, and recognized all unavoidable significant impacts, the Council hereby finds that each of the separate benefits of the proposed General Plan, as stated herein, is determined to be unto itself an overriding consideration, independent of other benefits, that warrants adoption of the proposed General Plan and outweighs and overrides its unavoidable significant effects, and thereby justifies the adoption of the proposed General Plan.

Based on the foregoing findings and the information contained in the record, the Council hereby determines that:

- All significant effects on the environment due to implementation of the proposed General Plan have been eliminated or substantially lessened where feasible;
- 2. There are no feasible alternatives to the proposed 2013 General Plan which would mitigate or substantially lessen the impacts; and

3.	Any remaining signif are acceptable due	to the factors		
	Considerations above	<u>.</u>		

ATTACHMENT 4

Final Environmental Impact Report dated November 2014

FINAL ENVIRONMENTAL IMPACT REPORT

FOR THE

2013 COTATI GENERAL PLAN UPDATE

SCH# 2013082037

November 2014

Prepared for:

City of Cotati Community Development Department 201 West Sierra Avenue Cotati, CA 94931

Prepared by:

De Novo Planning Group 1020 Suncast Lane, Suite 106 El Dorado Hills, CA 95762 www.denovoplanning.com

De Novo Planning Group

FINAL ENVIRONMENTAL IMPACT REPORT

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FINAL EIR

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Introduction

The City of Cotati (City) has determined that a program-level environmental impact report (EIR) is required for the proposed 2013 General Plan (Project) pursuant to the requirements of the California Environmental Quality Act (CEQA). CEQA requires the preparation of an EIR prior to approving any project, which may have a significant impact on the environment. For the purposes of CEQA, the term "Project" refers to the whole of an action, which has the potential for resulting in a direct physical change or a reasonably foreseeable indirect physical change in the environment (CEQA Guidelines Section 15378[a]).

A Program EIR is an EIR which examines the environmental impacts of an agency plan, policy, or regulatory program, such as a general plan update. Program EIRs analyze broad environmental impacts of the program, with the acknowledgement that site-specific environmental review may be required for particular aspects of the program, or particular development projects that may occur in the future.

Cotati circulated a Notice of Preparation (NOP) of an EIR for the proposed project on August 12, 2013 to trustee and responsible agencies, the State Clearinghouse, and the public. A scoping meeting was held on August 19, 2013 with the Cotati Planning Commission. Subsequently, Cotati published a public Notice of Availability (NOA) for the Draft EIR on September 9, 2014, inviting comment from the general public, agencies, organizations, and other interested parties. The NOA was filed with the State Clearinghouse (SCH# 2013082037) and was published in the Press Democrat pursuant to the public noticing requirements of CEQA. The Draft EIR was available for public review from September 9, 2014 through October 24, 2014. The Public Draft 2013 General Plan was also available for public review and comment during this time period.

This Final EIR was prepared to address comments received in response to the Draft EIR. The City has prepared a written response to the Draft EIR comments and made textual changes to the Draft EIR where warranted. The responses to the comments are provided in this Final EIR in Section 2.0, and all changes to the text of the Draft EIR are summarized in Section 3.0. Responses to comments received during the comment period do not involve any new significant impacts or "significant new information" that would require recirculation of the Draft EIR pursuant to CEQA Guidelines Section 15088.5.

PROJECT DESCRIPTION

The 2013 Cotati General Plan is the overarching policy document that guides land use, housing, transportation, infrastructure, community services, and other policy decisions throughout Cotati. The General Plan includes the seven elements mandated by State law, to the extent that they are relevant locally, including: Circulation, Conservation, Housing, Land Use, Noise, Open Space, and Safety. The City may also address other topics of interest; this General Plan includes Community Health and Wellness, Community Services and Facilities, and Economic Vitality Elements. The General Plan sets out the goals, policies, and programs in each of these areas and serves as a policy guide for how the City will make key planning decisions in the future, and how the City will

interact with the Sonoma County, surrounding cities, and other local, regional, State, and Federal agencies.

The General Plan contains the goals and policies that will guide future decisions within the city. It also identifies actions that will ensure the goals and policies in the General Plan are carried out.

Refer to Section 2.0 (Project Description) of the Draft EIR for a more comprehensive description of the details of the proposed project.

ALTERNATIVES TO THE PROPOSED PROJECT

Section 15126.6 of the CEQA Guidelines requires an EIR to describe a reasonable range of alternatives to the project or to the location of the project which would reduce or avoid significant impacts, and which could feasibly accomplish the basic objectives of the proposed project. The alternatives analyzed in this EIR are briefly described as follows:

- Alternative 1: No Project Alternative. Under Alternative 1, the City would not adopt the
 General Plan Update. The 1998 General Plan would continue to be implemented and no
 changes to the General Plan, including the Land Use Map (see Figure 3.9-3), Circulation
 Diagram, goals, policies, or actions would occur. Subsequent projects, such as amending
 the Municipal Code, including the Land Use Code and zoning map, and the Design Review
 Criteria would not occur.
- Alternative 2: Open Space and Parks/Reduced Development Alternative. As shown on Figure 5.0-1, Alternative 2 would revise the General Plan Update to increase the amount of open space and parks uses and reduce development associated with commercial, industrial, and residential uses. General Commercial, Commercial Industrial, and Low Medium Density Residential uses would be decreased in the City and SOI and would be replaced with less intense uses, primarily Open Space/Parks. This alternative was developed to reduce impacts associated with scenic resources, traffic noise, traffic impacts to US 101 and SR 116, and to reduce cumulative impacts associated with development.
- Alternative 3: Reduced Land Use Intensity Alternative. Under Alternative 3, urban and industrial development under the General Plan Update Land Use Map would be focused more tightly around the City as shown on Figure 5.0-2. General Commercial, Commercial Industrial, and Low Medium Density Residential uses would be decreased in the City and SOI and would be replaced with less intense uses, such as agricultural and rural residential. This alternative was developed to reduce impacts associated with scenic resources, traffic noise, traffic impacts to US 101 and SR 116, and to reduce cumulative impacts associated with development.

Alternatives are described in detail in Section 5.0 of the Draft EIR. As summarized in Table 5-7 of the Draft EIR, Alternative 2 (Open Space and Parks/Reduced Development) is the environmentally superior alternative because it provides the greatest reduction of potential impacts in comparison to the other alternatives.

COMMENTS RECEIVED

The Draft EIR addresses environmental impacts associated with the proposed project that were known to the City, raised during the Notice of Preparation (NOP) process, or raised during preparation of the Draft EIR. The Draft EIR discusses potentially significant impacts associated with aesthetics/visual resources, air quality, biological/natural resources, cultural resources, geology/soils/minerals, greenhouse gases/climate change, hazards, hydrology/water quality, land use/agricultural resources/population, noise, public services/recreation, transportation/circulation, utilities, and cumulative impacts.

NOP Comments

During the NOP process, the City received one comment letter from the California Public Utilities Commission.

Draft EIR Comments

During the Draft EIR review process, the City received comments from the following public agencies, organizations, or individuals:

- Erik Alm, Caltrans
- · Beth Dadko, Sonoma County
- Jenny Blaker, Resident
- Bryant R. Moynihan, Nexus Realty Group
- Robin Miller, Cotati Vintners Collective
- Robin Miller, Highway 116 Associated Investors
- Robin Miller, Townsend Capital Partners
- Linell Hardy, Resident

Acting as lead agency, the City of Cotati has prepared a response to the Draft EIR comments. The responses to the comments are provided in this Final EIR in Section 2.0 (Comments on Draft EIR and Responses) and all changes to the text of the Draft EIR are summarized in Section 3.0 (Errata). Responses to comments received during the comment period do not involve any new significant impacts or "significant new information" that would require recirculation of the Draft EIR pursuant to CEOA Guidelines Section 15088.5.

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This Final Environmental Impact Report (FEIR) was prepared in accordance with the California Environmental Quality Act (CEQA) and the State CEQA Guidelines (Section 15132). The City of Cotati is the lead agency for the environmental review of the 2013 Cotati General Plan (General Plan, General Plan Update, or Project) and has the principal responsibility for approving the project. This FEIR assesses the expected environmental impacts resulting from approval and adoption of the 2013 Cotati General Plan and responds to comments received on the Draft EIR.

