



REVISED MARCH 29, 2010

The Arbors

3500 Lake Park Drive, Santa Rosa, CA (Sonoma County)

Assessor's Parcel No. 173-270-005

Initial Study/Mitigated Negative Declaration

Lead Agency:

City of Santa Rosa
Community Development Department
100 Santa Rosa Avenue, Rm. 3
Santa Rosa, CA 95404

Contact: Erin Morris, Senior Planner

Date: July 10, 2009
Revised March 29, 2010



DATE: July 10, 2009
TO: Public Agencies, Organizations and Interested Parties
FROM: Erin Morris, Senior Planner
**SUBJECT: NOTICE OF PUBLIC REVIEW AND INTENT TO ADOPT A MITIGATED
NEGATIVE DECLARATION**

Pursuant to the State of California Public Resources Code and the “Guidelines for Implementation of the California Environmental Quality Act of 1970” as amended to date, this is to advise you that the City of Santa Rosa’s Department of Community Development has prepared an Initial Study of the following project:

Project Name:

The Arbors

Location:

3500 Lake Park Drive, Santa Rosa, Sonoma County, California, APNs: 173-270-005

The Nielsen Ranch Planned Community was established in 1992. The subject site was subdivided as a “bulk parcel” as part of the Nielsen Ranch Final Map, which was recorded on December 30, 1996. This subdivision also created the public open space including Nielsen Ranch Park and the open space south of the project site. The subject 5.69 acre site is one of the last remaining vacant parcels within the 70 acre Nielsen Ranch Planned Community and is located on the south side of Lake Park Drive approximately 500 feet easterly of Bicentennial Way. The other sites within Nielsen Ranch have been developed or have received entitlements; the approved Bicentennial Estates 2 project site located immediately west of the project site is the only other undeveloped area within Nielsen Ranch.

Property Description:

The subject 5.69 gross acre site is located on the south side of Lake Park Drive approximately 500 feet easterly of Bicentennial Way. The site is sloped, with 36% of the site exceeding 25 percent slope and an average slope of 22 percent.

More than three quarters of the project area is comprised of oak woodland. The dense woodland canopy is dominated by coast live oak (*Quercus agrifolia*) with some madrone (*Arbutus menziesii*) and black oak (*Quercus kelloggii*) in the woodland composition. There are approximately ~~861~~ 892 trees on the site and the property is within a high fire severity zone. Russell Creek is located south of the project site on a City-owned parcel. The City-owned parcel includes a combination maintenance road and public creek trail along the creek which connects from Lake Park Drive to Bicentennial Way.

Project Description:

The project proposes to subdivide 5.69 acres into 37 lots and one common parcel to allow development of 37 single family attached homes. A new private loop street would provide vehicular access to the homes, which are clustered in the northern area of the site. Of the ~~861~~ 892 trees on the site, ~~approximately 47 percent~~ 670 trees would be removed to accommodate the proposed development. All new development is oriented toward Lake Park Drive and away from the steep southern area of the project site. No construction work associated with the residential subdivision improvements and home construction would occur within 80 feet of Russell Creek.

Off-site improvements include traffic calming measures along Lake Park Drive consisting of new roadway markings and some off-site creek trail repair work on the public parcel adjoining the site. Specifically, the project is conditioned to repair a portion of the trail adjacent to Russell Creek that has been damaged by landslide activity. This aspect of the project is also part of the conditions of approval for another project to the west, and was previously reviewed for CEQA purposes with that project (Bicentennial Estates II, Mitigated Negative Declaration adopted October 13, 2005). On April 8, 2009, the Department of Army issued a 404 Permit for this work. On July 1, 2009, a permit was granted by the North Coast Regional Water Quality Control Board to allow the slide repair work.

Environmental Issues:

The proposed project would result in potentially significant impacts in Aesthetics, Biological Resources, Cultural Resources, Hydrology/Water Quality, and Geology/Soils. The project impacts would be mitigated to a less-than-significant level through implementation of recommended mitigation measures or through compliance with existing Municipal Code requirements or City standards. Recommended measures are summarized in the attached Mitigation Monitoring and Reporting Plan (MMRP) and Initial Study/Mitigated Negative Declaration. The Initial Study/Mitigated Negative Declaration document has been prepared in consultation with local, and state responsible and trustee agencies and in accordance with Section 15063 of the California Environmental Quality Act (CEQA). Furthermore, the Initial Study/Mitigated Negative Declaration will serve as the environmental compliance document required under CEQA for any subsequent phases of the project and for permits/approvals required by a responsible agency.

