



DATE: February 27, 2023

TO: Honorable Mayor and Members of the City Council through City Manager

FROM: Olivia Ervin, Principal Environmental Planner  
Heather Hines, Special Projects Manager

SUBJECT: Resolution to Certify a Final Environmental Impact Report, Resolution to approve a General Plan Amendment, Introduction (first reading) of an Ordinance to approve a Zoning Map Amendment, Introduction (first reading) of an Ordinance to Approve a Zoning Text Amendment, and Resolution to Approve a Vesting Tentative Subdivision Map for the Scott Ranch Project Located on D Street and Windsor Drive (APN 019-120-040 and 019-120-041) and Offer Additional Feedback for Subsequent Entitlements

### **RECOMMENDATION**

It is recommended that the City Council receive public input and adopt the following:

1. Resolution certifying the Environmental Impact Report (EIR), adopting findings of fact, statement of overriding consideration, the mitigation monitoring and reporting program (MMRP), and Final EIR (FEIR) errata for the Scott Ranch Project (Attachment 2)
2. Resolution approving a General Plan Amendment to modify Policy 2-P-68 and Figure 5-2 (Attachment 3)
3. Ordinance introducing (first reading) a Zoning Map Amendment rezoning the project site from R1 to Planned Unit Development (PUD) (Attachment 4)
4. Ordinance introducing (first reading) a Zoning Text Amendment adopting the Scott Ranch Planned Unit Development Guidelines and Unit Development Plan (Attachment 5)
5. Resolution approving a Vesting Tentative Subdivision Map to create 28 single family lots and park and open space parcels with findings for hillside subdivision (Attachment 6), and

Additionally, the City Council may provide feedback for consideration as part of subsequent entitlements, including Site Plan and Architectural Review for the residential component and Phase 1 of the park improvements, at the discretion of the Planning Commission. Other subsequent entitlements for the project include Local Landmark Designation for the barn complex, Historic

Site Plan and Architectural Review for rehabilitation of the barn complex, and a Parcel Map to separate the 47-acre park parcel for conveyance prior to final map.

## **PROJECT AT A GLANCE**

The Scott Ranch project has a lengthy history since the project's initial application to the City in 2003. While the Background section below provides greater detail, the following highlights the evolution of the project and the general project scope of the revised project currently being considered.

- The initial project was submitted to the City in 2003, including 93 single family lots on the 58.66 acre site.
- The City determined that an Environmental Impact Report was appropriate environmental document for consideration of the project under the California Environmental Quality Act (CEQA).
- Public scoping meetings were held in 2004 to solicit public comment on the scope of the environmental analysis.
- A Draft EIR (DEIR) was released for public review on February 14, 2013.
- The City Council considered the DEIR on April 15, 2013, and directed to staff to prepare the Final EIR (FEIR) with additional consideration of a reduced project alternative.
- In response to comments received, the applicant submitted a revised project with 66 single family lots and including increased public open space, trailhead parking lot, roundabout, and other infrastructure improvements.
- A revised DEIR (RDEIR) was prepared for the 66-lot project scope and circulated for public comment.
- The City Council considered the RDEIR on June 19, 2017, and determined the RDEIR was inadequate and additional analysis was needed prior to preparing the FEIR. Additionally, the Council directed that a further reduced 28-lot alternative be explored.
- In 2018 Davidon Homes and Kelly Creek Protection Project (KCPP) together submitted a revised project with 28 single family lots on approximately 15 acres and a proposed dedication of 44 acres to Sonoma County Regional Parks as an extension of Helen Putnam Regional Park.
- A RDEIR was prepared for the 28-lot project scope and circulated for public comment.
- On February 4, 2021, the applicants held a neighborhood meeting to share the scope of the revised project and solicit feedback.
- The City Council considered the RDEIR on March 15, 2021, directed that a FEIR should be prepared and recommended further project modifications to reduce the footprint of the 28-lot residential component of the project.
- On October 6, 2021, the Pedestrian and Bicycle Advisory Committee (PBAC) provided feedback on pedestrian and bicycle facilities proposed as part of the revised project.
- On October 20, 2021, the Recreational Music and Park Commission (RMPC) provided feedback on the park components of the revised project.
- In response to comments received, the applicant team further refined the project to reduce the footprint of the 28-lot residential component and associated roadways to a total of 11 acres, inclusive of approximately 5 acres of private open space and increased the park component of the project to 47 acres.

- The FEIR, Attachment 1, was prepared to respond to comments on the RDEIR and to include analysis of the reduced footprint of the revised project and was released on June 10, 2022, for public review.
- The FEIR along with the project entitlements was considered on August 9, 2022, by the Planning Commission for recommendation to the City Council.
- The Planning Commission adopted resolutions recommended that the City Council certify the EIR and approve the project entitlements and requested the following modifications:
  - Further refine the VTSM to minimize earthwork and reduce cut/fill
  - Narrow the proposed road south of Windsor Drive by removing parking on the south side
  - Clarify the number of trees to be removed
  - Provide a monument sign at the Windsor Drive D Street roundabout
- The City Council is the review authority with discretion for certification of the FEIR and approval of the project entitlements, including:
  - General Plan Amendment
  - Zoning Map Amendment
  - Zoning Text Amendment
  - Vesting Tentative Subdivision Map
- If the FEIR is certified and project entitlements are approved, subsequent project entitlements include:
  - Local Landmark Designation of the barn complex
  - Tentative Parcel Map for purpose of land conveyance to KCPP
  - Site Plan and Architectural Review of residential component and Phase 1 park improvements
  - Historic Site Plan and Architectural Review for modifications to barn complex
- Subsequent actions by other agencies include review and approval by regional, state, and federal agencies that have jurisdiction over the project site and/or resources (e.g., Sonoma County Regional Park, CDFW, USFWS, etc.).

## **BACKGROUND**

The Scott Ranch Project has an extensive history spanning nearly two decades, as outlined below to provide overall context.

### **Initial Project Submittal (2004)**

In 2003, the City received an application for the Davidon/Scott Ranch single-family residential development 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 ("Prior Project"). The original application included a General Plan Amendment, Zoning Map Amendment, Zoning Text Amendment for adoption of a Planned Unit Development (PUD), and Vesting Tentative Map for the proposed 93 single-family lots.

Upon review of the project, the City of Petaluma, as the lead agency determined that preparation of an Environmental Impact Report (EIR) would be required. Consistent with Section 15082 of the California Environmental Quality Act (CEQA) Guidelines, a Notice of Preparation (NOP) was sent to the State Clearinghouse for distribution to responsible and/or trustee state agencies on July

27, 2004, advising that an EIR would be prepared. Scoping meetings were held on August 11, 2004, and August 25, 2004, to solicit public comment regarding the environmental analysis to be undertaken.

Work on the DEIR was temporarily halted in 2008 when the recession hit, due in part to the environmental consultant going out of business. Additionally, during this period several large City-wide planning processes were underway including preparation of the City of Petaluma General Plan 2025 (completed in 2008).

### **Public Hearings (2013)**

On February 14, 2013, the City released a Draft Environmental Impact Report (“2013 DEIR”) for the Project. The 2013 DEIR was circulated for 60 days from February 14, 2013, to April 15, 2013, and staff received approximately 300 comment letters. In addition, both oral and written comments were received during a Planning Commission hearing on March 12, 2013, and a City Council hearing on April 15, 2013. The Planning Commission deferred recommendation on the environmental document until review of the Final EIR and requested clarification of certain topics analyzed in the DEIR. On April 15, 2013, after deliberation and discussion, the City Council directed staff to proceed with preparation of a FEIR and provide additional information and clarification addressing comments on the 2013 DEIR and further analysis on the reduced project alternative.

### **Revised Project Submittal (2013)**

In response to comments received on the 2013 DEIR and rather than moving forward with preparation of a FEIR, the applicant elected to submit a revised project with a reduced development proposal for 66-single family lots and including private and public open space, 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. To accurately capture the revised project, the City initiated completion of a revised DEIR (“2017 RDEIR”) that analyzed the reduced scope of the project.

### **Public Hearings (2017)**

The 2017 RDEIR was circulated for 60 days from March 2, 2017, to May 1, 2017. Approximately 157 written comments were received on the 2017 RDEIR from state agencies, members of the public, and local organizations. Comments received provided opinions on the project merits, expressed concerns regarding the environmental analysis, and requested clarification on CEQA topics and in particular those related to open space, aesthetics, biological resources, cultural resources, geology and soils, hydrology and water quality, public utilities, and traffic.

On April 4, 2017, the Planning Commission held a public hearing to receive public comments and consider the 2017 RDEIR. Comments received from the public during the hearing were specifically related to concerns about the project’s impacts on the visual character of the site, sensitive wildlife and habitat, site drainage, traffic, and general opposition to the project with an emphasis on the desire for reduced residential density. Planning Commissioners provided comments related to the adequacy of the 2017 RDEIR including discussion of the red barn structures, tree removal, setbacks from Kelly Creek, aesthetic, energy, geotechnical, greenhouse gas emissions, hydrology, and traffic impacts, and provided comments on the mitigation and

monitoring program. Additionally, Commissioners provided comments related to the project's consistency with the General Plan and requested that the City receive input on the 2017 RDEIR from state and federal resource agencies. At the April 4, 2017, hearing, the Planning Commission, by motion, recommended that the City Council authorize preparation of a Final EIR that included adequate level of analysis of an alternative which excluded development south of Kelly Creek, and requested that the Final EIR return to the Planning Commission for consideration and recommendation to the City Council.

On June 19, 2017, the City Council held a public hearing to receive public comments and consider the 2017 RDEIR. Comments received by the public and Councilmembers mirrored concerns raised at the April 4, 2017, Planning Commission hearing. One of the public comments received envisioned a public park alternative where a majority of the site was preserved, the Red Barn Complex improved and walking paths, benches, and variety of public amenities introduced along with a reduced size residential component. The City Council determined that the 2017 RDEIR was inadequate, and that additional analysis was needed prior to preparation of a Final EIR. The Council, by motion, directed staff to revise the 2017 RDEIR to address concerns raised by the Planning Commission and City Council related to traffic, hydrology, biological resources, tree removal, and geology. Additionally, the Council directed staff to seek input from resource agencies and provide a more robust evaluation of the 28-lot "Environmentally Preferred" alternative that was included in the 2017 RDEIR.

### **Revised Project Submittal (2018)**

In response to comments received by the public, Planning Commission, and City Council on the 2017 RDEIR, Davidon Homes, in partnership with the Kelly Creek Protection Project (KCPP) submitted a modified project for the Scott Ranch property that included a 28-lot single family subdivision and the Putnam Park Extension Project, a similar layout to the concept plan introduced by project opponents at the 2017 City Council hearing by project opponents and consistent with the environmentally preferred alternative included in the 2017 RDEIR.

In June 2018, the KCPP of Earth Island Institute announced that it had entered into an agreement with Davidon Homes to develop approximately 44 acres of the project site as an extension to Helen Putnam Regional Park and put forth the Putnam Park Extension Project. Davidon Homes modified the residential project and proposed a 28 single-family home subdivision on approximately 15 acres of the project site. Together the Davidon (28-Lot) Residential Project component and the Putnam Park Extension Project component constitute the revised submittal; the Scott Ranch Project, which is the subject of analysis in most recent RDEIR, published in 2020 and considered at public hearings before the Planning Commission and City Council in 2021.

As analyzed in the RDEIR, the residential portion of the project would develop approximately 15-acres of the site inclusive of 28 single-family residential units, streets, and private open spaces. Infrastructure improvements needed to serve the proposed residences including sewer, water, and storm drainage facilities would also be constructed as well as a roundabout at the intersection of D Street and Windsor Drive, an off-site sidewalk between Windsor Drive and Sunnyslope Avenue running along the east side of D Street, and a six-foot wide sidewalk on the south side of Windsor Drive along the project site frontage from its intersection with D Street.

The RDEIR analyzed the requests for a General Plan Amendment (Policy 2-P-68 and the bicycle facilities map, Figure 5-2), Zoning Map Amendment to rezone the property from R1 to Planned Unit Development (PUD), Zoning Text Amendment to adopt associated PUD guidelines, and a Vesting Tentative Subdivision Map (VTSM) to subdivide the property. Although an application for Site Plan and Architectural Review application has not been requested at this time, preliminary elevations and floor plans have been submitted and include a variety of architectural styles including craftsman, ranch, farmhouse, and Spanish styles. The RDEIR evaluated a site plan that proposed a cluster of 10 homes north of Windsor Drive and 18 homes south of Windsor Drive, accessible via two proposed private streets terminating in cul-de-sacs.

The Putnam Park Extension component of the project analyzed in the RDEIR involves installation of multi-use trails north and south of Kelly Creek, a new trail parallel to D Street, restoration of the existing barn complex, installation of an outdoor amphitheater, group picnic area, playground, pedestrian bridges across Kelly Creek, two new public parking lots, restrooms, livestock fencing, and infiltration basins and drainage features. Additionally, the Putnam Park Extension portion of the project includes restoration of Kelly Creek, tributaries, and drainage features, as well as enhancements to the stock pond on site.