The 2013 Cotati General Plan is the overarching policy document that guides land use, housing, transportation, infrastructure, community services, and other policy decisions throughout Cotati. The General Plan includes the seven elements mandated by State law, to the extent that they are relevant locally, including: Circulation, Conservation, Housing, Land Use, Noise, Open Space, and Safety. The City may also address other topics of interest; this General Plan includes Community Health and Wellness, Community Services and Facilities, and Economic Vitality Elements. The General Plan sets out the goals, policies, and programs in each of these areas and serves as a policy guide for how the City will make key planning decisions in the future, and how the City will interact with the Sonoma County, surrounding cities, and other local, regional, State, and Federal agencies.

1.1 Purpose and Intended Uses of the EIR

CEQA REQUIREMENTS FOR A FINAL EIR

This FEIR for the 2013 Cotati General Plan has been prepared in accordance with the California Environmental Quality Act (CEQA) and State CEQA Guidelines. State CEQA Guidelines Section 15132 requires that an FEIR consist of the following:

- the Draft Environmental Impact Report (Draft EIR) or a revision of the draft;
- comments and recommendations received on the Draft EIR, either verbatim or in summary;
- a list of persons, organizations, and public agencies commenting on the Draft EIR;
- the responses of the lead agency to significant environmental concerns raised in the review and consultation process; and
- any other information added by the lead agency.

In accordance with State CEQA Guidelines Section 15132(a), the Draft EIR is incorporated by reference into this Final EIR.

An EIR must disclose the expected environmental impacts, including impacts that cannot be avoided, growth-inducing effects, impacts found not to be significant, and significant cumulative impacts, as well as identify mitigation measures and alternatives to the proposed project that could reduce or avoid its adverse environmental impacts. CEQA requires government agencies to consider and, where feasible, minimize environmental impacts of proposed projects, and obligates them to balance a variety of public objectives, including economic, environmental, and social factors.

PURPOSE AND USE

The City of Cotati, as the lead agency, has prepared this Final EIR to provide the public and responsible and trustee agencies with an objective analysis of the potential environmental impacts resulting from approval and implementation of the 2013 General Plan. Responsible and trustee agencies that may use the EIR are identified in Chapter 1.0 of the Draft EIR.

The environmental review process enables interested parties to evaluate the proposed project in terms of its environmental consequences, to examine and recommend methods to eliminate or reduce potential adverse impacts, and to consider a reasonable range of alternatives to the project. While CEQA requires that consideration be given to avoiding adverse environmental effects, the lead agency must balance adverse environmental effects against other public objectives, including the economic and social benefits of a project, in determining whether a project should be approved.

This EIR will be used as the primary environmental document to evaluate all subsequent planning and permitting actions associated with the proposed project. Subsequent actions that may be associated with the proposed project are identified in Chapter 2.0 (Project Description) of the Draft EIR. This EIR may also be used by other agencies within Sonoma County, including the Sonoma Local Agency Formation Commission (LAFCO), which may use this EIR during the preparation of environmental documents related to annexations, Municipal Service Reviews, and Sphere of Influence decisions in the Cotati Planning Area.

1.2 Environmental Review Process

The review and certification process for the EIR has involved, or will involve, the following general procedural steps:

NOTICE OF PREPARATION

The City of Cotati circulated a Notice of Preparation (NOP) of an EIR for the proposed project on August 12, 2013 to trustee and responsible agencies, the State Clearinghouse, and the public. A scoping meeting was held on August 19, 2013 with the Cotati Planning Commission. No public or agency comments on the NOP related to the EIR analysis were presented or submitted during the scoping meeting. However, during the 30-day public review period for the NOP, which ended on September 12, 2013, a written comment letter from the California Public Utilities Commission (CPUC) was received. A summary of the CPUC comment is provided later in this chapter. The NOP and all comments received on it are presented in Appendix A of the Draft EIR.

NOTICE OF AVAILABILITY AND DRAFT EIR

The City of Cotati published a public Notice of Availability (NOA) for the Draft EIR on September 9, 2014, inviting comment from the general public, agencies, organizations, and other interested parties. The NOA was filed with the State Clearinghouse (SCH# 2013082037) and was published in the Press Democrat pursuant to the public noticing requirements of CEQA. The Draft EIR was

available for public review from September 9, 2014 through October 24, 2014. The Public Draft 2013 General Plan was also available for public review and comment during this time period.

The Draft EIR contains a description of the project, description of the environmental setting, identification of project impacts, and mitigation measures for impacts found to be significant, as well as an analysis of project alternatives, identification of significant irreversible environmental changes, growth-inducing impacts, and cumulative impacts. The Draft EIR identifies issues determined to have no impact or a less than significant impact, and provides detailed analysis of potentially significant and significant impacts. Comments received in response to the NOP were considered in preparing the analysis in the Draft EIR.

RESPONSE TO COMMENTS/FINAL EIR

The City of Cotati received eight comment letters regarding the Draft General Plan and Draft EIR from public agencies, organizations, and members of the public during the 45-day review period.

In accordance with CEQA Guidelines Section 15088, this Final EIR responds to the written comments received on the Draft EIR. The Final EIR also contains minor edits to the Draft EIR, which are included in Chapter 3.0 (Errata). This document and the Draft EIR, as amended herein, constitute the Final EIR.

CERTIFICATION OF THE EIR/PROJECT CONSIDERATION

The Cotati City Council will review and consider the Final EIR. If the City Council finds that the Final EIR is "adequate and complete," then it may certify it in accordance with CEQA. The rule of adequacy generally holds that an EIR can be certified if:

- 1) The EIR shows a good faith effort at full disclosure of environmental information; and
- 2) The EIR provides sufficient analysis to allow decisions to be made regarding the proposed project in contemplation of environmental considerations.

Upon review and consideration of the Final EIR, the Cotati City Council may take action to approve, revise, or reject the project. A decision to approve the 2013 Cotati General Plan, for which this EIR identifies significant environmental effects, must be accompanied by written findings in accordance with State CEQA Guidelines Sections 15091 and 15093.

Policies and actions to mitigate potential environmental impacts have been incorporated into the project, to the extent feasible. No additional mitigation is feasible or available, as described in Chapters 3.1 through 4.0 of the Draft EIR. The annual report on general plan status required pursuant to the Government Code will serve as the monitoring and reporting program for the project.

1.3 Organization of the Final EIR

This Final EIR has been prepared consistent with Section 15132 of the State CEQA Guidelines, which identifies the content requirements for Final EIRs. This Final EIR is organized in the following manner:

CHAPTER 1.0 - INTRODUCTION

Chapter 1.0 briefly describes the purpose of the environmental evaluation, identifies the lead agency, summarizes the process associated with preparation and certification of an EIR, and identifies the content requirements and organization of the Final EIR.

CHAPTER 2.0 - COMMENTS ON DRAFT EIR AND RESPONSES

Chapter 2.0 provides a list of commenters, copies of written comments made on the Draft EIR (coded for reference), and responses to those written comments.

CHAPTER 3.0 - ERRATA

Chapter 3.0 consists of minor revisions to the Draft EIR in response to comments on the Draft EIR. The revisions to the Draft EIR do not change the intent or content of the analysis or mitigation.

2.1 Introduction

No new significant environmental impacts or issues, beyond those already covered in the Draft Environmental Impact Report (Draft EIR) for the 2013 Cotati General Plan Update, were raised during the comment period. Responses to comments received during the comment period do not involve any new significant impacts or "significant new information" that would require recirculation of the Draft EIR pursuant to CEQA Guidelines Section 15088.5.

CEQA Guidelines Section 15088.5 states that: New information added to an EIR is not "significant" unless the EIR is changed in a way that deprives the public of a meaningful opportunity to comment upon a substantial adverse environmental effect of the project or a feasible way to mitigate or avoid such an effect (including a feasible project alternative) that the project's proponents have declined to implement.

Chapters 2.0 and 3.0 of this Final EIR include information that has been added to the EIR since the close of the public review period in the form of responses to comments and errata.

