

# Resolution No. 2023-XXX N.C.S. of the City of Petaluma, California

## **RESOLUTION OF THE CITY OF PETALUMA CITY COUNCIL APPROVING A GENERAL PLAN AMENDMENT TO MODIFY POLICY 2-P-68 AND FIGURE 5-2 ASSOCIATED WITH THE SCOTT RANCH PROJECT FILE NO. PLGP-2022-0001**

**WHEREAS**, in 2004 Davidon Homes submitted an application to the City of Petaluma for a 93-lot residential project located on two parcels (APN 019-120-040 and -041) and consisting of 58.66 acres at the corner of D Street and Windsor Drive and adjacent to the Halen Putnam Regional Park ("Prior Project"); and

**WHEREAS**, after initial review it was determined that an Environmental Impact Report (EIR) was required based on significant biological impacts associated with habitat for the red legged frog; and

**WHEREAS**, on August 11, 2004, and August 25, 2004, scoping meetings were held to initiate the environmental review process and solicit public comment regarding the environmental analysis to be undertaken; and

**WHEREAS**, the Draft EIR (DEIR) was released on February 14, 2013, for public comment; and

**WHEREAS**, on April 15, 2013, the City Council directed staff to proceed with preparation of a Final EIR (FEIR) and to provide additional information and clarification addressing comments on the DEIR and further analysis on the reduced project alternative; and

**WHEREAS**, in response to comments received on the 2013 DEIR, the applicant elected to submit a revised project with a reduced development proposal including 66-single family residential lots with associated private and public open spaces, a public park with multi-use trail, a Class I trail along D Street, trailhead parking lots, and other infrastructure such as sidewalks, a roundabout, and sewer, water, and storm drainage infrastructure; and

**WHEREAS**, the City initiated preparation of a revised DEIR (2017 RDEIR) for the 66-lot project scope and circulated for public comment; and

**WHEREAS**, the City Council considered the 2017 RDEIR on June 19, 2017 and determined that the 2017 RDEIR was inadequate and that additional analysis was needed prior to preparation of a Final EIR, and the Council by motion directed staff to revise the 2017 RDEIR to include a more robust evaluation of the 28-lot "Environmentally Preferred" alternative that was included in the 2017 RDEIR; and

**WHEREAS**, in June 2018, the Kelly Creek Protection Project (KCPP) of Earth Island Institute announced that it had entered into an agreement with Davidon Homes in response to comments received on the 2017 RDEIR, and Davidon Homes and KCPP ("Applicants") submitted a revised application to the City of Petaluma for a 28-lot residential project on approximately 15 acres, along with proposed dedication of approximately 44 acres of the overall project site to Sonoma County Regional Parks as an extension to the Helen Putnam Regional Park; and

**WHEREAS**, current entitlement submitted by the Applicants include (1) a General Plan Amendment to modify General Plan Policy 2-P-68 and Figure 5-2, (2) a Zoning Map Amendment to rezone the project site from

Residential 1 (R1) to a Planned Unit District (PUD), (3) a Zoning Text Amendment to adopt the Scott Ranch Planned Unit Development Plan and Guidelines, and (5) a Vesting Tentative Subdivision Map (VTSM) to subdivide the project parcels into residential, open space, public access, and parking lot; and

**WHEREAS**, subsequent entitlements for the development of the Scott Ranch project include Site Plan and Architectural Review (SPAR) required for development of the single-family homes, associated landscaping, and lighting in the residential component, and for public improvements proposed as part of the Putnam Park Extension Project component, a Tentative Parcel Map<sup>1</sup> to divide Parcel B as shown in the VTSM for dedication to the Sonoma County Regional Parks, and for designation of a historic landmark to designate the barn complex as a local historic resource; and

**WHEREAS**, the applicant has proposed a General Plan Amendment to modify Policy 2-P-68 which includes site specific requirements for development of the Scott Ranch site; and

**WHEREAS**, the proposed modifications to Policy 2-P-68 provide clarification to the site specific requirements consistent with plans proposed for the Scott Ranch project; and