A Fuel Management Program was also proposed as part of the project and analyzed in the RDEIR. The complete Fuel Management Program is included in Appendix 4.15 of the RDEIR and describes actions to maintain vegetative fuels in a fire-safe condition and to implement vegetation management. The Fuel Management Program delineates fuel management zones at the project site, establishes appropriate treatments for each fuel management zone, documents maintenance schedule and frequency, and identifies procedures and criteria for updates to the Program.

The RDEIR also considered a related offsite 0.5-mile trail segment within the existing limits of Helen Putnam Regional Park immediately contiguous to the western boundary of the Scott Ranch property. Sonoma County Regional Parks (SCRCP) has a trail connection point at the common boundary of the project site and the existing Helen Putnam Regional Park, located to the west of the project site. This connection point would allow for an extension of the Putnam Park Extension Project component's on-site multi-use trail through Helen Putnam Regional Park to eventually connect to the existing trail network on the Regional Park property. Approval of the offsite trail is within the review authority of the SCRCP and is fully analyzed in the RDEIR.

### **Public Hearings (2021)**

On February 9, 2021, at the regularly scheduled Planning Commission hearing, the RDEIR was considered, public comment was received, and Commissioners provided input on the Scott Ranch RDEIR. Approximately two dozen written comments were received leading up to the Planning Commission hearing and the Planning Commission heard from approximately 10 speakers providing verbal comments. A few commenters expressed support of the project and noted the substantial benefit to the community offered by the expansion of Helen Putnam Regional Park. Several of the comments expressed opposition to the project based on concerns involving existing conditions including parking along Windsor Drive, traffic speeds, congestion, and noise along Windsor Drive and D Street. In addition, public comments expressed concern about increased traffic, access to Helen Putnam Regional Park, conflicts with advancing the City's climate goals

and meeting the regional housing needs allocation, and impacts due to sensitive wildlife, habitat, and vehicle miles traveled (VMT).

The Planning Commission provided comments regarding assumptions of the wildfire evacuation assessment, implementation of the Fuel Management Plan, implications of the California Public Utility Commission (CPUC) Fire Threat Map, the City's weed abatement procedures, requirements for development within the Wildland Urban Interface Area (WUI), tree removal, viewshed impacts, setbacks from Kelly Creek, and the project's alignment with the City's Climate Framework and the carbon neutrality goal. The Planning Commission found the RDEIR to be adequate and unanimously recommended that City Council direct staff to proceed with preparation of the Final EIR to address substantive comments that we raised during the public comment period on the RDEIR.

On March 15, 2021, the City Council provided input on the Scott Ranch RDEIR and considered the Planning Commission's recommendation to proceed with preparation of the Final EIR. Councilmembers provided comments regarding the project's alignment with the City's Climate Framework related to the extension of natural gas to the site, impacts due to VMT, and phasing of the proposed park improvements including biological mitigation measures. During deliberation and discussion, the City Council raised concerns about traffic, hydrology, biological resources, and housing type and clustering. The City Council unanimously determined by motion that the RDEIR was adequate and directed staff to proceed with preparation of the Final EIR to address substantive comment raised. The City Council also provided feedback for the applicant to explore further reducing the footprint of the 28-lot residential component and eliminating the need for new roadways (Streets A and B) as part of the project.

### **Revised Project Submittal (2021)**

Following input from members of the public and decision makers on the RDEIR, the Scott Ranch Project was further refined by the Applicants to reduce the footprint of the residential component from approximately 15 acres to 11.2 acres, to accommodate 28 single family homes, and approximately 4.8 acres of private open space, and to increase the acreage of the Putnam Park Extension component from 44 acres to 47 acres. These refinements included reducing the size of the proposed residential lots and square footage of the proposed single-family homes, locating more residential lots north of Windsor Drive, and eliminating residential lots south of the proposed "B" Street. These modifications in turn increased the distance between the proposed residential development and Kelly Creek, reduced impacts to California red- legged frog (CRLF) habitat and native grasslands, and reduced total grading area and volume.

Chapter 2 of the FEIR provides the refined project description relative to the project description presented in the RDEIR and shows in strikethrough and underline text deleted and added respectively, to respond to comments received. Relative to the Project considered in the RDEIR, the refined project as presented in the FEIR accomplishes the following:

- Shifts residential development outside of the critical habitat line for CRLF
- Further clusters homes by reducing lot size and setbacks
- Shift more lots north of Windsor Drive and precludes development of homes south of B street

- Reduces the size of the residential homes, increases private open space, and increases the area to be dedicated to Helen Putnam Regional Park
- Introduces Junior Accessory Dwelling Units to at least nine of the 28 proposed residences
- Reduces the volume of earthwork from 224,000 cubic yards of cut and fill to 161,000 cubic yards and achieves a balance of cut and fill materials onsite
- Avoids grading on existing mapped landslides to accommodate residences
- Eliminates expansion of natural gas and provides for an all-electric development including roof top solar
- Reduces the size of the attached garages size from three spaces to two spaces
- Clarifies that construction of the loop trail south of Kelly Creek would not occur during the first phase of the Putnam Park Extension Project component and ultimate construction of conceptualized parkland amenities would depend on Sonoma County Regional Parks (SCRIP) management priorities
- Shifts the phasing of restoration and enhancement of the stock pond, eroded gullies, and riparian corridor along Kelly Creek to the first phase of the Putnam Park Extension Project
- Minimizes tree removal to 27 existing trees on site, to accommodate the roundabout, residences, and pedestrian crossings of Kelly Creek, and another 3 offsite trees along D Street to accommodate the sidewalk gap closure
- Proposes planting of 427 trees including 212 trees of various sizes, as part of the residential component (comprising 112 native oaks and 100 other native or locally adapted trees), and at least 215 additional trees as part of the Putnam Park Extension component
- Revises the Fuel Management Plan to reflect changes in fire management zone boundaries due to the reduction of residential acreage and an increase in the park acreage
- Clarifies that Kelly Creek Protection Project and the SCRIP will enter into an agreement regarding the transfer of the 47-acre Putnam Park Extension property and implementation of the Putnam Park Extension Project

### **Public Meetings (2021)**

On October 6, 2021, the Pedestrian and Bicycle Advisory Committee (PBAC) considered the revised project and provided feedback on the pedestrian and bicycle facilities 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. PBAC heard from approximately seven public speakers providing verbal comments. A few commenters expressed environmental concerns about development within habitat areas and suggested pedestrian and bicycle facilities remain along the adjacent existing roadways. Another suggested ADA access to park facilities.

The following PBAC recommendations are forwarded on to Planning Commission and City Council for their consideration as part of the project entitlement hearings:

- Consider rezoning the property to multi-family or mixed-use to encourage density
- Add an additional sidewalk along the north side of Windsor Drive
- Provide additional bike rack locations such as the upper parking lot as well as the connection point to Helen Putnam Regional Park
- Further evaluate safety of ingress and egress of the parking lot proposed along D Street
- Use illuminated crosswalks and share-the-road signage for improvements along D Street
- Consider increasing the width of the multi-use path to greater than 4 feet
- Evaluate safety of the roundabout for pedestrian and bicycle modes
- Provide quick-charge charging stations for electric vehicles and bikes
- Provide raised dots on roadway for approach to roundabout
- Provide a shorter, more direct trail route to the picnic area via a bridge
- Avoid disturbance of natural habitat and consider alternatives for trails along both sides of Kelly Creek
- Consider a drinking fountain in the playground area
- Investigate more pedestrian and bicycle facility connection opportunities

On October 20, 2021, the Recreation Music, and Park Commission (RMPC) considered the revised project and provided feedback on the Helen Putnam Regional Park expansion, planned improvements to the Barn Complex, playground, amphitheater, picnic areas, multi-use trails, and other park amenities. RMPC heard from approximately five public speakers providing verbal comments. A few commenters expressed environmental concerns about development within habitat areas. Another supported professional management of the land by Sonoma County Regional Parks. The following RMPC recommendations are forwarded to Planning Commission and City Council for consideration as part of the project entitlement hearings:

- Reduce the number of amenities and programming to emphasize passive recreation and natural habitat areas
- Avoid disturbance of natural habitat and consider alternatives for trails along both sides of Kelly Creek
- Consider design features along the trails such as fences to impede users from disrupting natural habitat areas
- Use natural materials for the playground equipment and avoid the use of plastics

### **Planning Commission Meeting (August 9, 2022)**

Per the City's CEQA Guidelines, the Planning Commission requested that the FEIR return to the Commission for consideration. The Final EIR and the requested project entitlements were considered by the Planning Commission at their August 9, 2022, meeting. The Commission's discussion focused on the changes in the RDEIR, responses to comments presented in the FEIR, per CEQA Guidelines Section 15089(b), and the overall adequacy of the environmental review. The Commission received presentations from staff and the applicant team and received 21 public comments both in support and in opposition to the project. At the conclusion of their deliberation the Planning Commission voted on each entitlement to make a recommendation to the City Council, including:

- Approval of Resolution No. 2022-11 (Attachment 8) recommending the City Council certify the EIR (4-2)
- Approval of Resolution No. 2022-12 (Attachment 9) recommending the City Council approve a General Plan Amendment to modify Policy 2-P-68 and Figure 5-2 (5-1)
- Approval of Resolution No. 2022-13 (Attachment 10) recommending the City Council approve a Zoning Map Amendment to rezone the site from R1 to PUD (5-1)
- Approval of Resolution No. 2022-14 (Attachment 11) recommending the City Council approve a Zoning Text Amendment adopting the Scott Ranch PUD Guidelines and Unit Development Plan (5-1)
- Approval of Resolution No. 2022-15 (Attachment 12) recommending the City Council approve a Vesting Tentative Subdivision Map to create 28 single family lots and associated private open space parcels (4-2)

Individual Commissioners that voted in favor of the recommending resolutions indicated their support based on the following:

- The Project would restore the value of Kelly Creek and enhance onsite habitat
- The Project is consistent with the General Plan, provides for housing, and offers a major public amenity in the form of a 47-acre expansion of Helen Putnam Regional Park which provides for habitat conservation and protection of sensitive habitat
- Installs a roundabout and right of way improvements to enhance safety and access into the City
- The environmental record, investigation, and studies completed as part of the CEQA process are adequate in evaluating the potential impacts of the project

Individual Commissioners that voted against the recommending resolutions indicated their opposition based on the following:

- Concern about potential conflicts between the Fuel Management Plan and the protection of biological resources and establishment of conservation easements
- Concerns about lack of information regarding soil microbes and fungi
- General shortcomings of the EIR

As part of the ultimate approval of resolutions recommending approval of the project, the following substantive comments were raised by a majority of the Commission at the August 9, 2022, public hearing. The discussion below includes clarification and discussion to address each of the comments.

- **Clarify tree removal estimates** – There are 509 trees currently on the Scott Ranch property, 472 of which are protected trees as defined in Chapter 17 of the Implementing Zoning Ordinance (IZO). The project has focused on preserving trees to the greatest extent possible by clustering the residential development around Windsor Drive and minimizing development on the remainder of the site. Twenty seven protected trees are proposed for removal, largely along Windsor Drive to accommodate sidewalks and the new roundabout (16 trees), where the footbridge over Kelly Creek is proposed (4 trees), along the project site frontage to D Street to accommodate trail placement (7 trees), and offsite on the east

side of D Street north of Sunnyslope Avenue to accommodate the sidewalk gap closure (estimated removal of up to 3 trees). The proposed tree removals are illustrated on Figure 4.3-3 in the DEIR. The project proposes planting of 427 trees, including replacement trees, which would more than offset the proposed tree removal. The project proposes preservation of more than 94 percent of the protected trees on the site.

- **Further minimize new roadways by only allowing parking on one side** – The VTSM demonstrates compliance with the City’s roadway standards by achieving widths, turning radii, and curb, gutter sidewalk specification. At the direction of the Planning Commission, the applicant has agreed to revise the VTSM to further minimize the footprint of the new roadways north and south of Windsor Drive (this is imposed through Condition of Approval #75). The revised roadway concept has been discussed with the Public Works Department and as conditioned would provide adequate access and emergency services access while minimizing new impervious surfaces. The roadway width would preclude parking on portions of the new roadway, which would reduce the number of on street parking spaces available on the new private street.
- **Clarify how stormwater runoff is controlled** – Subdivisions are subject to standard regulations imposed by the City through compliance regional requirements and the County of Sonoma provisions. The City of Petaluma reviews and approves the Bay Area Stormwater Management Agencies Association (BASMAA) storm water control plans as part of the City’s MS-4 storm water program. Sonoma Water reviews and approves the hydraulic design for given project which includes hydrology maps, hydraulic and energy grade lines and hydrologic and hydraulic calculations. The Scott Ranch Project submittal and the analysis presented in the EIR demonstrates compliance with local and regional regulation regarding stormwater treatment. As the project moves forward towards development, at the building permit application stage, the City’s Public Works and Utilities Department and Sonoma Water reviews and approves hydraulic design and verify stormwater compliance with BASMAA.
- **Include a monument sign at City Gateway** – The applicant has agreed to install a monument sign within the new roundabout. The details of the sign would be considered during the SPAR process and incorporated into the Subdivision Improvement Plans for the project. A preliminary concept plan has been developed for the monument sign and is provided in Attachment 14.
- **Provide E-Bike Chargers** – The applicant has agreed to include e-bike chargers onsite. The precise location of the public e-bike chargers would be considered during the SPAR process and would provide safe and convenient use for e-bike users to park and charge while accessing the Regional Park (Attachment 6, Exhibit a, COA # 11).
- **Clarify Application of Herbicides as part of the Fuel Management Plan** – The Fuel Management Plan states that the application of herbicides to prevent re-sprouting may be more effective in the spring, but will follow the licensed Pest Control Advisor recommendation. There is no reliance on herbicides to manage fuel loads. Any herbicide use in the park extension portion of the site would be conducted in conformance with

County and State regulation, and follow protocols required by Sonoma County Regional Parks. Further, in accordance with Mitigation Measure BIO-1b, review and approval by regulatory agency would be required including any use or application of herbicides.