2.2 LIST OF COMMENTERS

Table 2-1 lists the comments on the Draft EIR that were submitted to the City during the 45-day public review period. The assigned comment letter number, letter date, letter author, and affiliation, if presented in the comment letter or if representing a public agency, are also listed.

TABLE 2-1: LIST OF COMMENTERS							
RESPONSE LETTER	Individual or Signatory	Affiliation	DATE				
A	Erik Alm, AICP	Caltrans	10/24/14				
В	Beth Dadko	Sonoma County	10/24/14				
С	Jenny Blaker	Resident	10/24/14				
D	Bryant R. Moynihan	Nexus Realty Group	9/9/14				
Е	Robin Miller	Cotati Vintners Collective	10/23/14				
F	Robin Miller	Highway 116 Associated Investors	10/23/14				
G	G Robin Miller Townsend Capital Partners		10/23/14				
Н	Linell Hardy Resident		10/24/14				

2.3 COMMENTS AND RESPONSES

REQUIREMENTS FOR RESPONDING TO COMMENTS ON A DRAFT EIR

CEQA Guidelines Section 15088 requires that lead agencies evaluate and respond to all comments on the Draft EIR that regard an environmental issue. The written response must address the significant environmental issue raised and be detailed, especially when specific comments or suggestions (e.g., additional mitigation measures) are not accepted. In addition, the written response must be a good faith and reasoned analysis. However, lead agencies only need to respond to significant environmental issues associated with the project and do not need to provide all of the information requested by the commenter, as long as a good faith effort at full disclosure is made in the EIR (CEQA Guidelines Section 15204(a)).

CEQA Guidelines Section 15204 recommends that commenters provide detailed comments that focus on the sufficiency of the Draft EIR in identifying and analyzing the possible environmental impacts of the project and ways to avoid or mitigate the significant effects of the project, and that commenters provide evidence supporting their comments. Pursuant to CEQA Guidelines Section 15064, an effect shall not be considered significant in the absence of substantial evidence.

CEQA Guidelines Section 15088 also recommends that revisions to the Draft EIR be noted as a revision in the Draft EIR or as a separate section of the Final EIR. Chapter 3.0 of this Final EIR identifies all revisions to the 2013 Cotati General Plan Update Draft EIR.

RESPONSES TO COMMENT LETTERS

Written comments on the Draft EIR are reproduced on the following pages, along with responses to those comments. To assist in referencing comments and responses, the following coding system is used:

 Each comment letter is lettered (i.e., Letter A), each comment within each letter is numbered (i.e., Comment A-1, Comment A-2, etc.), and each response is numbered correspondingly (i.e., Response A-1, Response A-2, etc.).

Where changes to the Draft EIR text result from the response to comments, those changes are included in the response and identified with revisions marks (underline for new text, strike out for deleted text).

Oct 24 2014 2:19PM HP LASERJET FAX

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STATE OF CALIFORNIA-CALIFORNIA STATE TRANSPORTATION AGENCY

EDMUND G. BROWN Jr., Governor

DEPARTMENT OF TRANSPORTATION

DISTRICT 4
P.O. BOX 23660
OAKLAND, CA 94623-0660
PHONE (510) 286-5053
FAX (510) 286-5559
TTY 711
www.dot.ca.gov

Letter A



October 24, 2014

SONGEN160 SCH# 2013082037

Ms. Vicki Parker Community Development Director City of Cotati 201 West Sierra Avenue Cotati, CA 94931

Dear Ms. Parker:

2013 Cotati General Plan Update - Draft Environmental Impact Report (DEIR)

Thank you for continuing to include the California Department of Transportation (Caltrans) in the environmental review process for the 2013 Cotati General Plan Update. The following comments are based on the DEIR.

Traffic Safety and Operations

On Tables 3-12-14 and 3.12-15, Intersections 4 and 5, the peak hour volumes for the General Plan Buildout to Sphere of Influence (SOI)/Urban Growth Boundary (UGB) alternative shown in Figure 3.12-10 are higher than the peak hour volumes for General Plan Buildout to City Limits alternative shown in figure 3.12-9. Please explain why is the Level of Service for the General Plan Buildout to SOI/UGB alternative is better than the General Plan Buildout to City Limits alternative.

A-1

The figure on 3.12-9: Intersection 12 southbound approach through AM peak volume is 21, not 216.

A-2

The proposed mitigations such as lane configuration modifications and intersection signal installations on State Route 116 should meet necessary warrants and should be coordinated with Caltrans.

A-3

Please be advised that all traffic controls proposed within the State Right of Way must meet required warrants (Per CA MUTCD). Guidance on Caltrans Standards regarding traffic control devices may be found at: http://www.dot.ca.gov/ho/traffops/engineering/mutcd/index.htm

A-4

"Provide a safe, sustainable, integrated and efficient transportation system to enhance California's economy and itvability"

Oct 24 2014 2:19PM HP LASERJET FAX

p.2

Ms. Vicki Parker/City of Cotati October 24, 2014 Page 2

Should you have any questions regarding this letter, please contact Luis Melendez of my staff at (510) 286-5606 or <u>luis melendez@dot.ca.gov</u>.

Sincerely,

ERIK ALM, AICP

District Branch Chief

Local Development - Intergovernmental Review

c: State Clearinghouse

"Provide a safe, sustainable, integrated and efficient transportation system to enhance California's economy and Itvability"

Response to Letter A Erik Alm, AICP, Caltrans

- Response A-1: The commenter correctly notes that traffic volumes at intersections 4 and 5 are higher under the General Plan Buildout to SOI/UGB alternative than they are for the General Plan Buildout to City Limits alternative, and asks why the intersection levels of service are not correspondingly worse. The reason is that the General Plan includes additional roadway improvements under the Buildout to SOI/UGB alternative beyond those assumed in the City Limits alternative. These additional improvements are identified on pages 3.12-21 through 3.12-23 of the DEIR and include a second right-turn pocket on the southbound off-ramp, as well as improvements at upstream and downstream intersections that allow the Gravenstein Highway corridor and interchange-area intersections to operate more efficiently (and at better LOS).
- Response A-2: The commenter notes a typo regarding traffic volumes on Intersection 12 on Figure 3.12-9. The commenter is correct. The figure incorrectly showed 216 southbound AM approach trips, rather than correctly showing 21 trips. This typo has been corrected. The revised and corrected figure is included in Section 3.0 of this Final EIR. The analysis in the Draft EIR used the correct trip numbers. The error was simply a typo on the figure. As such, the analysis and conclusions in the Draft EIR were not affected by this minor figure error.
- Response A-3: The commenter states that proposed roadway and signal improvements on State Route 116 should meet necessary warrants and should be coordinated with Caltrans. This comment is noted. The City will coordinate with Caltrans, as applicable and appropriate, on future roadway improvements on State facilities.
- Response A-4: The commenter states that traffic controls within the State Right of Way must meet required warrants and provides a web link to guidance documents on Caltrans standards. This comment is noted. The City will coordinate with Caltrans, as applicable and appropriate, on future roadway improvements within the State Right of Way.

Letter B

From: Beth Dadko < Beth Dadko @sonoma-county.org > Date: October 24, 2014 at 4:22:39 PM PDT

Date: October 24, 2014 at 4:22:39 PM PDT
To: 'Vicki Parker' < VParker@cotaticity.org>
Ce: 'Susan Harvey' < SHarvey@cotaticity.org>

Subject: Cotati Health and Wellness Element- General Plan Update Comments

Hello Vicki,

I think you already have my comments on the General Plan update. But since it's the last day of the comment period, I thought I would resend them.