**WHEREAS**, the applicant has also proposed a General Plan Amendment to modify Figure 5-2 to remove the requirement for a recreational trail along the southern boundary of the project site in order to limit disturbance to an area of the site with significant topography and sensitive habitat; and

**WHEREAS**, the proposed modification to Figure 5-2 provides for an alternative Class I path to provide public access to the site and connection to trails in Helen Putnam Regional Park and the trail network envisioned along the Urban Growth Boundary; and

**WHEREAS**, the City prepared and distributed copies of a 2020 RDEIR that analyzed the revised reduced 28-lot project and including the proposed General Plan Amendments; and

**WHEREAS**, the Planning Commission held a public hearing on February 9, 2021 to consider the 2020 RDEIR for the revised project with a reduced 28-lot residential component, the purpose of the hearing being to inform the public about the contents of the 2020 RDEIR and to receive oral comments about the adequacy and accuracy of the 2020 RDEIR; and

**WHEREAS**, the City Council held a public hearing on March 15, 2021 to consider the 2020 RDEIR, the purpose of the hearings being to inform the public about the contents of the 2020 RDEIR and to receive oral comments about the adequacy and accuracy of the 2020 RDEIR; and

**WHEREAS**, at the March 15, 2021 hearing the City Council directed that a Final EIR be prepared addressing comments and concerns raised during public comment on the 2020 RDEIR; and

**WHEREAS**, additional modifications to the project were made by the applicant to the proposed project in response to comments received during discussion of the 2020 RDEIR, most specifically to further reduce the footprint of the residential component of the project; and

**WHEREAS**, the revised “Environmentally Preferred” residential component includes a 28-lot single-family residential subdivision and the park component includes an increase to approximately 47 acres of open space/parkland, including multi-use trails north and south of Kelly creek connecting the existing barn complex on the east of the site to the existing Helen Putnam Regional Park to the west; and

**WHEREAS**, offsite public improvements proposed as part of the project include a roundabout on City right-of-way at the intersection of D Street and Windsor Drive and an approximately 800-foot offsite sidewalk gap closure on the east side of D Street between Windsor Drive and Sunnyslope Avenue; and

**WHEREAS**, the Revised Project continues to provide for a planned future offsite trail segment connecting the Scott Ranch property with the existing trail within Helen Putnam Regional Park; and

**WHEREAS**, the Revised Project boundaries remain unchanged and refinements to the project are limited to reducing the building development footprint by further clustering lots, reducing setbacks, and building sizes; and

**WHEREAS**, the environmental effects of the Revised Project have been analyzed and compared to the environmental effects presented in the 2020 RDEIR, and that analysis has been included in the Final EIR; and

**WHEREAS**, on February 4, 2021, the Applicants held a neighborhood meeting to create dialogue with community members, provide information and updates on the Project, and address concerns; and

**WHEREAS**, on October 6, 2021, the Pedestrian and Bicycle Advisory Committee (PBAC) considered and provided feedback on the pedestrian and bicycle facilities proposed by the project including sidewalks and pedestrian crossings, bicycle rack location, access and connectivity to Helen Putnam Regional Park, trail alignments and features, and the proposed amendment to General Plan Figure 5-2, Bicycle Facilities; and

**WHEREAS**, on October 20, 2021, the Recreation Music and Park Commission (RMPC) considered and provided feedback on the Helen Putnam Regional Park expansion, Barn Center improvements, playground, amphitheater, picnic areas, multi-use trails, and other amenities proposed as part of the Putnam Park Extension component of the project; and

**WHEREAS**, on June 20, 2022, onsite signage was posted informing residents of the availability of the Final EIR, project entitlements and the Planning Commission hearing on the project; and

**WHEREAS**, the Planning Commission held a duly noticed public meeting on July 12, 2022, at which time it continued the item to a date certain of August 9, 2022; and