## **PROJECT ENTITLEMENTS**

Prior to taking action on the requested entitlements, the City of Petaluma, as the Lead Agency under the California Environmental Quality Act (CEQA), must certify the Scott Ranch Environmental Impact Report (EIR), approve findings of fact, a statement of overriding consideration, and adopt the mitigation monitoring and reporting program. The Council is the decision-making authority on certification of the FEIR and project entitlements. The actions and entitlements currently before the City Council are outlined below:

1. Resolution to certify the Environmental Impact Report for the Scott Ranch Project (Attachment 2) and adopt Findings of Fact, Statement of Overriding Considerations, the Mitigation Monitoring or Reporting Program, and FEIR Errata (Attachment 2, Exhibits A-C)
2. Resolution to approve a General Plan Amendment to modify Policy 2-P-68 and Figure 5-2 (Attachment 3)
3. Ordinance to approve a Zoning Map Amendment to rezone the project site from R1 to PUD (Attachment 4)
4. Ordinance to approve a Zoning Text Amendment adopting the Scott Ranch Planned Unit Development Guidelines and Unit Development Plan (Attachment 5)
5. Resolution to approve a Vesting Tentative Subdivision Map to create 28 single family lots, private open space, and park and open space parcels with findings for hillside subdivision (Attachment 6)

The Scott Ranch project will be subject to Site Plan and Architectural Review (SPAR), which would be considered by the Planning Commission at a future date following Council certification of the EIR and approval of requested legislative entitlements by City Council.

In addition, as a condition of approval of the VTSM (Condition #9), and in accordance with General Plan Policy 2-P-68, there is a requirement to designate the Barn Complex as a local landmark, which requires a zoning amendment. Prior to any subdivision of land for purpose of transferring title of Parcel B to KCPP, Davidon Homes will apply to designate the Red Barn Complex as a local landmark, and staff will bring forward a recommendation for the Historic and Cultural Preservation committee (HCPC). At future public hearings which will be separately noticed, HCPC will consider the landmark designation for recommendation to Planning Commission, Planning Commission will consider the landmark designation for recommendation to Council, and Council will act on the landmark designation. It is anticipated that any exterior modifications to the Barn Complex required for stabilization of the barns as part of Phase 1 park

improvements will also be reviewed at that time for approval of Historic Site Plan and Architectural Review.

Each of the actions and entitlements before the City Council at this time for consideration are further detailed below:

#### *Environmental Impact Report*

The environmental review of a project is not an entitlement, nor does it grant any development right or otherwise authorize development activity. Certification of an EIR by the lead agency is an acknowledgement that an adequate level of documentation, review and analysis has been conducted and presented in the environmental record to render an informed decision of the environmental affects that would result from the proposed project. The Planning Commission provided a recommendation to Council to certify the EIR finding the environmental record adequate. The resolution at Attachment 2 to certify the EIR demonstrates that the environmental review record is adequate, the procedural and substantive requirements of CEQA have been met, that mitigations sufficiently avoid, reduce or offset potential adverse environmental impacts, and that for those impacts that cannot be substantially reduced specific economic, legal, social, technological or other benefits of the project outweigh the unavoidable adverse environmental effects. It is recommended that the City Council accept Planning Commission's recommendation as outlined in Resolution No. 2022-11 (Attachment 8) and approve the resolution (Attachment 2), certifying the FEIR for the Scott Ranch Project.

#### *General Plan Amendments*

General Plan Policy 2-P-68 contains site specific requirements for future development of the Scott Ranch property, including provision for increased setback on D Street, setbacks from Kelly Creek, and preservation of the barn complex that exists on the site. The applicant has requested a General Plan Amendment to clarify provisions in these bullet points. There is no elimination of any key provision but rather request to clarify that increased setbacks along D Street and Kelly Creek are for buildings but recognizing that the existing Barn Complex currently encroaches in this setback area and providing flexibility for accessory structures as part of the Helen Putnam Park expansion within the D Street setback to minimize impacts in more sensitive habitat on site.

The project proposes to amend policy 2-P-68 as indicated below, with additions in underline and deletions in ~~strikeout~~.

**Policy 2-P-68:** 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.

The project also proposes to amend General Plan Figure 5-2, Bicycle Facilities, to remove the “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 (Figure 3.0- 9 in the RDEIR).

The current Figure 5-2 in the General Plan shows a proposed recreational trail within a 300-foot urban separator along the southern property boundary which is also the boundary of the Urban Growth Boundary. This area is steeply sloped and runs through Red Legged Frog habitat. Anticipated impacts of installation of a path to conform with this General Plan requirements were thought to negatively impact the site, so staff and the applicant considered alternatives to meet the intent of access while minimizing disturbance to the environment. As proposed, the applicant has proposed a Class 1 trail to run generally parallel to the D Street corridor to provide access from Windsor Drive to the north and the public parking lot to the south and connecting with the trail to be constructed as part of the Phase 1 park improvements along the north side of Kelly Creek to connect with Helen Putnam Park to the west. The proposed amendment to General Plan Figure 5-2 illustrates this proposed modification.

The resolution at Attachment 3 outlines the requested General Plan Amendment to modify both Policy 2-P-68 and Figure 5-2 with required findings. It is recommended that the City Council receive the Planning Commission’s recommendation as outlined in Resolution No. 2022-12 (Attachment 9) and approve the General Plan Amendment for the project. The proposed General Plan Amendment does not modify any other provisions of the General Plan 2025.

#### *Zoning Map Amendment*

The proposed project requests a Zoning Map Amendment (ZMA) to rezone the project site from Residential 1 (R1) to Planned Unit District (PUD). The project site is currently zoned R1 which provides for densities ranging from 0.6 to 2.5 units per acre and a minimum lot size of 20,000 square feet. To accommodate the minimum required density required in the Very Low Density Residential Land Use Designation and corresponding R1 zoning designation, the project must provide at least 28 units. If those 28 single family units were configured on 20,000 square foot lots as required by the existing R1 zoning, the residential component would cover a minimum of approximately 13 acres of the site. Given the sensitive habitat on much of the site, the hillside conditions, and the community vision to maximize open space on the property, the applicant has

designed a project that clusters the residential component on smaller lots along either side of Windsor Drive. The residential lots cover approximately six acres while still meeting minimum density requirements.

The ZMA to change the zoning to a site-specific PUD zoning provides the flexibility to decrease the size of the residential lots and cluster the lots to minimize impacts and maximize open space. The ordinance at Attachment 4 provides the requested ZMA to change the zoning district of the Scott Ranch property to PUD with the required findings. It is recommended that the City Council accept the Planning Commission’s recommendation as outlined in Resolution No. 2022-13 (Attachment 10) and introduce (first reading) the ordinance approving the Zoning Map Amendment for the project (Attachment 4).

*Zoning Text Amendment*

Directly associated with the ZMA as discussed above, is a proposed Zoning Text Amendment to adopt the Scott Ranch Planned Unit Development Guidelines and Unit Development Plan for the project site. The Scott Ranch PUD is at Attachment 5 Exhibit A and includes development standards for both the residential and park component of the project. The proposed PUD development standards for the residential development are shown below. The PUD complies with General Plan Policies 1- P-17 and 2-P-63 by clustering the single-family homes in two areas on the project site to maximize open space areas and avoid construction of the proposed new homes on prominent ridgelines.

Proposed development standards differ from that of the existing R-1 zoning designation and have been further tailored to respond to public comments including reduced minimum lot sizes, lot dimensions, and setbacks.

Development Standards	R-1 Zoning Standards	Hillside Subdivision Standards	Proposed PUD Development Standards
<b>Lot Size</b>			
Minimum Lot Area	20,000 sf	18,271 sf <sup>1</sup>	<u>5,800</u> 10,000 sf
Minimum Lot Width (Interior lot)	100 ft	–	50 ft
Minimum Lot Width (Corner lot)	110 ft	–	<del>60</del> 55 ft <sup>2</sup>
Minimum Lot Depth	130 ft	–	<del>110</del> 80 ft
<b>Setbacks</b>			
Minimum Front Yard	30 ft	–	<del>20</del> 14 ft
Minimum Side (Interior)	15 ft	–	5 ft
Minimum Side (Street side)	30 ft	–	5 ft
Minimum Rear Yard	30 ft	–	<del>20</del> 9 ft
Minimum Garage front	30 ft	–	20 ft
Minimum Aggregate Side Yard Setback	--	--	15 10 ft
<b>Height Limit</b>			

Maximum Building Height	25 ft	30 ft <sup>3</sup>	30 ft <sup>4</sup>
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Source: City of Petaluma Community Development Department, IZO.

Note:

*sf* – square

*feet ft* – feet

<sup>1</sup> Because the formula in Section 16.070(C) of the IZO results in a minimum lot area of 18,271 sf, which is less than the 20,000-sf minimum lot area under the R-1 zone, the 20,000 minimum lot area applies.

<sup>2</sup> Measured at structure

<sup>3</sup> Under IZO Section 16.060, calculated from the uppermost point of the roof to the point in natural grade directly below

<sup>4</sup>As outlined in the PUD guideline the maximum building height is measured from the uppermost point of the roof to the point in finished grade directly below

The strikeout text in the table above represents changes made to correspond to the most recent round of project revisions made after the DEIR hearing to further reduce the footprint of the residential component of the project. These changes to the proposed project also resulted in increase of building height due to location and clustering of lots in relation to the proposed streets and balancing the cut and fill onsite. As shown in the architectural renderings (Attachment 13) and discussed in more detail under the Discussion section of this report, these changes do not result in development on open ridges or create view impacts from City-identified view platforms. However, to accommodate the changes in the development the proposed maximum building height would provide for building height taken from finished grade on each lot as opposed to natural grade as specified in the hillside section of the IZO, as noted in footnote four in the above table. In addition to the development standards, the PUD document references key components of the development, such as no natural gas infrastructure, encouragement for accessory dwelling units, tree preservation, etc.

The draft ordinance at Attachment 5 provides for approval of a Zoning Text Amendment to adopt the site-specific Scott Ranch PUD Guidelines to implement the PUD zoning approved through the Zoning Map Amendment. It is recommended that the City Council accept Planning Commission’s recommendation as outlined in Resolution No. 2022-14 (Attachment 11) and introduce (first reading) the ordinance to adopt the Scott Ranch PUD Guidelines for the project site.

### *Vesting Tentative Subdivision Map*

The proposed project includes a request for approval of a Vesting Tentative Subdivision Map (VTSM) to subdivide the project site into 28 single-family residential lots, four private open space parcels associated with the residential component, and the 47.43-acre Parcel B, which would accommodate the proposed Putnam Park Extension. Lot sizes would range from approximately 5,800 square feet for the smallest residential lot, 2.92 acres for the largest private open space parcel within the residential component, to 47.43 acres for the Putnam Park Extension Project parcel.

The VTSM has been reviewed for compliance with Petaluma Municipal Code Chapter 20 (Subdivisions) which is the local subdivision ordinance. Additionally, because the project site is located in the West Hills subarea as designated in the General Plan, the subdivision is also required to comply with hillside subdivision standards as outlined in Implementing Zoning Ordinance Section 16.070. The VTSM is in substantial compliance with applicable standards as outlined in the resolution at Attachment 6 and as discussed in detail in the discussion section of this report. Exhibit A to that resolution contains conditions of approval, including all mitigations from the

FEIR. It is recommended that the City Council accept Planning Commission’s recommendation as outlined in Resolution No. 2022-15 (Attachment 12) and approve the resolution, approving the Vesting Tentative Subdivision Map subject to the conditions of approval.

*Site Plan and Architectural Review*

Subsequent to approval of the project entitlements currently before the City Council for decision, the applicant will be required to submit for Site Plan and Architectural Review (SPAR). SPAR approval by the Planning Commission is required prior to City Council approval of the Final Map (Attachment 6, Exhibit A, Condition #8). While the Site Plan and Architectural Review will be considered by the Planning Commission for action, the Council may want to provide the applicant with feedback related to the architectural design, exterior materials, landscape palette, etc. for consideration before submitting their SPAR application.