- Opportunities in the Community Health and Wellness Element
 - o Add language around "Health in All Policies:
 - § In introductory language the element states "considering public health in land use decisions", but health could be considered for every decision
 - § The first Objective of "Actively Promote Healthy Lifestyles Through the City Decision-Making Process, City Operations, and City Leadership. Policy CHW1.4 could specifically say take a "Health in All Policies" approach preceding that.
 - Add Policy to Prioritize places or populations with biggest inequities for development, services and programming
 - o Add Actions around CHW1.4 such as develop considerations of health and disparities on staff reports and complete to the extent feasible
 - o Call out Health Action on Action CHW-1b
 - o Put "areas where there are greatest disparities" in Policy CHW 2.1 for encouraging new locations of health care and medical facilities
 - o Put "focus on areas of highest need" in Policy CHW3.2 for encouraging local food systems including farmer's markets, community gardens, edible school yards, CSA's, etc.
- · Opportunities in the Land Use Element: Add language to "prioritize places with greatest disparities"
 - o Policy LU 3.14 or 3.15 about siting new parks and recreation facilities
 - o Policy LU 3.17 or 3.18 about art in public places
 - Policy LU 4.1 ensuring that public facilities, services, and amenities are distributed in a manner that enhances the quality of life for the broadest number of people- call out desire to provide more to historically underserved areas or equitable distribution

Have a wonderful weekend,

Beth

B-1

Response to Letter B Beth Dadko, Sonoma County

Response B-1: The commenter provides a range of suggested language related to community health and wellness policies in the Draft General Plan. The City appreciates this input, and these comments and suggestions have been forwarded to the City Council for their review and consideration. Given that these comments do not address the adequacy of the Draft EIR and would have no bearing on the environmental analysis, no changes to the EIR are warranted.

Letter C

8166 Arthur Street Cotati, CA 94931

October 24, 2013

Vicki Parker Community Development Director City of Cotati 201 West Sierra Avenue Cotati, CA 94931

Re: Public Comment on 2013 draft Final General Plan & EIR: deadline October 24, 5 pm

I have other comments on the General Plan and EIR but am focusing for now on what I believe are errors/omissions, a few suggestions and a few textual edits.

 The California tiger salamander (Sonoma County population) is actually listed as Federally Endangered, not Threatened as stated in the EIR.
 See http://ecos.fws.gov/speciesProfile/profile/speciesProfile.action?spcode=D01T

I believe this is significant because of the different level of protection afforded to species listed as endangered as opposed to threatened.

- endangered as opposed to threatened.The most recent updates about breeding CTS that were added to the CNDDB in the last couple of years have not been included. Information about a newly discovered breeding site was submitted
- 3. I previously submitted the following comments on September 3, 2012. As far as I can tell they have not been addressed and I believe they are just as relevant now as they were then:

Policy CON 1.1: This lists sensitive habitats, but omits the word "protect"

Suggest change to "Protect sensitive habitats including..." [otherwise it is not a policy!]

by local experts and listed in the CNDDB and this should be taken into account.

CON 1.2: Add: oak woodlands or valley oak savannah. Delete: agricultural lands, substitute with grazing lands.

Agricultural lands are not natural wildlife habitats. (Grazing land may be compatible with protection of sensitive species, but vineyards, for example, usually are not. Annual grasslands are also not natural, in the sense that most annual grasses are non-native and invasive.)

CON 1.3: Delete this paragraph. (It does nothing to promote the conservation of sensitive habitat).

CON 1.5: I think a word is missing here? "regionally... [appropriate][?]... native plant species..."

CON 1.6: "Avoid removal of large, mature trees..." Add "native" i.e. "Avoid removal of large, mature, native trees..."

Policy CON 1.6, Action CON 1.b.c: Suggest add: project-related employees.

C-1

C-2

	CON 1.d. On the subject of a map being made available to developers, this brings to mind the destruction, several years ago, of vernal pools in Cotati, which were habitat to endangered species, and which were drained and filled when it became known that the listing of an endangered species was imminent, thus destroying the very habitat that the listing was intended to protect. If a detailed map were produced and made available to developers, how would this be avoided?	C-2 Cont
	Police CON 1.8: Action CON 1.e. Add removal of invasive, non-native plants.	
4.	Community Health & Wellness: There is an emphasis on the value of access to healthy foods, support for local farmers, etc. BUT no mention of Cotati's hard-fought Fast Food Ordinance limiting the number and location of fast food chain restaurants in the City. The General Plan does contain support for other existing ordinances. Suggest: the addition of a Policy and/or Action to continue to support/enact/enforce the current Fast Food Ordinance, as part of the City's support for a healthy foods policy. Suggest: The City to sign onto the County's Healthy and Sustainable Food Action Plan, http://sonomacofsa.org/fap/	C-3
5.	COMMUNITY SERVICES & FACILITIES: Although Goal CSF 1 is to "Provide high quality public services to all residents, businesses and visitors" I do not see any recognition anywhere in the General Plan of the rapidly changing demographics in the area. According to the last census, 25.4% of Sonoma County residents identified as of Hispanic or Latino origin and in Cotati the figure is 17.3%. Not all of these speak English. Language isolation is recognized as a health issue in Sonoma County. Suggest: a new clause recognizing the need for outreach and access to people whose first language is not English, to help ensure appropriate access to services for them and to help them become more active participants in the community.	C-4
6.	The Noise element focuses solely on noise from construction and traffic but there are two other sources of noise that currently negatively impact residents: bars, and motorbikes on paths that are supposedly closed to vehicular traffic e.g. along the Laguna de Santa Rosa trail. Suggest: adding a policy or action to address these other Noise-related issues.	C-5
7.	Thomas Page School is no longer an Elementary School but an Academy for K-8 grades.	C-6
8.	Most of the maps in the General Plan are too small making it difficult to see any detail. I know most of them are included full size in the EIR but I hope that in the final version of the GP the maps will be full size too.	C-7
9.	Open Space is designated OSP in some text/maps and P in others. All references/headings in text, maps, etc. should be made internally consistent.	C-8
The	ank you for taking these comments into consideration.	-
Sin	cerely	
Jen	ony Blaker	

Response to Letter C Jenny Blaker

Response C-1: The commenter notes that the California tiger salamander (CTS) population in Sonoma County is actually listed as Federally Endangered, not Threatened. The commenter also indicates that she believes that this is significant because of the different level of protection afforded to species listed as endangered as opposed to threatened.

The commenter is correct; the Sonoma County population of CTS is federal Endangered. This comment warrants revisions on Page 3.3-10 as follows:

TABLE 3.3-3: SPECIAL STATUS ANIMALS PRESENT OR POTENTIALLY PRESENT IN COTATI						
SPECIES	STATUS	Навітат				
Amphibians	Amphibians					
Ambystoma californiense California tiger salamander	FE (Sonoma County DPS)/CT FT/CT	Need underground refuges, especially ground squirrel burrows and vernal pools or other seasonal water sources for breeding.				

The error originated because the CNDDB database (May 2011 and November 2014 queries) provide a "Federal Status" of Threatened when a query is run for special status species in Sonoma County. The CNDDB notes under "General Habitat" indicate that the Sonoma County Distinct Population Segment (DPS) is federally listed as endangered, even though this is not noted under "Federal Status." Regardless, the correct federal status is "Endangered" for all CTS in Sonoma County's DPS, including those in and around the City of Cotati. The California status is "Threatened."

The commenter is correct that an Endangered listing receives a different level of protection under the federal Endangered Species Act; however, it should be noted that under CEQA they are treated equally as special status species. All of the protections of the federal Endangered Species Act are provided to Endangered species. Many, but not all, of the protections of the federal Endangered Species Act are available to Threatened species. Under CEQA, however, both Endangered and Threatened listings warrant a species to fall under the category of "Special Status Species," which is defined on page 3.3-1 and 3.3-2 of the Draft EIR. More specifically, the term "Special Status Species" encompasses those species that are "Federally listed or proposed for listing under the Federal Endangered Species Act (50 CFR 17.11-17.12)." This broad definition provides an equal treatment for federally Endangered, Threatened, and even those species that are a Candidate for listing when they are not currently listed. As such, the City of Cotati has developed policies that broadly discuss "Special Status Species" regardless of whether their protective status is federally "Endangered" or "Threatened."

The commenter has also noted that in the last couple of years information about a newly discovered CTS breeding site was submitted by local experts to the California Department of Fish and Wildlife and listed in the CNDDB. The commenter noted that the most recent updates to the CNDDB added this information and that the information should be taken into account.