**WHEREAS**, the Planning Commission held a duly noticed public hearing on August 9, 2022 at which time it considered the Final EIR and project entitlements, accepted public testimony, and approved Resolution No. 2022-08 recommending that the City Council certify the EIR; and

**WHEREAS**, on February 16, 2023, onsite signage was posted informing residents of the availability of the Final EIR, project entitlements, and the City Council hearing on the project; and

**WHEREAS**, the City Council held a duly noticed public hearing on February 27, 2023, at which time it considered the Final EIR and project entitlements and accepted public testimony; and

**WHEREAS**, at the February 27, 2023 public hearing the City Council approved Resolution No. 2023-XXX N.C.S. certifying the EIR, making findings of fact to adopt a statement of overriding considerations, and adopting a mitigation monitoring and reporting program for the Scott Ranch Project.

**NOW THEREFORE, BE IT RESOLVED** by the Petaluma City Council as follows:

1. The above recitals are hereby declared to be true and correct and are incorporated into the resolution as findings of the City Council.
2. The potential environmental impacts of the Scott Ranch Project, including the proposed General Plan Amendments, were fully analyzed in the Scott Ranch Final EIR (SCH# 2004072137) containing all the requirements of CEQA Guidelines Section 1532, inclusive of the 2020 RDEIR, references, appendices, and all attachments thereto.
3. On February 27, 2023, the City Council approved Resolution No. 2023-XXX N.C.S. certifying the EIR, making findings of fact to adopt a statement of overriding considerations, and adopting a mitigation monitoring and reporting program for the Scott Ranch Project.
4. Government Code Section 65358 allows General Plan amendments when it is deemed in the public interest to do so.
5. State law limits the number of times a local agency can amend its general plan to more than four times per year. The proposed amendment represents the first amendment request for 2022.
6. The City Council hereby approves a General Plan Amendment to revise Policy 2-P-68 as follows:

“Preserves the uniqueness of the property at the intersection of D Street and Windsor Drive (Scott Ranch) through incorporation of the following criteria in the future development process:

- Respect the gateway value with a minimum 100’ building setback from D Street with no sound walls but allow small accessory structures as part of the public park amenities.
  - Maintain a minimum of a 100’ building setback from the centerline of ~~along~~ Kelly Creek and its tributaries, recognizing that existing barns may remain within the setback.
  - Preserve the ~~red~~ barns complex in place, designate the complex ~~them~~ historic, and encourage the incorporation of a nature study area. Relocation in the same general area for purposes of stabilization and preservation shall be allowed.
  - Preserve and maintain habitat areas and trees.
  - Avoid slide areas and minimize grading.
  - Provide a minimum 300’-wide Urban Separator.
  - Provide a minimum of a 3-acre park site.
  - Include the provision of trailhead facilities with restrooms and parking with a connection to Helen Putnam Regional Park.
  - Respect City hillside regulations.”
7. The City Council approves a General Plan Amendment to amend General Plan Figure 5-2, Bicycle Facilities as shown in Exhibit 1, to remove “Recreational Trail Proposed” from the southern boundary of the Urban Separator on the Scott Ranch property and add a “Class I Off-Street Proposed” in or near the right of way at the eastern boundary along D street and connecting to the Class I Off-Street Proposed trail along Kelly Creek.
  8. The City Council finds that the proposed amendments to the General Plan are in the public interest as the amendments clarify the project which has been designed to advance a 47 acre regional park expansion, minimize environmental impacts, and cluster residential development to minimize the development footprint away from sensitive habitat, important viewsheds, and the riparian corridor.

Under the power and authority conferred upon this Council by the Charter of said City.

<b>REFERENCE:</b>	I hereby certify the foregoing Resolution was introduced and adopted by the Council of the City of Petaluma at a Regular meeting on the DD day of Month YYYY, by the following vote:	Approved as to form:
		<hr/> City Attorney
<b>AYES:</b>		
<b>NOES:</b>		
<b>ABSENT:</b>		
<b>ABSTAIN:</b>		
<b>ATTEST:</b>	<hr/> City Clerk	<hr/> Mayor