**DISCUSSION**

The City Council hearing provides an opportunity for public comment on the FEIR and project entitlements and for the Council to consider the Planning Commission’s recommendations and for the City Council to take action on the EIR and requested entitlements. The discussion below outlines standards of review for the requested entitlements as well as specific discussion on focused components of the project.

**Overview**

The project was reviewed for consistency with applicable policy and regulatory documents and is subject to the following standards of review:

- Petaluma General Plan 2025
- Housing Element
- Pedestrian and Bicycle Master Plan
- Petaluma Municipal Code, Subdivision
- Implementing Zoning Ordinance – (Hillside, PUD, Amendments)
- California Environmental Quality Act

**General Plan**

The project has been reviewed for consistency with General Plan policies as outlined in pages 4.9-14 – 4.9-36 of the RDEIR. The following are the most applicable with staff response in italics.

Chapter 1: Land Use, Growth Management, and the Built Environment

**Policy 1-P-1** Promote a range of land uses at densities and intensities to serve the community needs within the Urban Growth Boundary (UGB).

*The proposed project would promote residential, recreational, and open space land uses compatible with the density of surrounding residential uses and rural character of the area. The Helen Putnam Regional Park expansion furthers the open space and recreational land uses found in the area and most specifically to the west of the project site. Additionally, the park expansion provides for open vistas at the Urban Growth Boundary which furthers other*

*policies in the General Plan. The project's proposed density of development is consistent with the General Plan and the property's Very Low Density Residential land use designation. More specifically, the 28 lot residential subdivision satisfies the minimum density standards for the underlying land use designation while clustering that development along Windsor Drive to minimize the development footprint and maximize open space preservation. The 300-foot urban separator along the southern boundary of the project site and contiguous with the Urban Growth Boundary remains undeveloped and preserved as open space in perpetuity under proposed conservation easements for habitat preservation.*

**Policy 1-P-18** Maintain a permanent open space around the city by the continuation of the Urban Separator and the use of an Urban Separator Pathway, as designated.

*The proposed project would permanently protect the 300-foot Urban Separator along the southern boundary of the project site, in addition to all land south of Kelly Creek, by dedicating approximately 47 acres to the Sonoma County Regional Parks to be retained as open space and protected habitat. No development or grading would occur within the 300-foot buffer. An Urban Separator Pathway will not be installed at this location due to sensitive habitat. However, the project meets the intent of this policy by maintaining the Urban Separator and additional lands as open space and providing pathway connection generally parallel to the D Street right of way and connecting to onsite pathways along Kelly Creek and connecting to trails in the existing Helen Putnam Regional Park.*

**Policy 1-P-20** Maintain a standard width for the urban separator at a minimum of 300 feet except in those areas where it may be variable due to topography, physical or ownership constraints, or is already established at more or less than 300 feet.

*The proposed project would maintain the 300-foot Urban Separator along the southern boundary of the project site and is proposed for dedication to the Sonoma County Regional Parks as part of the 47-acre regional park expansion. No development or grading would occur within this 300-foot buffer due to steep topography and sensitive habitat.*

## Chapter 2: Community Design, Character, and Green Building

**Policy 2-P-2** For development adjacent to the Urban Growth Boundary, the intent of the designated land uses is to feather or reduce densities to provide a transition from urban to rural.

*Proposed project density is consistent with the "Very Low Density Residential" land use designation, which carries out this policy's intent of feathering densities by providing a transition from urban to rural with the higher densities permitted in the central parts of Petaluma and lower densities feathering out toward the Urban Growth Boundary. The proposed residential density is consistent with the low end of the density range called for in the Very Low Density Residential land use designation and clusters the 28 residential lots on small lots along Windsor Drive in an effort to focus residential development along existing roadways near existing residential uses. This configuration limits the footprint of development to leave approximately 47 acres as open space for dedication to Sonoma County Regional Parks to expand Helen Putnam Regional Park.*

*This will provide an open visual vista approaching the city limits and urban growth boundary, consistent with the intent of Policy 2-P-2 and the transition of urban to rural.*

**Policy 2-P-56** Preserve and enhance the oak woodland setting and integrate development to protect and enhance these resources.

*There are 509 trees currently on the Scott Ranch property, 472 of which are protected trees as defined in IZO Chapter 17. The project has focused on preserving trees to the greatest extent possible by clustering the residential development around Windsor Drive and minimizing development on the remainder of the site. Up to thirty protected trees are proposed for removal, largely along Windsor Drive to accommodate sidewalks and the new roundabout, and elsewhere to accommodate trail placement. The proposed tree removals are illustrated on Figure 4.3-3 in the DEIR. The project proposes planting of 427 trees, which would more than offset the proposed tree removal. The project proposes preservation of more than 94 percent of the protected trees on the site.*

**Policy 2-P-68** Preserve 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'-setback from D Street with no sound walls.
- Maintain a minimum of a 100'-setback along Kelly Creek and its tributaries.
- Preserve the red barns in place, designate them historic and encourage the incorporation of a nature study area.
- 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.

*The proposed General Plan Amendment proposes modifications to this site-specific policy to clarify terminology related to setbacks and existing conditions on the site. The proposed amendment does not remove any of these components in recognition that these were important aspects in preserving the unique character of the property.*

*None of the single-family buildings are proposed within a 100-foot building setback from D Street. In addition, the proposed residential development is setback 100 feet from the centerline of Kelly Creek.*

*As proposed by the amendment of Policy 2-P-68 and shown in the concept park plan, improvements to the barn complex, the proposed trail network, playground, picnic areas, parking, and restrooms are proposed within the 100-foot setback from D Street. The requested*

*modifications to the first bullet in Policy 2-P-68 clarifies this to ensure consistency between the policy and the park concept plan.*

*The proposed project complies with Policy 2-P-68 by preserving the Barn Complex and incorporating a nature study area with the proposed development of vegetable gardens, demonstration and working corrals, antique farm equipment with a hand pump, and an amphitheater for outdoor learning activities. The proposed amendment to the policy provides for the further protection of the Barn Complex by relocating these structures, as needed, to stabilize the existing structures as needed and advised by appropriate professionals. Therefore, the proposed amendment to Policy 2-P-68 would further protect the barn complex and would not conflict with overall purpose of this policy.*

*The Putnam Park Extension Project component would preserve trees and California red-legged frog breeding habitat. The proposed project would minimize grading and avoid landslide areas by not developing the project site south of Kelly Creek for residential purposes and improving this area as an open space. The 300-foot band along the southern boundary of the project site that is designated Urban Separator on the General Plan Land Use map would be dedicated to the Sonoma County Regional Parks and retained as open space and protected habitat as part of the proposed project.*

*The proposed Putnam Park Extension Project component would extend the existing Helen Putnam Regional Park eastward to D Street by developing a park area on approximately 47-acres of the project site. Therefore, the proposed project would meet and exceed the policy's requirement of providing a minimum 3.0-acre park. The proposed project also would include trailhead facilities with restrooms and parking.*

*The project complies with the City's hillside regulations by preserving the subarea's rural quality and maintaining an open land with grasslands naturally and mature oak woodlands. As provided for in IZO Chapter 16, the PUD zoning provides for smaller lot size in order to cluster development and minimize development footprint while maintaining the minimum density requirements of the Very Low Density Residential land use designation.*

#### *Residential Density*

The Land Use, Growth Management, and Built Environment Chapter of the General Plan provides a discussion of density/intensity standards for each land use classification identified in the General Plan. Residential density is expressed as a minimum and maximum number of housing units per net acre where net acre is defined by the General Plan as "the portion of a site that can actually be built upon. Not included in the net acreage of a site are public or private road rights-of-way, public open space, and floodways." Net acreage is consistently defined within the narrative of the Land Use and Planning Chapter of the RDEIR as the project site "exclusive of existing public streets and other rights-of-way, parks, and public open space."

The FEIR calculates the net acreage of the site as 45.27 acres (58.66 gross acres minus public and private rights-of-way, required public open space (the 3-acre neighborhood park, identified by the General Plan), and the 200-foot wide Kelly Creek corridor, and does not exclude the Urban Separator per Policy 1-P-19). While the General Plan recognizes proposed urban separators as

open space areas to buffer agricultural lands from urban lands and provide opportunities for recreation, the General Plan also includes a policy that allows for the transfer of development potential of land designated as urban separator (Policy 1-P-19). The net density calculation includes the 300-foot urban separator overlay, consistent with this General Plan policy.

The Very Low-Density Residential Land Use Designation allows for a residential density between 0.6 to 2.5 units per acre. Based on the net acreage of the site, the property's allowable density is between 28 and approximately 113 residential units. The project proposes a density of 0.60 dwelling units per acre (28 units), which is at the lowest allowable density range for the land use designation of the site. Though the site could accommodate up to approximately 113 dwelling units, as previously discussed, the proposed project density was reduced in response to comments received during the public review process in 2013 and 2017 including preservation of the Barn Complex, the Kelly Creek riparian corridor, tributaries, and sensitive habitat.

#### *Neighborhood Park*

Figure 6-1 in the General Plan illustrates a proposed park on the Scott Ranch property. More specifically, in Table 6.1-3, P-7 (UoP Property – Davidon Homes) is identified as an approximately 3-acre passive neighborhood park to be developed on the project site. The General Plan defines a neighborhood park as “devoted primarily to serving a small portion of the city, usually within walking and biking distance to residences. These parks are typically designed for non-organized and unsupervised recreation activities. Play equipment, ball fields and open turf areas, and picnic tables may be provided, although restrooms and off-street parking are generally not-provided, but are encouraged”.

As part of the project revisions in 2017, Davidon Homes and Kelly Creek Protection Project came together as co-applicants for the project. The revised project includes two components, including a regional park component shown as Parcel B in the VTSM (Attachment 7). Upon certification of the EIR and approval of the project entitlements, the applicant will submit a Tentative Parcel Map application to separate Parcel B from the residential component for conveyance of the property to Kelly Creek Protection Agency. KCPP in turn has executed a Letter of Intent (Attachment 16) with Sonoma County Regional Parks to dedicate the 47-acre parcel to SCRPP for expansion of neighboring Helen Putnam Regional Park. As outlined in the Letter of Intent, KCPP will complete a series of improvements outlined as Phase 1 prior to transferring ownership to SCRPP. SCRPP will then be responsible for ongoing operation and maintenance of the park. These Phase 1 improvements are also outlined in Condition #13 in the VTSM resolution (Attachment 6, Exhibit A).

The proposed project results in a 47-acre regional park expansion and will be further protected by two anticipated conservation easements to be recorded on the site prior to any trail construction, grading, etc. on the site. One of the conservation easements will be held by the Sonoma County Agricultural and Open Space Preservation District as a requirement of the \$1,000,000 matching grant award for the project. The other conservation easement will be held by the resource agencies for protection of Red Legged Frog Habitat.

The required three-acre neighborhood park called for in the General Plan is interpreted as being satisfied by the 47-acre regional park expansion on the property. As illustrated on the Park Concept

Plan (Attachment 15) the anticipated uses and layout of the regional park expansion will meet and exceed the anticipated improvements of a neighborhood park as envisioned in the General Plan.

The EIR includes analysis and specific mitigations associated with the offsite Regional Trail Project (RTP) to be undertaken by SCR. This related project would create new trails within the existing Helen Putnam Regional Park to connect the existing trail network with the new trails proposed as part of the Scott Ranch Project along Kelly Creek, creating a connecting trail network between the existing and expansion of the regional park. SCR will be responsible for implementing mitigation measures associated with the RTP project to ensure compliance with CEQA.

### **Housing Element**

The City's 5th cycle Housing Element identifies the Scott Ranch site on the residential site inventory as Site #46. More specifically, the two parcels that make up the project site are anticipated to provide a capacity of 66 housing units. The site is identified as having infrastructure capacity but environmental constraints, including "topography, habitat, wetlands, creek", are called out as factors for future development.

The proposed project proposes 28 residential units, which is significantly less than the 66-unit capacity cited in the inventory. However, the inventory demonstrated that Petaluma had a housing capacity significantly more than the 745 housing units assigned through the 5th cycle Regional Housing Needs Allocation for the City of Petaluma.

### **Bicycle and Pedestrian Master Plan**

The Bicycle and Pedestrian Plan (Adopted May 18, 2008) includes goals, policies, and programs to facilitate safe and efficient travel for bicycles and pedestrians in the city and includes a Proposed and Existing Bicycles Facilities Map (General Plan 2025 Figure 5-2). Figure 5-2 shows the following bike paths:

- D Street – Existing Class II
- Windsor Drive – Proposed Class II
- Kelly Creek – Proposed Class I
- Urban Growth Boundary – Proposed Recreational Trail

The City's Bicycle and Pedestrian Plan serves as an Appendix to the General Plan 2025. Policies are incorporated into General Plan Chapter 5: Mobility. The following discussion provides an analysis of the proposed project against applicable Chapter 5: Mobility policies. Staff analysis is provided in italics below. Chapter 5: Mobility.

**Policy 5-P-15** Implement the bikeway system as outlined in the Bicycle and Pedestrian Plan, and expand and improve the bikeway system wherever the opportunity arises.