This comment warranted a new CNDDB database query (November 2014). The new CNDDB query shows an additional CTS occurrence record located at the corner of McGinnis Circle and Ross Street. The occurrence record indicates that the occurrence is from a constructed mitigation vernal pool on an approximately two-acre neighborhood lot. There are roads on two sides and foot paths through the lot. The site is a narrow habitat corridor that links to the upper Laguna Channel. The upland habitat is dense non-native grasses. The pool habitat had emergent vegetation and is up to ten inches deep.

The updated CNDDB query does not warrant text changes to the Draft EIR; however, Figure 3.3-2 and 3.3-3 on Pages 3.3-47 and 3.3-49 were updated to reflect a November 2014 query. These revised figures are included in Chapter 3.0 of this Final EIR.

- Response C-2: The commenter provides a range of suggested language related to conservation policies in the Draft General Plan. The City appreciates this input, and these comments and suggestions have been forwarded to the City Council for their review and consideration. Given that these comments do not address the adequacy of the Draft EIR and would have no bearing on the environmental analysis, no changes to the EIR are warranted.
- Response C-3: The commenter provides a range of suggested language related to community health and wellness policies in the Draft General Plan. The City appreciates this input, and these comments and suggestions have been forwarded to the City Council for their review and consideration. Given that these comments do not address the adequacy of the Draft EIR and would have no bearing on the environmental analysis, no changes to the EIR are warranted.
- Response C-4: The commenter provides a range of suggested language related to community services and facilities policies in the Draft General Plan. The City appreciates this input, and these comments and suggestions have been forwarded to the City Council for their review and consideration. Given that these comments do not address the adequacy of the Draft EIR and would have no bearing on the environmental analysis, no changes to the EIR are warranted.
- **Response C-5:** The commenter provides a range of suggested language related to noise policies in the Draft General Plan. The City appreciates this input, and these comments and

suggestions have been forwarded to the City Council for their review and consideration. Given that these comments do not address the adequacy of the Draft EIR and would have no bearing on the environmental analysis, no changes to the EIR are warranted.

- Response C-6:
- The commenter states that Thomas Page School is no longer an elementary school, but an academy for grades K-8. The commenter is correct. Revisions to the General Plan have been made in order to reflect the minor name change of this school and the inclusion of grades 7 and 8 to this school. This minor correction has no bearing on the analysis or conclusions contained in the Draft EIR.
- Response C-7:
- The commenter states that many of the maps in the General Plan are too small, but notes that they are provided in full size in the EIR. The commenter is also directed to the General Plan Existing Conditions Report, which serves as a companion document to the General Plan Policy Document. The small figures contained in the Policy Document are provided as full sized figures in both the Draft EIR and the Existing Conditions Report.
- Response C-8:
- The commenter notes discrepancies in labeling for Open Space and Parks. The General Plan has been updated to resolve these discrepancies.

Vicki Parker Letter D

From: Vicki Parker

Sent: Tuesday, September 09, 2014 10:33 AM

To: Bryan

Subject: RE: 7700 Old Redwood Highway, Suite B

Bryant – Thank you for your comments on the General Plan. Below is a link to the Draft Update and Draft EIR. You can review the document and the preparers' information there. I will log your comments below and they will be responded to along with all other public comments that come in. The comments will be addressed during the Final EIR and adoption process. If you have additional comments after reviewing, please feel free to forward them to me. Thank you.

http://cotati.generalplan.org/

From: Bryant [mailto:bryant@nexusrealty.com]
Sent: Tuesday, September 09, 2014 8:52 AM

To: Vicki Parker

Subject: RE: 7700 Old Redwood Highway, Suite B

Vicki:

I am concerned that the General Plan update does not address the needs of the community.

- 1. When was the scoping session for the general plan update and who participated?
- 2. Who has been engaged to draft the general plan?
- 3. What public hearings have been held and who has participated?
- 4. When were the property owners and tenants notified and how?
- 5. Will the draft EIR and General plan eliminate the Specific Plan areas that confuse everyone?
- 6. Does the Draft reverse the up-zoning of properties along the Old Redwood Highway?

I look forward to addressing these questions. -Bryant Bryant R Moynihan Nexus Realty Group, Inc. P.O. Box 2210

Petaluma, CA 94953-2210

Office 707/769-5280 Fax 707/769-5282 Cell 707/484-2566 DRE# 00914397

From: Vicki Parker < VParker@cotaticity.org > Sent: Thursday, September 04, 2014 1:46 PM

D-1

Response to Letter D Bryant R. Moynihan, Nexus Realty Group

Response D-1:

The commenter provides a list of questions related to public outreach and engagement during the General Plan Update, and inquires about elimination of Specific Plan areas and zoning of properties along the Old Redwood Highway. The commenter is referred to the General Plan Update website (cotati.generalplan.org) which contains extensive information about past meetings, public hearings, community outreach, and other relevant data regarding the General Plan Update. The General Plan Update process is also summarized on pages 2.0-1 through 2.0-3 of the Draft EIR. With respect to Specific Plan areas and zoning, the commenter is directed to the Land Use Map and the General Plan Land Use Element. As shown in the General Plan, the existing Specific Plans in Cotati have not been eliminated. The General Plan does not change the zoning of any specific parcels within the Planning Area. Changes to General Plan land use designations are shown on the General Plan Land Use Map. No changes to the Draft EIR are warranted.

COTATI VINTNERS COLLECTIVE LLC

1101 5TH AVE. SUITE 300 SAN RAFAEL CA 94947

Letter E

October 23 2014

City of Cotati Community Development Department Vicki Parker, Community Development Director 201 West Sierra Avenue Cotati, CA 94931

> RE: City of Cotati – Proposed General Plan & Draft EIR Public Comments

Dear Ms. Parker,

I am writing you on behalf of Cotati Vintner's Collective LLC the owner of 200, 220, & 280 Helman Lane, APN 046-286-009 & 010, 046-113-033. Cotati Vintner's Collective LLC is working with Adobe & Associated Civil Engineers in effort to annex this property into the City of Cotati.

E-1

200, 220, & 280 Helman Lane are located within the sphere of influence of the City of Cotati
On March 10, 2014 Dave Brown of Adobe & Associates & I met with City Staff to discuss this property.
During this meeting I had explained that the ownership intended to bring in an application requesting annexation of this property into the City with the ultimate goal to develop this property for industrial related uses. City Staff instructed us to hold off on submitting an application for this annexation request until the Cotati General Plan and its associated EIR was completed. As requested no application request was submitted. We intend to submit an application for annexation of this property in the near future.

E-2

Based on my review the of the updated General Plan, Action LU 1B suggests that the Land Use Code shall be amended in the future. Its my understanding that the zoning that applies to the subject property is planned to be reviewed and amended to become a hybrid of General Industrial & Commercial Industrial Uses. Because these uses will ultimately affect the types of end users and uses we can accommodate on this site, we would like to be involved in this process in effort to obtain the land uses most desired by ownership can be incorporated into the end list of uses.

E-3

Robin Miller

Sincerely

Owners Rep.

Response to Letter E Robin Miller, Cotati Vintners Collective

- **Response E-1:** The commenter states that the Cotati Vintner's Collective is working to annex property into the City of Cotati. This comment is noted.
- **Response E-2:** The commenter provides a brief summary of past communications with the City regarding the subject property and indicates an intention to submit an application for annexation in the near future. This comment is noted.
- Response E-3: The commenter expresses a desire to be involved in future amendments to the Land Use Code that may affect uses on the subject property. This comment is noted. No changes to the Draft EIR are warranted.

HIGHWAY 116 ASSOCIATED INVESTORS LLC

1101 5th Ave. Suite 300 San Rafael CA 94947

Letter F

October 23 2014

City of Cotati
Community Development Department
Vicki Parker, Community Development Director
201 West Sierra Avenue
Cotati, CA 94931

RE: City of Cotati – Proposed General Plan & Draft EIR Public Comments

Dear Vicki Parker,

I am writing you on behalf of Highway 116 Associated Investors LLC the owner of the 7.17-acre property on the corner of Highway 116 and Alder Avenue, APN 144-050-009 & 046-286-021. Highway 116 Associated Investors LLC is working with a Multi-Family Management Company in effort to develop a 205-unit Residential Multi-Family development.

F-1

On August 28th 2014 I met with City Staff to discuss this property. During this meeting I had explained that the Ownership intended to bring in an application for a 205 Unit Residential Multi-Family Development that would be a net benefit to the City with regard to tax and fee generation on an annual basis above and beyond the cost of City provided services. In a previous meeting on April 2nd 2014 City Staff instructed Highway 116 Associated Investors LLC to hold off on submitting any application for the site until the General Plan and the associated EIR was completed. At the City's request we did not submit. We plan on submitting an application for this project in the near future.

F-2

The 205-unit Multi-Family Residential project would increase land values and in-turn increase property tax revenues to the City beyond its current use and tax contributions. The project would also provide a customer base for the approved but un-built retail center adjacent to this property. Currently this property is approved as Multifamily Residential & Commercial Office buildings within a larger approved Master Plan Development. This property is also included within a special assessment district for roadway improvements which increases the finance and construction costs for this project. Due to current property values within the City of Cotati and the relatively low residential unit density of the approved project, ownership has a situation where the financing and construction of the approved project is unfeasible. Therefore this property remains vacant as it has for the past 8+ years. It is understood that a PUD may be needed for a project of our desired use and density. We would like to see if a policy can be added to the updated General Plan that would accommodate the 205 Unit Multifamily Residential project we intend to submit for. Perhaps (Policy LU 1.2) can be modified for the (C) Commercial Plan Use designation to allow for 25 residential dwelling units per acre within the Commercial Gravenstein District. This modification to the General Plan policy would allow the City to Amend the Land Use Code for our project. The increased unit density would allow our project the ability to be financed and constructed which ultimately will increase the City's tax basis and contribute to the assessment districts for roadway improvements that the City hopes to implement. The modified policy/action for the CG

F-3

HIGHWAY 116 ASSOCIATED INVESTORS LLC 1101 5th Ave. Suite 300 San Rafael CA 94947

zoning district should make amending the Land Use Code and approving our project more feasible. We feel that this requested policy modification would be consistent with Policy LU 1.1, and objective LU 1C. It is uplifting to see that on page 6-2 of the General Plan update where Action EV1d is being suggested with an emphasis to streamline the permitting process on vacant and underdeveloped parcels.

F-3 Cont

With regard to the General Plan Circulation Diagram sheet 2-4 we have designed our project to anticipate the suggested changes to Alder Avenue as well as the extension of Derby Lane. Ownership is happy to work with the City to provide the land dedication and easements necessary to accommodate this new circulation plan as well as the widening of Highway 116.

F-4

Should the City choose to accommodate our request for a modification to the Update General Plan policy(s) as requested we believe the Draft Environmental Impact Report (DEIR) would also need to be updated with regard to traffic, sewer, and water impacts as it relates to our project. We believe that Water & Sewer demands of our project will be greater than the evaluated commercial uses and the traffic generation of our residential project will be less than what is anticipated. We ask the City take measures to evaluate and include the potential impacts of our project into consideration in the General Plan and the EIR. We hope that this added review and evaluation of our project will provide a clearer forecast of the potential impacts and allow the City Staff & Commissions an more streamlined approach to reviewing and approving of our project, which will benefit the City of the Cotati as will as its residents.

F-5

Sincerely

Robin Miller Owners Rep.

Response to Letter F Robin Miller, Highway 116 Associated Investors

- Response F-1: The commenter states that Highway 116 Associated Investors, LLC is working to develop a 205-unit residential multifamily development near the corner of Highway 116 and Alder Avenue. This comment is noted.
- **Response F-2:** The commenter provides a brief summary of past communications with the City regarding the subject property and indicates an intention to submit an application for development in the near future. This comment is noted.
- Response F-3: The commenter provides suggested changes to the General Plan to help accommodate the project contemplated by the commenter. This input has been forwarded to the City Council for their consideration. The commenter has not addressed the adequacy of the Draft EIR, and no changes to the EIR are warranted.
- **Response F-4:** The commenter expresses a willingness to work with the City to accommodate planned circulation improvements in the vicinity of the subject property. This comment is noted, and no changes to the Draft EIR are warranted.
- Response F-5: The commenter states that if the City chooses to accommodate the commenter's request for modifications to the General Plan to accommodate the subject project, the Draft EIR would need to be revised accordingly. This comment is noted. If and/or when the commenter or other party submits a formal application for development or re-designation of the subject property, the City will conduct a review of the application consistent with the requirements of CEQA and City planning procedures. At this time, the City is proceeding with approval of the General Plan as written, and as such, no changes to the Draft EIR are warranted. The potential environmental effects of a future application would be addressed under CEQA at the project-level, if and when an application is received and processed by the City.

TOWNSEND CAPITAL PARTNERS LLC 1101 5th Ave. Suite 300 San Rafael CA 94947

Letter G

October 23 2014

City of Cotati Community Development Department Vicki Parker, Community Development Director 201 West Sierra Avenue Cotati, CA 94931

> RE: City of Cotati – Proposed General Plan & Draft EIR Public Comments

Dear Ms. Parker,

I am writing you on behalf of Townsend Capital Partners LLC the Owner of the 5.63-acre property on the corner of Highway 116 and Alder Avenue, APN 144-040-011 & 021. Townsend Capital Partners is working with a Senior Living Operating Company in an effort to develop a 110 Unit Assisted Living & Memory Care facility at this location.

G-1

In January 2014 the Owner had submitted a pre-application for a Mixed-Use project consisting of a Commercial Office Building and an Assisted Living/Memory Care facility (aka Residential Care Facility for the Elderly – RCFE). On February 19th 2014 Cotati Planning Department provided a comment letter regarding the project pre-application. Within the comment letter its was noted that the project will require a Land Use Code Amendment to allow for a RCFE within the CG (Commercial Greenstein Corridor). In a subsequent April 2nd 2014 meeting with the City Staff instructed Townsend Capital Partners to hold off on submitting an application for this project until the Cotati General Plan and associated EIR for the General Plan was completed. As requested Townsend Capital Partners did not submit its application for this project, we intend on submitting for this project in the near future.

G-2

After our review Draft General Plan we were disappointed that within Chapter 7. Land Use Action LU 1b: that there is no suggested policy addressing the provision of an RCFE in effort to create increased flexibility for amending the Land Use Code for a unique commercial project such as ours. Our project would develop this blighted property, increase City's property tax base as well as create 100 good paying jobs within the City. We request that an additional action item be provided within Policy LU 1.3 of the General Plan Update to allow the City the increased flexibility to Amend the Land Use Code for a project such as ours. We believe that the addition of a policy/action for the CG zoning district would make amending the Land Use Code for our project and ultimately approving our project more feasible. We feel that this requested policy would be consistent with Policy LU 3.2 as well as Policy EV 1.12 "encourage the growth of new commercial enterprises within the appropriately zoned areas..." and Object EV 1E "Provide a Business Friendly Environment for both existing and new companies". It is encouraging to see that on page 6-2 of the General Plan update that Action EV1d is being suggested with an emphasis to streamline the permitting process on vacant and underdeveloped parcels.

G-3

With regard to the General Plan Circulation Diagram sheet 2-4 we have designed our project to anticipate the suggested changes to Alder Avenue as well as the extension of

G-4

TOWNSEND CAPITAL PARTNERS LLC 1101 5th Ave. Suite 300 San Rafael CA 94947

Derby Lane. Ownership is happy to work with the city to provide the land dedication and easements necessary to accommodate this new circulation plan.

G-4 Cont

G-5

We hope that the City will add a policy that would allow for a future modification to the Land Use Code in effort to develop an RCFE at our property. If the City is agreeable to this requested modification of the General Plan and ultimately the Land Use Code, we believe the Draft Environmental Impact Report (DEIR) may need to be updated with regard to water, sewer, and traffic impacts from our proposed project. We believe that Water & Sewer demands for the RCFE mixed-use project will be greater than the evaluated commercial uses and the traffic generation of project will be less than what is anticipated. We ask the City to take measures to evaluate and include the potential impacts of our project into consideration, for the General Plan and the associated EIR. We hope that this added review and evaluation of our project will provide a clearer forecast of the potential impacts and allow the City and its Staff to take a more streamlined approach to reviewing and approving of our project; which will benefit the City of the Cotati as will as its constituents.