*As previously discussed, the project proposes an amendment to General Plan Figure 5-2, Bicycle Facilities, to delete the "Recreational Trail Proposed" from the southern boundary of the Urban Separator on Scott Ranch (Figure 3.0-9 of the RDEIR, Proposed Amendments to General Plan Figure 5-2, Bicycle Facilities). The project would add "Class I Off-Street-Proposed" in or near the right-of-way at the eastern boundary of Scott Ranch starting at the site's southeast corner and connecting to the "Class I Off-Street-Proposed" (Kelly Creek) trail. The proposed trail*

*along Kelly Creek would connect to the proposed offsite regional trail at Helen Putnam Regional Park, thereby providing adequate connectivity to local and regional trails even with removal of the “Recreational Trail Proposed” within the Urban Separator as contemplated by the General Plan.*

*Class II bicycle lanes are currently provided on D Street (between downtown Petaluma and Sunnyslope Road) and on Windsor Drive (between D Street and Windsor Court). The southbound section of D Street between Sunnyslope Road and Windsor Drive does not have a bicycle lane and instead functions as a Class III bicycle route. No additional pedestrian and bicycle facilities are planned in the area. In addition, the proposed project would develop a Class I trail generally parallel to the D Street right of way between the intersection with Windsor Drive and the public parking area.*

*As noted in Section 2.0 of the FEIR, Revised Project Description, the project would include pedestrian and bicycle paths that would connect the project to existing neighborhoods, Windsor Drive and D Street. Five and six-foot sidewalks would be provided along the project frontages at the new intersection of proposed A and B Streets with Windsor Drive, and along new public streets. The roundabout proposed at the intersection of Windsor Drive and D Street would provide crosswalks on all approaches with Rectangular Rapid Flash Beacons (RRFB). In addition, the proposed project would include an off-site sidewalk improvement along the east side of D Street between Windsor Drive and Sunnyslope Avenue, for a distance of approximately 800 feet, to connect with the existing sidewalk. Additionally, the developer has agreed to provide quick charging EV stations for electric bikes which will expand the use of EV bikes.*

**Policy 5-P-18** The City shall require Class II bike lanes on all new arterial and collector streets.

*The project does not include any new arterial or collector streets. However, the following improvement would be part of the proposed project: A Class I trail would be constructed from the southeast corner of the project site along D Street to connect with a proposed sidewalk at the northeast corner of the site. The trail would transition to a Class II facility at the existing crossing over Kelly Creek.*

**Policy 5-P-23** Require the provision of pedestrian site access for all new development.

*Pedestrian access is provided by the project through the introduction of sidewalks along Windsor Drive, D Street, and on the new residential streets that connect with the loop trail system to be developed on both North and South of Kelley creek and tying into a future trail connection to the west at Helen Putnam Regional Park.*

**Policy 5-P-25** Establish a network of multi-use trails to facilitate safe and direct off-street bicycle and pedestrian travel. At the minimum, Class I standards shall be applied unless otherwise specified.

*The multi-use loop trail would provide for future connection to the Helen Putnam Regional Park trail system at the western edge of the project site, thereby providing adequate connectivity to local and regional trails. The project would include a Class II trail that runs north/south parallel to D Street, constructed from the southeast corner of the project site along D Street to connect*

*with a proposed sidewalk at the northeast corner of the site. A proposed paved Class I trail would be constructed from the southeast corner of the project site generally parallel to D Street but would travel through the park, along the west side of the main parking lot, through a proposed playground area, over a footbridge above Kelly Creek, and through the barn center.*

## **Petaluma Municipal Code**

Subdivision of land is governed by the California Subdivision Map Act (SMA) and by Chapter 20 of the Petaluma Municipal Code. There are seven standards in the SMA (Government Code Section 66474) by which subdivisions are evaluated. The SMA standards are listed below followed by staff analysis of the project in italics as it relates to each standard.

1. That the proposed map is consistent with applicable general and specific plans as specified in Government Code Section 65451.

*The proposed map is consistent with the General Plan in that it provides a residential project on a property designated for residential uses with a density range of 0.6 to 2.5 dwelling units per net acre. The project has a density of 0.6 dwelling units per net acre (as discussed in greater detail under the density discussion above). Furthermore, the proposed subdivision, together with provisions for its design and improvements will not be detrimental to the public health, safety, or welfare in that adequate public facilities exist or will be installed, including road, sidewalks, water, sewer, storm drains, and other infrastructure. Lastly, as detailed in the General Plan Consistency section of this report, the proposed map is consistent with the applicable General Plan policies.*

2. That the design or improvement of the proposed subdivision is consistent with applicable general and specific plans.

*As designed, the subdivision is consistent with General Plan in that the project density is consistent with that of the General Plan and for the reasons stated in the previous standard.*

3. That the site is physically suitable for the type of development.

*The proposed subdivision has been designed to cluster the minimum density and minimize the footprint of development in order to preserve approximately 47 acres as designated open space for public use and an additional 5 acres as private open space associated with the residential component. The layout of the project seeks to minimize impacts to sensitive resources, steep topography, and riparian corridor. Additionally, the project is laid out to utilize existing infrastructure and provide off-site improvements to enhance bicycle and pedestrian facilities in the area,*

4. That the site is physically suitable for the proposed density of development.

*The site is physically suitable for the proposed density as proposed in a clustered development pattern on either side of Windsor Drive and with the implementation of the proposed mitigation measures recommended in the project's Environmental Impact*

*Report. At 58.66 gross acres, the site has adequate area to support the proposed 28 units clustered on approximately 6 acres of the site.*

5. That the design of the subdivision or the proposed improvements are not likely to cause substantial environmental damage or substantially and avoidably injure fish or wildlife or their habitat.

*The design of the subdivision and the proposed improvements will not cause substantial environmental damage or substantially and avoidably injure fish and wildlife or their habitat in that the Environmental Impact Report provided mitigation measures to reduce identified potential impacts on environmental resources to less than significant levels. All identified mitigation measures are included as conditions of approval to ensure implementation through the project. The EIR does find one significant and unavoidable impact associated with vehicle miles traveled which require that the City Council adopt overriding considerations in order to certify the EIR. Although the project has incorporated transportation related mitigations to reduce VMT impacts such as sidewalk gap closure, electrical vehicle charging stations, etc., there was no feasible mitigation identified to reduce the impact to less than significant based on the location of the proposed project.*

6. That the design of the subdivision or type of improvements is not likely to cause serious public health problems.

*With implementation of the project's mitigation measures associated with the project's Environmental Impact Report, no serious public health problems would be caused. The project has been designed to minimize the footprint of development and maximize open space preservation.*

7. That the design of the subdivision or the type of improvements will not conflict with easements, acquired by the public at large, for access through or use of, property within the proposed subdivision.

*The design of the subdivision and the type of improvements will not conflict with easements acquired by the public at large, for access through or use of property within the proposed subdivision in that the project is proposing a new private street that will connect to the City's existing street network, including provisions for emergency vehicle access. Existing easements will be preserved or realigned to mesh with the subdivision design.*

As required by the City's subdivision ordinance, the City Engineer prepared a written report recommending conditions for approval of the Tentative Subdivision Map. Those recommendations along with recommended conditions of approval from the Planning Division and Fire Department are incorporated into the VTSM Resolution (Attachment 6—Exhibit A).

### **Implementing Zoning Ordinance**

The following discussion looks at applicable requirements in the Implementing Zoning Ordinance (IZO) with staff analysis in italics:

*Chapter 3 – Inclusionary Housing.* Section 3.040 of the IZO establishes the required inclusionary affordable housing requirements for the project. When this ordinance was adopted in 2018 the City Council specified that any pipeline project that had been deemed complete prior to January 1, 2019, could pay the City’s established housing in lieu fees instead of providing onsite inclusionary units consistent with the new requirements. The Scott Ranch project has elected to pay in lieu fees as originally anticipated as part of this project and consistent with the project’s vesting under the City’s previous affordable housing requirements. Condition of Approval #13 in the VTSM resolution references the applicant’s legal authority to do so.

The applicant has committed to construct junior accessory dwelling units in nine of the 28 residences to provide some diversity in housing types in the development. Additionally, local ordinance allows for both JADUs and ADUs in all residential development which provides for future modification of the houses to accommodate the later addition of these accessory housing types.

*Chapter 19 – Planned Unit District*

The P.U.D., Planned Unit District, is designed to allow inclusion within its boundaries for a mixture of uses, or unusual density, building intensity, or design characteristics which would not normally be permitted in a single use district.

Development in this zone is allowable only after the approval by the City Council of a complete Unit Development Plan showing the internal design of the District, the interrelationship of uses, and their relation to the surrounding area. The Unit Development Plan may be approved by the City Council upon recommendation of the Planning Commission. In recommending the approval, or modification, of said Plan, the Commission must find that said Plan, or modification thereof, clearly results in a more desirable use of land and a better physical environment than would be possible under any single zoning district or combination of zoning districts.

The purpose of the proposed Scott Ranch PUD is to accommodate the minimum required density for the site in a cluster of smaller lots on approximately 6 acres on either side of Windsor Drive. This will allow creation of lots that are smaller than both the requirements of the existing R1 zoning district and the lot size requirements for hillside subdivisions as outlined in IZO Chapter 16. This in turn allows the project to cluster development, minimize the footprint of development, minimize disturbance to hillside topography, set development away from the riparian corridor along Kelly Creek, avoid sensitive Red Legged Frog Habitat, and maximize open space preservation.

The proposed Scott Ranch PUD would result in a more desirable use of land and a better physical environment than would be possible under the R1 Zoning District.

*Chapter 16 -- Hillside Protection Findings*

IZO Section 16.050 provides a comprehensive list of provisions applicable to all development applications in the West Hills subarea of the General Plan, many of which are guidelines. Additionally, IZO Section 16.070 provides additional provisions for subdivisions subject to the City’s Subdivision Ordinance, Municipal Code Title 20, while IZO Section 16.060 provides

supplemental quantitative development standards and design guidelines for new development subject to SPAR located in the West Hills subarea. A summary analysis under the general guidelines and subdivision standards, IZO Sections 16.050 and 16.070, is provided below:

#### Density

The Project Site is designated as Very Low Density Residential (0.6 to 2.5 dwelling units per acre) in the City's General Plan Land Use map. The formula in IZO Section 16.070.C.2 results in a minimum lot area of 18,271 square feet. When the minimum parcel size of the underlying zoning district is greater, the underlying zoning shall prevail pursuant to IZO Section 16.070.C. Therefore, the R1 minimum parcel size, 20,000 square feet, applies, which would allow up to 113 residential lots. The proposed Scott Ranch PUD allows a minimum lot size of 5,800 square feet in order to cluster development and minimize the footprint of the development. Other provisions of IZO Chapter 16 provide that such flexibility can be permitted through adoption of a PUD.

#### Guidelines

**Site Design:** The project is designed to cluster the development and maximize retention of open space and existing site features such as Kelly Creek. Cut and fill building pads are proposed, which minimize grading to the area immediately beneath buildings and driveways. Open wire fencing is used adjacent to open space to preserve views.

**Grading and Retaining Walls:** Cut and fill building pads are utilized to minimize soil off-haul and ground surface disturbance, and site grading is generally blended with the natural topography. Protruding or steeply cut slopes are avoided and natural ridgelines and drainage ways are preserved. Masonry and rockery retaining walls are proposed to help blend walls with the natural hillside environment and to promote a rural character.

**Roads and Driveways:** Curvilinear roads are designed following the natural contours of the hillside to minimize excessive cutting. Common driveways are proposed in the subdivision. A trailhead is proposed to provide connection to the existing Helen Putnam Regional Park trail network. In response to comments received during the DEIR hearings, the applicant explored the idea of providing direct access to each of the 28 lots from Windsor Drive to allow elimination of all new roadways associated with the residential component of the project. This approach was determined to increase impacts to slope, create additional traffic impacts, and increase the footprint of the development to accommodate 28 individual driveways.

**Landscaping and Tree Preservation:** The project proposes replacement of trees to be removed in compliance with the City of Petaluma IZO Section 17.060, Tree Removal. The proposed project would include planting 427 trees of various sizes including native oaks and other native tree species, thereby exceeding the IZO requirement for replacement of removed Protected Trees. As shown on the landscape plans, screening is proposed adjacent to retaining walls.

IZO Section 16.050(D) requires a visual analysis to simulate the impact of the subdivision within the context of its surroundings. In order to evaluate the potential impact of a project on community views, specific view platforms are identified. The project is in the vicinity of a specific City-

identified view platform, D Street in the vicinity of the City limit/urban growth boundary. As shown in View 10, included in Attachment 18, the homes are sited on cut building pads at a lower elevation than the existing hillside as viewed from D Street in the vicinity of the City limit. Therefore, staff has determined the potential for view impacts to be minimized from City-identified view platforms.