Sincerely,

Robin Miller Owners Rep.

Response to Letter G Robin Miller, Townsend Capital Partners

- **Response G-1:** The commenter states that Townsend Capital Partners, LLC is working to develop a 110-unit assisted living and memory care facility near the corner of Highway 116 and Alder Avenue. This comment is noted.
- **Response G-2:** The commenter provides a brief summary of past communications with the City regarding the subject property and indicates an intention to submit an application for development in the near future. This comment is noted.
- **Response G-3:** The commenter provides suggested changes to the General Plan to help accommodate the project contemplated by the commenter. This input has been forwarded to the City Council for their consideration. The commenter has not addressed the adequacy of the Draft EIR, and no changes to the EIR are warranted.
- **Response G-4:** The commenter expresses a willingness to work with the City to accommodate planned circulation improvements in the vicinity of the subject property. This comment is noted, and no changes to the Draft EIR are warranted.
- Response G-5: The commenter states that if the City chooses to accommodate the commenter's request for modifications to the General Plan to accommodate the subject project, the Draft EIR would need to be revised accordingly. This comment is noted. If and/or when the commenter or other party submits a formal application for development or re-designation of the subject property, the City will conduct a review of the application consistent with the requirements of CEQA and City planning procedures. At this time, the City is proceeding with approval of the General Plan as written, and as such, no changes to the Draft EIR are warranted. The potential environmental effects of a future application would be addressed under CEQA at the project-level, if and when an application is received and processed by the City.

8171 Arthur St. Cotati, CA 94931 Oct. 24, 2014

Letter H

Vicki Parker City of Cotati

Dear Vicki.

The following are some of my thoughts on the General Plan Update and the Draft EIR for that Update.

Land Use Section 7 pg. 7-6 & 7-7 of General Plan Update I have noticed in this section that in regards to Annexation the language has changed quite drastically if my memory serves me correctly. In the previous plan I recollect a definite prohibition to Annexing land until infill had occurred. In this update the word "prioritize" comes into play when talking about the issue of annexation.

Action LU 1c: Prioritize the processing of development applications for infill...over those projects requiring annexation.

Does this mean that if there are no applications for infill projects and there are projects which require annexation then those would be permitted even though there were vacant parcels within the city limits? I'm wonder why the change to prioritize?

Section 3.8 Hydrology and Water Quality pg. 3.8-19 & 3.8-20 EIR

"The City's local groundwater supply is a key element of its drought contingency plan and is planned to remain as such throughout the foreseeable future."

I'm wondering how the city monitors the groundwater levels to insure this plan? It would be good to see mention of gray water systems and rain catchment systems as a way of reducing water demands. This all seems to assume that our water systems will not significantly change in light of the current drought and that prior volumes are an indicator of future volumes. What if that is not the case? How will that impact the ability to mitigate potential impacts?

Section 3.1 pg. 3.1-14 EIR

Action OS 1e: Work...separators (see Figure 9.1)

H-1

H-2

П-3

It took me quite a while to figure out that figure 9.1 is actually in the General Plan Update and not in the EIR where it is referenced. It would be helpful to note when items that are being referred to are actually in a different document.

H-3 Cont

Thank you for considering my comments.

Sincerely.

Linell Hardy

Response to Letter H Linell Hardy

Response H-1:

The commenter provides a range of suggested language related to land use policies in the Draft General Plan. The City appreciates this input, and these comments and suggestions have been forwarded to the City Council for their review and consideration. Given that these comments do not address the adequacy of the Draft EIR and would have no bearing on the environmental analysis, no changes to the EIR are warranted.

Response H-2:

The commenter questions how drought conditions may impact future water supplies and inquires about the use recycled water systems to reduce demand. The commenter is referred to pages 3.13-1 through 3.13-5 of the Draft EIR, which include a detailed description of existing and future groundwater supplies and surface water supplies. The discussion includes a description of recycled water supplies, and is based on information contained in the 2010 Cotati Urban Water Management Plan (UWMP). In compliance with State law, the UWMP includes an analysis of future water supplies following single, and multiple dry years (drought conditions). The analysis under Impact 3.13-1 in the Draft EIR demonstrates that adequate water supplies existing to meet demand associated with General Plan buildout. The policies and actions included in the General Plan related to water supplies outline and detail the City's comprehensive approach to ensure that adequate water supplies are available to meet existing and projected demand. The City appreciates the comments provided, and no changes to the Draft EIR are warranted.

Response H-3:

The commenter notes that some of the General Plan policies and actions listed in the Draft EIR include references to figures that are not contained in the Draft EIR. This comment is noted. The Draft EIR includes numerous policies and actions from the General Plan that are included in the EIR verbatim. Some of these policies and actions reference figures contained in the General Plan. This comment is noted, and no changes to the Draft EIR are warranted.

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This chapter includes minor edits to the EIR. These modifications resulted from responses to comments received during the Draft EIR public review period.

Revisions herein do not result in new significant environmental impacts, do not constitute significant new information, and do not alter the conclusions of the environmental analysis that would warrant recirculation of the Draft EIR pursuant to State CEQA Guidelines Section 15088.5. Changes are provided in revision marks with <u>underline for new text</u> and <u>strike out for deleted text</u>.

3.1 REVISIONS TO THE DRAFT EIR

EXECUTIVE SUMMARY

No changes were made to the Executive Summary of the Draft EIR (DEIR).

1.0 Introduction

No changes were made to Chapter 1.0 of the DEIR.

2.0 Project Description

No changes were made to Chapter 2.0 of the DEIR

3.1 Aesthetics and Visual Resources

No changes were made to Section 3.1 of the DEIR.

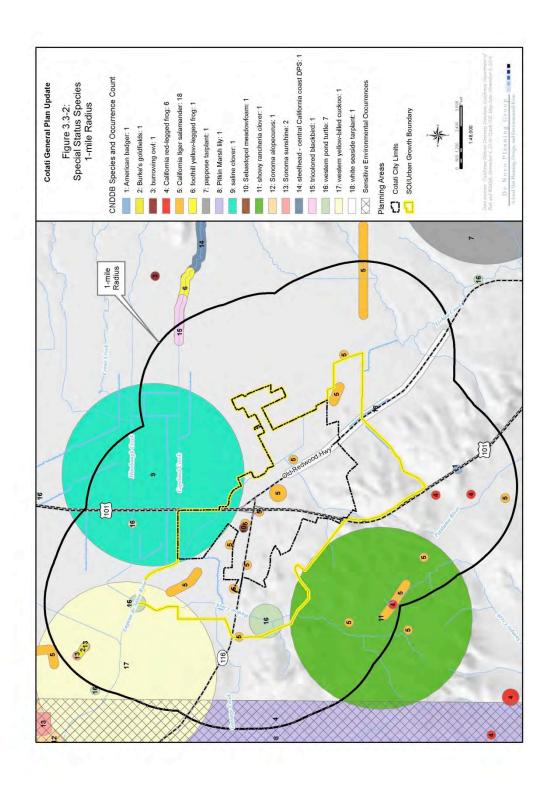
3.2 AIR QUALITY

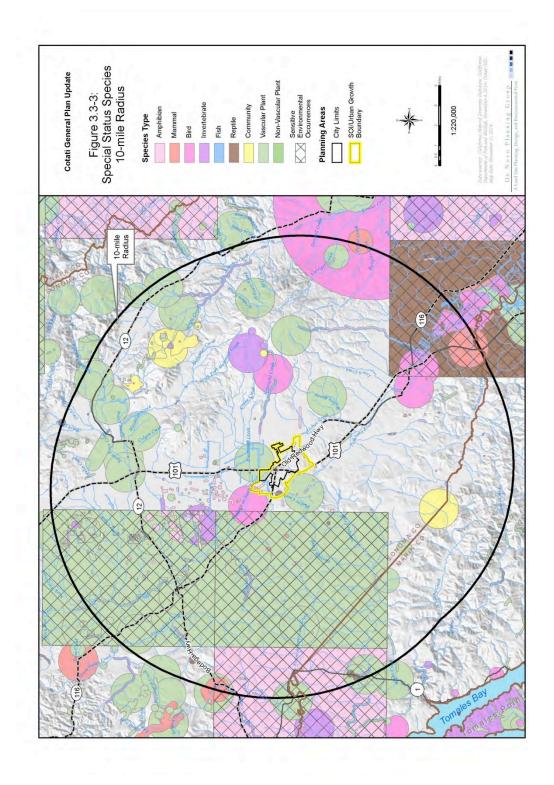
No changes were made to Section 3.2 of the DEIR.