The proposed VTSM complies with the hillside subdivision requirements outlined in IZO Chapter 16 as follows and as discussed in the VTSM resolution (Attachment 6):

- The minimum parcel size of the 28 residential lots has been modified to cluster and minimize development footprint due to the unique characteristics of the site. The proposed lot layout responds to site conditions and complies with the General Plan goals and policies related to the clustering of development. The proposed 28 residential lots remain consistent with the minimum density range of the Very Low Density Residential land use designation and remains within the limitations prescribed in IZO Section 16.070.D.
- The density of the proposed project is consistent with the lowest end of the General Plan density range for the site.
- All sites created by the VTSM are subject to development standards as outlined in the Scott Ranch PUD Guidelines and Unit Development Plan.
- The proposed project does not develop on open ridgelines.
- The clustering of residential development on 11 acres of the 57.88 acre site along Windsor Drive in order to protect the majority of the site and its unique biological resources for preservation in perpetuity.
- The clustering of residential development minimizes the development footprint, protects natural features, maximizes tree protection, and preserves unique habitat by locating structures away from these assets.
- The proposed siting of the residential units and proposed architectural design is consistent with existing development in the surrounding area and has minimized the profile of the built environment to minimize environmental impacts and cluster the development in a small portion of the site.
- By clustering the development, the project minimizes the development footprint and associated alteration of the hillside topography.
- The proposed project clusters the residential units on smaller lot sizes to meet minimum density standards while minimizing development footprint and maximizing open space.

- The proposed development is consistent with neighboring residential development in the immediate vicinity.
- The clustering of residential units allows for preservation of existing trees on the site.
- The proposed development is clustered outside of the 30 percent slope areas to the extent possible.

#### *Chapter 25 -- Amendments*

Changing the site's R1 zoning district to PUD requires a Zoning Map Amendment and Zoning Text Amendment pursuant to IZO Chapter 25 and is subject to finding of facts by the Planning Commission and the City Council. These required findings are presented below and followed by staff analysis.

1. The proposed amendment is in general conformity with the Petaluma General Plan and any applicable plans.

*As discussed in this staff report, the proposed Zoning Map Amendment and Zoning Text Amendment to change the sites zoning from R1 to PUD and adopt the associated Scott Ranch PUD Guidelines is in general conformity with the Petaluma General Plan. The PUD is consistent with the Very Low Density Residential land use designation and allows flexibility in development standards to cluster the residential development, increase the preservation of open space, and reduce the overall area of disturbance needed for grading. The proposed development under the PUD zoning provides for a more sensitive development pattern on the project site.*

2. The public necessity, convenience, and general welfare require or clearly permit the adoption of the proposed amendment.

*The public necessity, convenience, and general welfare permit the rezoning of the Scott Ranch property and adoption of the proposed Zoning Text Amendment in that the adoption of the Scott Ranch PUD Guidelines and Unit Development Plan will allow for the clustering residential development that meets minimum density requirements on a small portion of the property will minimizing disturbance on the majority of the overall site, allow access in large part from existing roadways, and preserve approximately 47 acres of open space in perpetuity. The clustering of the residential component of the project on approximately 11 acres along Windsor Drive provide for preservation and dedication of the remaining 47 acres to Sonoma County Regional Park for an expansion of Helen Putnam Regional Park to increase park and open space resources for Petaluma residents.*

#### **Subsequent Actions on the Project**

If the proposed project is approved and the Revised Project proceeds to the Site Plan and Architectural Review (SPAR) entitlement phase, all measures identified in the Mitigation Monitoring and Reporting Program will be incorporated into the conditions of approval of any subsequent SPAR entitlement. The Planning Commission will have approval authority on the Scott

Ranch SPAR entitlement and may add, modify, or amend future SPAR related conditions of approval.

Subsequent actions also include other administrative actions by the City, including a parcel map or lot line adjust to separate Parcel B for transfer to Sonoma County Regional Park to accommodate the Putnam Park Extension. Additionally, the Project Applicants will apply for and the City will consider a zoning text amendment to designate the Barn Complex as a local landmark.

Subsequent actions by other agencies include review and approval by regional, state, and federal agencies that have jurisdiction over the project site and/or resources (e.g., Sonoma County Regional Park, CDFW, USFWS, etc.).

### **PUBLIC OUTREACH**

The Scott Ranch Project has been in process for decades and has been considered at multiple public hearings before the Commission, City Council, and various Committees.

This agenda item was noticed as required through provisions in Section 24.100 of the IZO, including onsite posting, publication of a 1/8 page ad in the Argus Courier, and mailed notices to all property owners and tenants within a 1,000 foot radius of the project site. In addition, notices were mailed or emailed to all previous commenters and to those requesting notification of the project. The major project page on the City's website has been maintained to indicate the City Council hearing and provide access to project plans and the EIR.

Public comment letters received since the Planning Commission meeting on August 9, 2022, and through February 21, 2023 have been included at Attachment 19. All public comments received following publication of this staff report will be posted to the agenda item on Granicus.

### **CLIMATE ACTION/SUSTAINABILITY EFFORTS**

On December 10, 2020, the City's Climate Action Commission approved the Climate Emergency Framework and forwarded a recommendation for its adoption to the City Council. Subsequently, on January 11, 2021, the City Council and the Climate Action Commission held a joint hearing which resulted in adoption of the Framework. The Framework is intended to guide the City's ongoing response to and discussion about the climate crisis and guides and informs subsequent policies and implementation strategies. The principles identified in the Framework establish Petaluma's shared vision of a healthy, sustainable, and equitable community. By setting the shared intention of this framework and working from the framework in subsequent planning efforts to create policy and implementation, the City will actively work to avoid catastrophic climate change and adapt to its expected impacts.

Goals identified in the Framework that are particularly relevant to the project include elimination of transportation emissions by reducing VMT through active transportation, land use policy, increased density, increased public transit investment, and encouragement of and support for non-combustion vehicles. Though the project will have significant and unavoidable impacts related to

the generation of VMT, the statement of overriding considerations demonstrates that the project benefits outweigh the potential adverse impacts. Additionally, the project is subject to Traffic Impact Fees which are used to fund transportation infrastructure improvements citywide including pedestrian and bicycle and transit facilities. Furthermore, new residences are proposed to incorporate sustainable design features, including solar energy generation, in compliance with the new Building Energy Efficiency Standards of California Building Code Title 24. New residences introduced by the project will be developed consistent with the City's all-electric requirements and would generate enough energy from renewable sources to offset electricity use (net zero electricity). This would be accomplished through a combination of highly efficient building systems and solar power generation at each residence. Additionally, the residential component of the project will include electric vehicle charger connections in each garage. The new public parking lots associated with the Helen Putnam extension will provide four electric vehicle charging stalls (2 in each parking lot). Furthermore, the project will preserve 47 acres of open space land including wetlands, native grassland tributaries, critical habitat, and mature trees.

The project will install sidewalks, bicycle lanes, and multi-use pathways furthering opportunities for outdoor recreation. Improvements proposed by the project include bank stabilization, habitat restoration, and enhancement of the riparian corridor through native tree plantings (427 new trees), which will further enhance and preserve the land consistent with goals of the Framework. The project also expands the extent of Helen Putnam Park and provides for public parking on D Street and Windsor Drive, thereby potentially reducing some visitor trips that otherwise would travel to existing parking areas at Helen Putnam Regional Park.

## **ENVIRONMENTAL REVIEW**

The City Council is responsible for certifying the EIR and approving the legislative entitlements requested. Pursuant to the City's Environmental Review Guidelines, all projects requiring an EIR shall be referred to the City Council for certification of the EIR and approval of environmental findings. The Planning Commission may also consider the EIR, along with comments received and make recommendations to the City Council on the adequacy of the EIR. The Planning Commission requested to review the FEIR prior to certification by the City Council. Under CEQA, the Lead Agency's decision-making body (the City Council) is required to consider the information in the EIR, along with any other relevant information, prior to making any decisions on the proposed project.

The purpose of the project-level Scott Ranch EIR is to inform decision makers for the City of Petaluma, other responsible agencies, and the public of the potential environmental consequences of implementing the proposed Scott Ranch Project, identify ways that environmental impacts can be reduced, and disclose substantial adverse impacts that cannot be avoided or significantly reduced.

The Scott Ranch EIR has been prepared in accordance with and in fulfillment of CEQA and Guidelines for the Implementation of CEQA (State CEQA Guidelines), and the City of Petaluma Environmental Review Guidelines. The City of Petaluma, as the public agency that has the primary responsibility for approving the proposed project, is the Lead Agency for the EIR under CEQA.

As described above, the City of Petaluma released prior Draft EIR's including the most recent RDEIR, which was the subject of two separate public hearings before the Planning Commission and City Council in 2021.

### **FEIR Contents**

The Final EIR is comprised of the RDEIR together with the Response to Comments and supporting documentation that has been prepared in order to:

- Provide information about the Revised Project
- Provide supplemental environmental information
- Address all comments raised on environmental issues during the public review and comment period on the RDEIR, and
- Provide clarification and revisions to the RDEIR where appropriate

The FEIR includes Chapters 1-5, as follows:

Chapter 1: Introduction and Executive Summary

Chapter 2: Revised Project Description

Chapter 3: Master Response to Frequent Comments on the RDEIR

Chapter 4: Response to Comments on the RDEIR

Chapter 5: Revisions to the RDEIR

Chapter 1 provides the purpose of the FEIR, which is an informational document for use by the City decision-makers to make an informed decision in consideration of approval for discretionary entitlements requested by the proposed Scott Ranch Project. Chapter 1 identifies the required content of the FEIR, areas of public concern, and a determination that no new significant information has been raised through project revisions or responses to comments and that recirculation is not required.

Chapter 2 provides a description of the Revised Project that the applicants now propose in response to the environmental issues raised in the RDEIR, as well as in response to public comments on the RDEIR, and City Planning Commission and City Council concerns. See above discussion on revised project for detail on project refinements that serve to avoid, further reduce, further minimize adverse effects identified in the RDEIR, or respond to comments.

Chapter 3 provides comprehensive master response to environmental concerns that were frequently raised in comment letters and during public comment at hearings on the RDEIR. These frequently raised issues and the location of the corresponding master response in Chapter 3 are as follows:

- Adequacy of biological resource studies conducted onsite  
*Master Response 1, Section 3.2, starting on page 3.0-1*  
*Master Response 5, Section 3.6, starting on page 3.0-36*
- Loss of critical habitat and open space  
*Master Response 2, Section 3.3, starting on page 3.0-10*  
*Master Response 3, Section 3.4, starting on page 3.0-16*  
*Master Response 4, Section 3.5, starting on page 3.0-17*

- Greenhouse gas emissions and climate change  
*Master Response 6, Section 3.7, starting on page 3.0-40*
- Increased traffic levels  
*Master Response 7, Section 3.8, starting on page 3.0-44*  
*Master Response 8, Section 3.9, starting on page 3.0-45*  
*Master Response 9, Section 3.10, starting on page 3.0-47*  
*Master Response 10, Section 3.11, starting on page 3.0-50*  
*Master Response 12, Section 3.12, starting on page 3.0-56*
- Public Transit  
*Master Response 11, Section 3.12, starting on page 3.0-55*
- Parking impacts  
*Master Response 14, Section 3.15, starting on page 3.0-59*
- Wildfire evacuation risk  
*Master Response 13, Section 3.14, starting on page 3.0-57*
- Project merit and alternatives  
*Master Response 15, Section 3.16, starting on page 3.0-61*
- Construction schedule  
*Master Response 16, Section 3.17, starting on page 3.0-63*

Chapter 4 contains each comment letter or correspondence received on the RDEIR and provides individual response to each comment.

Chapter 5 presents the text changes and corrections to the RDEIR in response to changes made pursuant to the revised project or resulting from comments received on the RDEIR.

The information contained in the FEIR is subject to review and consideration by the City of Petaluma, prior to its decision to approve, reject or modify the project. The City of Petaluma City Council must independently certify that they have reviewed and considered the information in the FEIR and that the FEIR has been completed in conformity with the requirements of CEQA before making any decision regarding the Project. In addition to the City's role as lead agency and with discretionary authority over the requested entitlements, the following outside agencies also will be required to issue permits or approvals and the non-federal agencies will rely on the Scott Ranch EIR:

- U.S. Army Corps of Engineers (Corps)
- State Water Resources Control Board (SWRCB)
- Regional Water Quality Control Board (RWQCB)
- U.S. Fish and Wildlife Service (USFWS)
- California Department of Fish and Wildlife (CDFW)
- Sonoma Water (formerly Sonoma County Water Agency)

- Sonoma County Permit and Resource Management Department
- Sonoma County Regional Park

### **Supplemental Environmental Information**

The FEIR incorporates supplemental information relating to a number of topics discussed in the RDEIR. Appendixes A-D of the FEIR include information regarding biological resources, transportation, noise, and wildfire and evacuation, and were developed to respond to direction received from decision makers and public comments raised on the RDEIR. Supplemental information presented in the FEIR did not lead to new or substantially different impacts than were disclosed in the RDEIR. Rather, the supplemental information serves to clarify and augment information presented in the RDEIR.

#### *Biological Resources*

As stated in Section 4.3 Biological Resources of the RDEIR, biological resources occurring or likely to occur on the site were identified through protocol-level surveys, reconnaissance-level field surveys, background research, and review of databases. The project site has been subject to numerous biological resources studies, investigations, and ongoing review conducted since 2003 (over the past ~19 years). The site's biological resources are well understood and well documented in the EIR record. The project site contains grassland (native and non-native), oak-dominated woodlands along the Kelly Creek corridor and its tributaries and stands of mature native oak trees. Freshwater marsh habitat occurs south of Kelly creek in the form of seasonal wetlands, seeps, and smaller drainages. The project site contains sensitive community habitat and supports a number of wildlife species including special status species. The Army Corps of Engineers (USACE) confirmed the extent of regulated waters onsite through issuance of a jurisdictional determination on December 4, 2020, which was verified in the field by USACE personnel. Vegetative cover has not changed as described in detail in Subsection 4.3.2.3, and the potential for occurrence of special-status plant and animal species remains the same as described in Subsection 4.3.2.4. Given the exhaustive record of surveys and mapping, no additional surveys or studies were considered necessary to characterize existing conditions or assess the potential impacts of the current project on biological resources. Nonetheless, as part of the FEIR and in response to comments, a Wildlife Habitat Assessment, dated September 13, 2021 (Appendix A to the FEIR) was prepared by the City's consulting biologists. The Wildlife Habitat Assessment confirmed the findings of the previous biological assessment and provides evidence to support the technical response to comments raised on biological resources.

The California Red-Legged Frog (CRLF), listed as threatened at the federal level and as a species of special concern at the state level, is known to occur onsite including a breeding population in the stock pond south of Kelly Creek. The United States Department of Fish and Wildlife Service (USFWS) has stated that adequate information is known to confirm presence of this species and further protocol level surveys are not warranted, since the entire project site is considered occupied by CRLF.

One of the Critical Habitat Units (SON-3) identified by the USFWS encompasses a majority of the project site and extends north of Kelly Creek. The proposed project revisions avoid placing new residences and infrastructure within the identified critical habitat line. As stated by the USFWS the critical habitat designation "does not necessarily restrict further development." Rather it requires Federal agencies to ensure that authorized actions do not destroy or adversely modify

critical habitat. The entire site is considered to be “occupied” by CRLF and the EIR imposes mitigation accordingly including construction restrictions and controls, revegetation of disturbed areas, enhancement of existing creek corridors, tributaries, and the stock pond, retention of upland habitat, and replacement of permanently impacted habitat at a 3:1 ratio, as well as the review, approval, and implementation of a Final CRLF Mitigation Plan by the USFWS.

As stated in the RDEIR, preliminary correspondence with representatives of the USFWS and the California Department of Fish and Wildlife (CDFW) indicate agreement with the proposed approach to mitigation including habitat avoidance and habitat enhancement south of Kelly Creek. With incorporation of mitigation measures, the FEIR concludes that impacts to biological resources onsite, including sensitive natural communities, wetlands, listed and special status species, and protected trees would be reduced to less than significant levels.

### *Transportation*

As described in detail in the RDEIR, SB 743, signed into law in 2013, changed how transportation impacts are evaluated under CEQA, shifting the focus from impacts to drivers experiencing delay under a Level of Service (LOS) metric to the vehicle miles traveled (VMT) metric, which is a measure of automobile travel. Under SB 743, lead agencies are required to evaluate transportation impacts of a project using a VMT metric which focuses on balancing the needs of congestion management with statewide goals related to infill development, promotion of public health through increased active transportation facilitated by closer proximity to alternative travel modes, and reductions in greenhouse gas emissions.

The Notice of Preparation (NOP) for the Scott Ranch Project was published well before the VMT metrics took effect, however the RDEIR was prepared using the VMT threshold of significant relying upon the 15 percent below the citywide VMT average as recommended in OPR’s Technical Advisory, and above which a project would be considered to have a significant environmental impact. Prior to August of 2020, the best available tool for calculating VMT was the Metropolitan Transportation Commission (MTC) model, an activity-based regional travel demand model covering the nine-county Bay Area. In August of 2020, the Sonoma County Transportation Authority (SCTA) updated the Sonoma County travel demand model and in July of 2021 the City of Petaluma adopted the SCTA travel model as the acceptable model for VMT analysis in compliance with SB 743. The SCTA model was further updated in August 2021 with a base year reflecting the 2019 conditions. The RDEIR relied upon the MTC model to calculate VMT impacts, which were found to be significant and unavoidable given the project site’s location and the travel behavior of existing residences within the site’s travel area zone (TAZ), which is used as a proxy to estimate the travel distances of the Proposed Project’s residents.

The FEIR updates the VMT estimates presenting in the RDEIR using the SCTA model, which yields a significant impact if the project generates greater than 15.1 VMT per capita under existing plus project conditions based on 15 percent below the existing City average of 17.8 VMT per capita or greater than 14.8 VMT per capita under cumulative plus project conditions based on 15 percent below the cumulative City average of 17.4 VMT per capita. Project generated VMT per capita is calculated based on the VMT generated by existing residents residing within the site’s TAZ, divided by the residential population of the TAZ. Based on this methodology, the project would generate 20.5 VMT per capita at operation under existing conditions and 21.4 VMT per capita under cumulative conditions, which is substantially above the VMT threshold.

The following table shows the VMT metrics as calculated in the RDEIR using the MTC model and in the FEIR using the SCTA model. Revisions to the VMT estimates from the RDEIR to the FEIR are a result of changes to the modeling program utilized, and not due to project revisions. Furthermore, no new substantive information has been introduced and the identified VMT impact continues to be significant and unavoidable.

	RDEIR Scott Ranch VMT (MTC Model)			FEIR Scott Ranch VMT (SCTA Model)		
	Site TAZ	Citywide Average	Threshold 15% Below Citywide Average	Site TAZ	Citywide Average	Threshold 15% Below Citywide Average
Existing	19.6	19.1	16.2	20.5	17.8	15.1
Cumulative	16.1	16.3	13.9	21.4	17.4	14.8

In order to fall below the VMT threshold of significance, using the SCTA model, the Scott Ranch project would need to reduce project generated VMT by approximately 26 percent under existing condition. Opportunities to achieve a quantifiable VMT reduction were explored during preparation of the RDEIR, and no feasible measure was identified. This effort was continued during the FEIR preparation and is documented in Appendix B Transportation to the FEIR, which presents an assessment of potential VMT reduction measures that were investigated in an effort to identify quantifiable VMT offsets.

Consistent with the California Air Pollution Control Officers Association (CAPCOA) recommendations, potential VMT reduction strategies were examined, but given the project type, location, low demand for public transit services in the project vicinity, lack of an administrative process, outside agency control, or other factor, no feasible quantifiable VMT reduction strategies were identified. Furthermore, the City and region currently do not have a comprehensive VMT reduction program to which the project could contribute. As such, like the RDEIR, the FEIR concludes that the proposed project would result in significant and unavoidable impacts due to VMT.

Despite this significant and unavoidable impact, the type and location of the residential portion of the project is consistent with the densities established by the City’s General Plan and is consistent with the City’s objectives of providing housing within the urban growth boundary, thereby reducing sprawl. The project also includes a substantial public amenity in the proposed expansion of Helen Putnam Park and preservation of 47 acres as open space, with public access paths along Kelly Creek and future connection to existing trails within Helen Putnam Regional Park. Furthermore, the project provides frontage improvements (sidewalks, bicycle lanes, roundabout, crosswalks) and an offsite sidewalk gap closure (along the east side of D Street, north of Windsor Drive) that enhance connections, improve safety, and support a reduction in VMT. The residential development at 28 lots results in reduced VMT impacts compared to the originally proposed 93-lot residential development analyzed in the 2013 Draft EIR, and the 66-lot residential development analyzed in the 2017 Draft EIR. Given the significant and unavoidable impact due to the project’s

per capita VMT, a statement of overriding considerations is required as part of the findings of fact supporting certification of the EIR.

### *Wildfire Impact Discussion*

Consistent with CEQA Guidelines, the RDEIR includes a dedicated Wildfire section that analyzes the project's wildfire impacts and assesses risk exposure due to the site's location within the Wildland Urban Interface (WUI). The Wildfire section is informed by the Fuel Management Plan (FMP) and the Wildfire Evacuation Transportation Assessment, both of which were subject to a peer review. The FMP (1) describes existing conditions that affect fire hazard and risk, (2) delineates fuel management zones, (3) establishes appropriate treatments for each zone, (4) documents maintenance schedule and frequency, and (5) provides a schedule and criteria for updates to the plan.

The Wildfire Evacuation Transportation Assessment evaluates the capacity of local roadways serving the project site during a wildfire evacuation event and concludes that roadways can successfully operate at evacuation capacity. The RDEIR concludes that with implementation of the proposed FMP and compliance with the California Building and Fire codes the proposed project would not exacerbate wildfire risks or increase wildfire risk exposure of new residents onsite and surrounding existing residents and potential impacts would be less than significant.

The FMP and the Wildfire Evacuation Transportation Assessment were subject to a peer review performed by Wildfire DefenseWorks. Input received from the peer review effort was incorporated into the FMP. The peer review states that the Fuel Management Plan relies upon acceptable wildfire modeling software and that inputs used to run the model are in line with acceptable practice. The peer review concurs with the findings of the FMP; that implementation of the proposed development and the Fuel Management Program improve fire conditions relative to existing conditions onsite, which not only reduces the risk of fire to the new development but potentially reduces the current risk of wildfire impacts to existing subdivisions nearby.

Attachment D to the FEIR contains the Revised Fuel Management Plan, which was updated to reflect the project revisions. There is no new substantive information introduced in the Revised Fuel Management Plan and there are no changes to the conclusions reached in the RDEIR. The FEIR clarifies the extent of the Fuel Management Zones, and like the RDEIR concludes that project impact associated with wildfire risk and exposure would be less than significant.

### *California Public Utility Commission Fire-Threat Map*

During the RDEIR hearing, the Planning Commission requested clarification regarding the CPUC Fire Threat Map, which shows that the southern portion of the City of Petaluma including the Scott Ranch property is located within a Tier 2 fire threat area, indicating an elevated risk from utility associated wildfires. The RDEIR Wildfire Chapter, on page 4.15-15 under the SB 901 header provides background on the California Public Utility Commission's (CPUC) Fire Threat Map. The CPUC Fire Threat Map depicts areas where there is an elevated hazard for ignition and rapid spread of powerline fires due to strong winds, abundant dry vegetation, and other environmental conditions. These are areas where utility infrastructure and operations are subject to stricter fire-safety regulation. Pursuant to the CPUC disclaimer "all data and information portrayed on the CPUC Fire-Threat Map are for the expressed use called for in [D.17-](#)

[12-024](#), and any other use of this map is not the responsibility of, or endorsed by the CPUC or its supporting Independent Review Team.” The intent of the regulation is to alert all electric utility and communication infrastructure providers of the fire risk associated with overhead facilities and to reinforce compliance with all fire safety regulations.

There are no new overhead facilities proposed by the Scott Ranch Project. Rather, the Scott Ranch project proposes to underground all new electric and communication facilities.

#### *City of Petaluma Weed Abatement Program*

During the RDEIR hearing, the Planning Commission requested clarification regarding the City’s weed abatement program, particularly as it relates to wildfire risk management. The City of Petaluma successfully implements an annual weed abatement program in accordance with the California Government Code. Weed abatement consists of removing dead vegetation to create “defensible space” that improve a structure or property’s chance of surviving a wildfire and slow down or stop fires from spreading. Pursuant to the weed abatement program, the clearing of public and private property, depending on weather, must be accomplished by mid-May or early June of any given year, and maintained until the first major rains of fall. Clearing activities generally require mowing, trimming, grazing, or other acceptable treatment that reduces vegetation to 4 inches in height or less applied through a 30-foot-wide swath around the perimeter of a property. This greatly reduces the fuel/fire load available and significantly reduces the threat and risk from fire. Property owners are encouraged to remove overgrown weeds and/or combustible vegetation growing upon their properties themselves or by a contractor of their choosing. When this does not occur in a timely manner, the City’s weed contractor, under the direction of the Fire Marshal’s Office, conducts the abatement.

The Scott Ranch property is on the City’s weed abatement list and is in compliance with the City’s weed abatement program. Post development the Homeowners Association (HOA) and Sonoma County Regional Parks will be responsible for implementation and maintenance of the subdivision and the extension of Helen Putnam Park, respectively, in accordance with the Revised Fuel Management Program.

#### *Wildland Urban Interface (WUI)/ Fire and Building Code*

During the RDEIR hearing, the Planning Commission requested clarification regarding regulations within the wildland urban interface area (WUI). As shown in the Wildfire Section of the RDEIR, Figure 4.15-2, the entire southern swath of the City of Petaluma including the Scott Ranch property is located within the WUI. The California Fire and Building Codes were updated in 2019 and require specific provisions for new construction within the WUI. All development associated with the proposed Scott Ranch project is required to comply with City Fire Code Chapter 17.20, which adopts the California Building Standard including the Building Code, Residential Code, and the 2019 Fire Code.