3.3 BIOLOGICAL AND NATURAL RESOURCES

This section was revised to include new and revised information to the EIR based on comments noted by Jenny Blaker, a citizen in Cotati. The revisions include corrections and updates of the existing information which is incorporated into the EIR. The changes to the text in the EIR occur in Section 3.3 Biological Resources in Table 3.3-3 (Special Status Animals Present or Potentially Present in Cotati) on Page 3.3-10. There were two figures that were updated based on new CNDDB queries. The updated figures include Figure 3.3-2 (page 3.3-47) and Figure 3.3-3 (3.3-49).

TABLE 3.3-3: SPECIAL ST	TABLE 3.3-3: SPECIAL STATUS ANIMALS PRESENT OR POTENTIALLY PRESENT IN COTATI					
SPECIES	STATUS	Навітат				
Amphibians	Amphibians					
Ambystoma californiense California tiger salamander	FE (Sonoma County DPS)/CT FT/CT	Need underground refuges, especially ground squirrel burrows and vernal pools or other seasonal water sources for breeding.				





3.4 Cultural Resources

No changes were made to Section 3.4 of the DEIR.

3.5 GEOLOGY AND SOILS

No changes were made to Section 3.5 of the DEIR.

3.6 Greenhouse Gases and Climate Change

No changes were made to Section 3.6 of the DEIR.

3.7 HAZARDS

No changes were made to Section 3.7 of the DEIR.

3.8 HYDROLOGY AND WATER QUALITY

No changes were made to Section 3.8 of the DEIR.

3.9 LAND USE, AGRICULTURE, AND POPULATION

No changes were made to Section 3.9 of the DEIR.

3.10 Noise

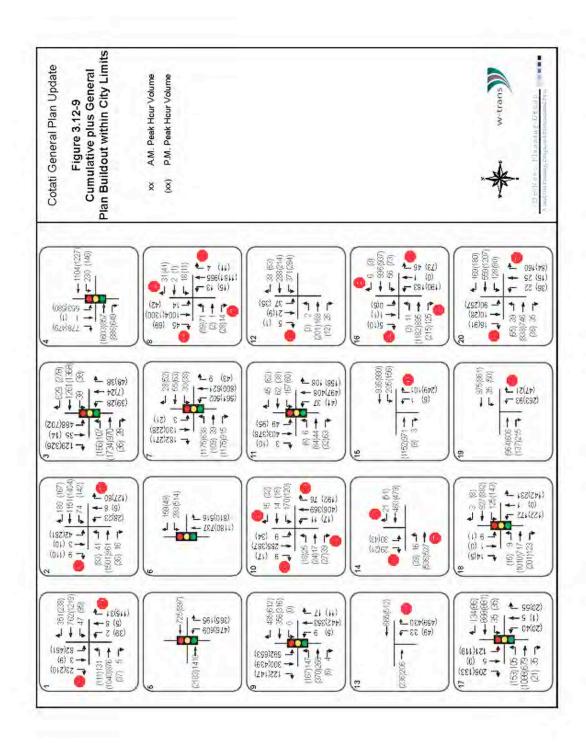
No changes were made to Section 3.10 of the DEIR.

3.11 Public Services and Recreation

No changes were made to Section 3.11 of the DEIR.

3.12 Transportation and Circulation

This section was revised to include a correction to Figure 3.12-9 on page 3.12-77 of the Draft EIR. A comment letter received from Caltrans noted a typo regarding traffic volumes on Intersection 12 on Figure 3.12-9. The original figure incorrectly showed 216 southbound AM approach trips, rather than correctly showing 21 trips. This typo has been corrected. The revised and corrected figure is provided below.



3.13 UTILITIES

No changes were made to Section 3.13 of the DEIR.

4.0 OTHER CEQA-REQUIRED TOPICS

No changes were made to Chapter 4.0 of the DEIR.

5.0 ALTERNATIVES

No changes were made to Chapter 5.0 of the DEIR.

6.0 Report Preparers

No changes were made to Chapter 6.0 of the DEIR.

ATTACHMENT 5

Planning Commission Resolution No. 15-02 (to be provided under separate cover)

Including Exhibit A Proposed Changes to the Draft General Plan

Exhibit A - Proposed Changes to the Draft General Plan

The following provides a summary of changes that are proposed to the Goals, Policies and Actions contained in the Public Draft General Plan following the public review and comment period.

Each Element of the General Plan is identified, followed by a summary of the changes proposed within each Element. Added text is shown in <u>underline</u> format, and deleted text is shown in <u>strikethrough</u> format.

Global Changes

Global changes refer to edits or revisions that will affect multiple elements of the General Plan.

A global change is proposed to the General Plan to revise all references to Thomas Page Elementary School to Thomas Page School (removal of the word "elementary").

A global change is proposed to include larger graphics in the final General Plan. The Draft General Plan includes several figure inserts that are currently in a small format, making them difficult to read. The final General Plan would include larger-format (likely 11"x17") maps and figures.

Introduction

No changes are proposed to this section.

Circulation

No changes are proposed to this section.

Community Health and Wellness

Action CHW-3g: Continue to implement Cotati's Fast Food Ordinance limiting the number and location of fast food chain restaurants in the City.

Community Services and Facilities

<u>Policy CSF 5.6:</u> Strive to provide the public with access to bilingual staff members in key public service areas, including the police department and at City Hall.

Conservation

Policy CON 1.1: Sensitive habitats afforded protection and special consideration in this General Plan include, wetlands, vernal pools, riparian areas, wildlife and fish migration corridors, native plant nursery sites, waters of the U.S., sensitive natural communities, and other habitats designated by state and federal agencies and laws.

Exhibit A - Proposed Changes to the Draft General Plan

Policy CON 1.2: Preserve and enhance those biological communities that contribute to the City's and the region's rich biodiversity including, but not limited to, annual grasslands, freshwater marshes, wetlands, vernal pools, riparian areas, aquatic habitat, <u>oak woodlands</u>, and agricultural lands.

Policy CON 1.5: Conserve existing native vegetation where possible and integrate regionally native plant species <u>native to the region</u> into development and infrastructure projects where appropriate.

Action CON 1b: Where sensitive biological habitats have been identified on or immediately adjacent to a project site, the project shall include appropriate mitigation measures identified by a qualified biologist, which may include, but are not limited to the following:

- a. Pre-construction surveys for species listed under the State or Federal Endangered Species Acts, or species identified as special-status by the resource agencies, shall be conducted by a qualified biologist;
- b. Construction barrier fencing shall be installed around sensitive resources and areas identified for avoidance or protection; and
- c. Employees <u>working on the project site</u> shall be trained by a qualified biologist to identify and avoid protected species and habitat.

<u>Policy CON 4.10:</u> Continue to support Sonoma-Marin Area Rail Transit in their efforts to protect and preserve the Albino Chimera Coast Redwood tree, in recognition of the scientific and cultural value of this natural resource.

Figure 5.1 will be revised to include the location of the Chimera tree.

Economic Vitality

No changes are proposed to this section.

Land Use

The Land Use Map legend (Figure 7-1) will be revised to identify Open Space/Parks as (OSP), rather than (P).

Policy LU 2.10: Encourage mixed-use, pedestrian-, and transit-oriented development, with a focus on the Hub and major corridors, and continue to prioritize implementation of the Downtown Specific Plan in order to provide a range of housing opportunities and expand the range of goods and services available to nearby residents.

Noise

No changes are proposed to this section.

Exhibit A – Proposed Changes to the Draft General Plan

Open Space

No changes are proposed to this section.

Safety

No changes are proposed to this section.