Regulations provide for fire resistance-rated construction, fire protection systems such as alarm and sprinkler systems, fire services, features such as fire apparatus access roads, means of egress, and fire safety during construction. Regulations imposed in the WUI include ignition resistant design to deter entry of flying embers and fire radiation during a wildfire, noncombustible roofing assembly, ignition resistant exterior walls and siding, resistant attic vent and underfloor vent

openings, insulated windows and noncombustible exterior doors, fire-retardant treated exterior decking and stairs, and other ignition resistant exterior treatments. Compliance with WUI provisions is verified through the Building Permit review process including review by the Fire Department.

As mentioned above, in addition to demonstrating compliance with the Fire and Building Code for development within the WUI, the Scott Ranch Project proposes to implement a Fuel Management Plan. Wildfire fuel control implemented through the Fuel Management Plan would reduce fuel loads, introduce defensible space, fire resistant materials, and irrigated landscaping, all of which would minimize wildfire risks and facilitate quick containment in the event of a wildfire.

### **Summary of the Revised Draft EIR and FEIR Findings**

In addition to the topics discussed above, the RDEIR and the FEIR concludes that the project would result in significant or potentially significant impacts to aesthetics, air quality, biological resources, cultural and tribal cultural resources, geology and soils, hydrology, noise, transportation, utilities and service systems, and wildfire. With the exception of VMT impacts, which would result in significant and unavoidable impacts, all project impacts would be mitigated, resulting in less than significant impacts.

Changes made to the RDEIR constitute information that clarifies, amplifies, or makes insignificant modifications to the adequacy of the environmental analysis presented in the RDEIR (CEQA Guidelines Section 15088.5(b)). While it is recognized that the Revised Project is a change from the original project proposed and analyzed under the RDEIR, it is within the range of the Alternatives contemplated and modifications to the project have been proposed in an effort to avoid or minimize identified environmental impacts and to respond to comments raised. For purposes of clarity the FEIR Chapter 5 identifies all changes or revisions to text in the RDEIR and mitigation measures that have been made in response to the Revised Project. Changes to the DEIR were promulgated pursuant to comments received and are intended to provide clarification, update information, and enhance understanding of the site conditions, potential impacts, and efficacy of mitigation. None of the proposed changes constitutes substantial new information nor were any new significant impacts identified. As such, changes to the RDEIR presented in Chapter 5 of the FEIR do not require recirculation of the RDEIR.

Although the FEIR contains new information specific to the Revised Project as now proposed and includes certain corrections and clarifications to information presented in the RDEIR, the FEIR concludes that none of this new information, corrections or clarifications constitutes significant new information as defined under Section 15088.5 of the CEQA Guidelines. No new significant impacts or substantial increase in the severity of a previously identified environmental impact has been identified as resulting from the Revised Project over the original Project, and no considerably different mitigation measures have been added. The FEIR concludes that none of the changes, revisions, and clarification result in significant new information that would warrant recirculation.

### *Statement of Overriding Considerations*

As noted above, the RDEIR and the FEIR concludes that the project would result in significant, unavoidable impacts to Transportation due to an exceedance of the VMT thresholds under existing plus project conditions and under cumulative plus project conditions. In order for the City to approve the project, the City will have to adopt a Statement of Overriding Considerations. The detailed summary of the impacts that are significant and cannot be mitigated (significant and unavoidable) are presented in Section 5 of Exhibit A, Attachment 2. A Statement Overriding Considerations is presented in Section 7 of Exhibit A, Attachment 2 and reflects the ultimate balancing of project objectives, goals and priorities, and community benefits offered by the project, as well as the environmental, legal, technical, social, and economic factors that limit the ability to yield a quantifiable VMT reduction.

Supporting the Statement of Overriding Considerations would mean that ultimately the City finds that, on balance, the benefits of the project outweigh the significant unavoidable environmental impacts. Staff recommends that the benefits of the Scott Ranch Project outweigh the impacts to VMT given that the City has explored all feasible mitigation measures and recognized all significant unavoidable impacts. In the City's judgement, the benefits of the Scott Ranch Project outweigh the significant and unavoidable impacts because the Project:

- Preserves over 47 acres of public open space that will be managed and maintained by Sonoma County Regional Parks
- Realizes public parklands with trails, paths, and amenities including restrooms, demonstration corrals, outdoor educational spaces, interpretive signs, picnic area, and natural playground
- Enhances parkland accessibility for Petaluma residents
- Records two conservation easements over 47 acres, which will permanently limit uses to open space
- Provides for enhanced habitat preservation, increased plant diversity, and restoration
- Provides for enhanced bank stabilization, repair of eroded gullies, and riparian restoration of Kelly Creek
- Provides for enhancements to the stock pond to improve habitat for California Red Legged Frog
- Provides for improved carbon sequestration from retention of open space / enhanced native grassland, tree protection, and new plantings, including approximately 427 new trees onsite
- Provides for the treatment of runoff from Windsor Drive (which is not currently treated)
- Provides for enhanced fire protection from the managed open space at the City boundary
- Develops the project site with the lowest allowable density under the very low-density land use designation, 28 single-family residences including nine (9) junior accessory dwelling units (ADUs) on the portion of the site closest to existing residential development
- Provides for the preservation of the historic landscape and preserves the Barn complex to provide recreational and educational opportunities for the community provides a roundabout with pedestrian crosswalks at D Street and Windsor Drive, which would enhance safety, reduce speeds and congestion, and provide traffic control at a major gateway to the City

- Provides for enhanced bicycle, pedestrian, and multi-use (including equestrian) trail access connecting the regional park with the City (within 1.25 miles of downtown Petaluma)
- Provides for enhanced frontage improvements (sidewalks, bike lane striping, sidewalk gap closure)
- Provides for an offsite sidewalk gap closure on the east side of D street north of Windsor Drive, and
- Provides for additional public parking for Helen Putnam Park, including the provision of electrical vehicle charging stations

The detailed draft findings to support the statement of overriding considerations can be found in Section 7 of Exhibit A, Attachment 2.

### *Alternatives Analysis*

As discussed in the Background section above, a Draft EIR was published and circulated in 2013 for a 93-lot residential development on the project site. In response to comments received on the 2013 Draft EIR, the applicant modified the project, reducing the proposal to a 66-lot residential development which was analyzed as an alternative in the 2013 Draft EIR. The 66-lot residential project was subsequently analyzed in a Draft EIR that was published and circulated in 2017 and included a reduced development alternative for a 28-lot residential development. Following public hearings on the 2017 Draft EIR, Kelly Creek Protection Project announced that it had entered into an agreement with Davidon Homes to purchase approximately 44 acres of the project site to develop an extension to the Helen Putnam Regional Park. Davidon Homes put forth a further reduced development, proposing a 28-lot residential development on approximately 15 acres of the project site. As such, the currently proposed project analyzed in the RDEIR is itself an alternative to the previous iterations of the Davidon/Scott Ranch project.

The RDEIR accounts for comments received on the NOP for the 2013 Draft EIR, comments received on the 2013 Draft EIR, and comments received on the 2017 Draft EIR. A reduced alternative for the residential portion of the project is not included in the RDEIR as the proposed project analyzed includes a residential component that is in itself a reduced project alternative to the original 93-lot residential development analyzed in the 2013 Draft EIR and subsequent 66-lot residential development analyzed in the 2017 Draft EIR. Furthermore, as noted in the Land Use and Planning Chapter of the RDEIR (4.9), the majority of the site has a General Plan Land Use Designation of Very Low Density Residential, which provides for a residential density of 0.6 to 2.5 dwelling units per acre. Based on the net acreage of the site, this would allow for development of 28 to 110 dwelling units, and as such it is infeasible to further reduce the residential density and maintain consistency with the General Plan Land Use.

Consistent with CEQA requirements, a reasonable range of alternatives was evaluated that could feasibly avoid or lessen any significant environmental impacts while substantially attaining the basic objectives of the proposed project. The alternatives analyzed in the RDEIR include a No Project/No Development Alternative (Alternative 1), the Davidon (28-lot) Residential Project (Alternative 2), and the Putnam Park Extension Project (Alternative 3).

CEQA Guidelines Section 15126.6(e) requires that if the environmentally superior alternative is the No Project alternative, the EIR shall also identify an environmentally superior alternative among all other alternatives. The No Project alternative is identified as environmentally superior, followed by the Putnam Park Extension Project. Though these alternatives are environmentally superior, they would not provide housing consistent with the City's goals and policies nor would they meet other project objectives. The proposed Scott Ranch Project would achieve identified objectives, be in substantial conformance with the City's General Plan, and provide community benefit through the expansion of Helen Putnam Regional Park and the establishment of conservation easements on 47 acres of the privately owned property. The City finds that the three alternatives were considered and determined to be infeasible for specific economic, social, or other considerations as documented in Section 6, Exhibit A, Attachment 2 hereto.

### *Role of City Council*

The City Council is charged with receiving the recommendations provided by the Planning Commission, certifying the Scott Ranch EIR (Draft and Final), and taking action on the project's legislative entitlements requested.

Although the EIR does not determine the ultimate decision that the City Council will make regarding the requested project entitlements, CEQA requires the decision-making body (City Council) to consider the information in the EIR and make findings regarding each significant effect identified in the EIR. If the City Council determines the EIR to be adequate, it will certify the FEIR in compliance with CEQA requirements prior to acting on the proposed project's requested entitlements. Project entitlements may be considered at the same hearing that the City Council considers the FEIR. Since the project is expected to have one significant and unavoidable environmental effects, and if the City Council chooses to approve the proposed project entitlements, the City Council must first take action on a 'statement of overriding considerations' explaining why the project's economic, social, technological, legal, and other benefits outweigh its significant and unavoidable environmental effects. The finding of fact and statement of overriding consideration is presented in Attachment 2, Exhibit A hereto.

The City as the lead agency has the principal authority for carrying out and approving a project in accordance with CEQA. Other public agencies, known as "responsible agencies," will also rely upon the EIR when issuing discretionary approvals or permits required for any portion of the project not governed by the City.

It is recommended that the City Council find that the RDEIR adequately discloses potential impacts and identifies feasible and implementable Mitigation Measures, that the FEIR adequately addresses comments received and provides responses and consider certification of the EIR. The City Council may then take action on the project entitlements (e.g., whether to amend the General Plan, amend the zoning code, and adopt the Scott Ranch PUD).

### **FINANCIAL IMPACTS**

The Scott Ranch Project has been processed under the City's standard cost recovery agreement with all time and materials billed to and paid for by the applicant. Additionally, the preparation

of the EIR was through a contract between the City and Impact Science with all associated costs invoiced to the applicant.

The Project includes several public improvements that would benefit the community at no cost to the City including the establishment of 47 acres of parkland/open space, habitat enhancement and restoration, tree planting, construction of public parking for access to Helen Putnam Park, trails, interpretive walks, and community spaces, installation of a roundabout at D Street and Windsor Drive (one of the City's gateways), and the sidewalk gap closure on D street north of Sunnyslope. All improvements will be paid for by the applicant, including Phase 1 park improvements. Ongoing maintenance of the park will be managed by Regional Park once Phase 1 improvements are completed and transfer of the property is complete.

The project is subject to development impact fees in accordance with the City's adopted fee resolutions, including payment of housing in-lieu fees consistent with the fees in place prior to 2019 given the complete status of the application at that time.

### **ALTERNATIVES**

The items before the City Council have been reviewed for consistency with applicable policies, regulations, and procedures and are recommended for approval base on those findings. The City Council is the decision making on the entitlements and the associated EIR and may approve. Approve with modifications, or deny the entitlements. A motion to deny one or multiple of the requested entitlements must be based on applicable review criteria.

### **ATTACHMENTS**

1. FEIR Link
2. Resolution to certify the EIR, to adopt Findings of Fact and statement of overriding considerations, and to adopt the MMRP
  - Exhibit A: Findings of Fact and Overriding Considerations
  - Exhibit B: Mitigation Monitoring and Reporting Program
  - Exhibit C: FEIR Errata
3. Resolution to approve a General Plan Amendment to modify Policy 2-P-68, Figure 5-2
  - Exhibit A: Figure 5-2 modification
4. Ordinance to approve a Zoning Map Amendment
5. Ordinance to approve a Zoning Text Amendment
  - Exhibit A: Scott Ranch PUD Guidelines
  - Exhibit B: PUD Location Map
  - Exhibit C: PUD Plan Set
  - Exhibit D: Preliminary Landscape Plans
6. Resolution to approve a Vesting Tentative Map
  - Exhibit A: Conditions of Approval
7. Vesting Tentative Subdivision Map Plan Set
8. Planning Commission Resolution No. 2022-11 (EIR)
9. Planning Commission Resolution No. 2022-12 (GPA)
10. Planning Commission Resolution No. 2022-13 (ZMA)
11. Planning Commission Resolution No. 2022-14 (ZTA)

12. Planning Commission Resolution No. 2022-15 (VTSM)
13. Architectural Plan Set
14. Conceptual Schematic for Monument Sign
15. Park Concept Plan
16. Letter of Intent between KCPP and Sonoma County Regional Parks
17. PC Staff Report + Public Comment (Link)
18. Viewshed Study
19. Public Comments