A 30-day (thirty-day) public review period shall commence on **Friday, July 10, 2009**. Written comments must be sent to the City of Santa Rosa, Community Development Department, Planning Division, 100 Santa Rosa Avenue, Room 3, Santa Rosa CA 95404 **by Monday, August 10, 2009**. The City of Santa Rosa Planning Commission will hold a public hearing on the Initial Study/Mitigated Negative Declaration and project merits on **Thursday, August 13, 2009 in the Santa Rosa City Council Chambers at City Hall (address listed above)**. Correspondence and comments can be delivered to Erin Morris, project planner, phone: (707) 543-3273, email: emorris@srcity.org

MITIGATION MONITORING AND REPORTING PROGRAM
The Arbors

Mitigation Measure	Implementation Procedure	Monitoring Responsibility	Monitoring / Reporting Action & Schedule	Non-Compliance Sanction/Activity	Monitoring Compliance Record (Name/Date)
III. AIR QUALITY					
1. Water all active construction areas at least twice daily and more often during windy periods to prevent visible dust from leaving the site; active areas adjacent to windy periods; active areas adjacent to existing land uses shall be kept damp at all times, or shall be treated with non-toxic stabilizers or dust palliatives.	Require as a condition of project approval	Planning Division	Incorporate as condition of approval	Halt construction of project	
2. Cover all trucks hauling soil, sand, and other loose materials or require all trucks to maintain at least two feet of freeboard.		Public Works Inspection			
3. Wash off the tires or tracks of all trucks and equipment leaving the site.					
4. Pave, apply water at least three times daily, or apply (non-toxic) soil stabilizers on all unpaved access roads, parking areas and staging areas.					
5. Sweep daily (or more often if necessary) to prevent visible dust from leaving the site (preferably with water sweepers) all paved access roads, parking areas, and staging areas at construction sites; water sweepers shall vacuum up excess water to avoid runoff-related impacts to water quality.					
6. Sweep streets daily, or more often if necessary (preferably with water sweepers) if visible soil material is carried onto adjacent public streets.					

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Mitigation Measure	Implementation Procedure	Monitoring Responsibility	Monitoring / Reporting Action & Schedule	Non-Compliance Sanction/Activity	Monitoring Compliance Record (Name/Date)
IV. BIOLOGICAL RESOURCES					
Comply with all of the recommendations contained within the Wildlife Habitat Assessment for The Arbors dated January 21, 2009 (attached to this Initial Study document) and with any additional recommendations provided by the project biologist(s), to the satisfaction of the Community Development Director.	Require as a condition of project approval	Planning Division	Prior to approval of the Improvement Plan Prior to issuance of a Grading Permit	Withhold approval of Improvement Plan Withhold issuance of grading permit	
Prior to issuance of a grading permit or approval of the Improvement Plan, the applicant shall provide a letter report to the City of Santa Rosa – Community Development identifying the name of the qualified biologist(s) that will monitor tree removal activities, and a general schedule indicating when the biologist(s) will be present on site. If grading work is to occur within the nesting season (between February 15 and August 15), the report shall also include the results of the pre-construction surveys including an exhibit indicating which trees have active nests. At minimum, the biologist(s) shall be present prior to commencement of on-site construction work to ensure that sensitive trees (trees with active nests and/or that are identified as habitat trees for bats) are clearly marked, and shall instruct construction personnel on the specific measures necessary to comply with the mitigation.					
Qualified biologists shall be present on-site to monitor tree removal activities to ensure that raptors and bats are protected.					

MITIGATION MONITORING AND REPORTING PROGRAM
The Arbors

Mitigation Measure	Implementation Procedure	Monitoring Responsibility	Monitoring / Reporting Action & Schedule	Non-Compliance Sanction/Activity	Monitoring Compliance Record (Name/Date)
▪ Grading or removal of nesting trees and habitat shall be conducted outside the nesting season, which occurs between approximately February 15 and August 15. ▪ If grading between August 15 and February 15 is infeasible and groundbreaking must occur within the nesting season, a pre-construction nesting bird (both passerine and raptor) survey of the grasslands and adjacent trees shall be performed by a qualified biologist within 7 days of ground breaking. If no nesting birds are observed no further action is required and grading shall occur within one week of the survey to prevent “take” of individual birds that could begin nesting after the survey. ▪ If active bird nests (either passerine and/or raptor) are observed during the pre-construction survey, a disturbance-free buffer zone shall be established around the nest tree(s) until the young have fledged, as determined by a qualified biologist. ▪ The radius of the required buffer zone can vary depending on the species, (i.e., 75-100 feet for passerines and 200-300 feet for raptors), with the dimensions of any required buffer zones to be determined by a qualified biologist in consultation with CDFG. ▪ To delineate the buffer zone around a nesting tree, orange construction fencing shall be placed at the specified radius from the base of the tree within which no machinery or workers shall intrude.					

MITIGATION MONITORING AND REPORTING PROGRAM
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Mitigation Measure	Implementation Procedure	Monitoring Responsibility	Monitoring / Reporting Action & Schedule	Non-Compliance Sanction/Activity	Monitoring Compliance Record (Name/Date)
▪ After the fencing is in place there will be no restrictions on grading or construction activities outside the prescribed buffer zones. The buffer zone shall remain in place until after the young have fledged. ▪ A qualified bat biologist shall be present during all tree removal activities to minimize risks to bats. Prior to commencement of project construction activities and after consultation with the bat biologist, all potential habitat trees as identified in Table 2 of the project's Wildlife Habitat Assessment and as further identified at the project site by the biologist shall be marked, so that it will be clear to construction personnel and City staff which trees require special handling as described in the following procedures: ▪ Conduct tree removal only during seasonal periods of activity; starting about March 1 (or when night temperatures are above 45F and when rains have ceased) until April 15 (prior to when females begin to give birth to young), or from August 15 (when young bats are self-sufficiently volant) until about October 15 (before night temperatures fall below 45F and rains begin, causing torpor). ▪ Trees <i>not</i> identified as providing potential habitat that occur within a 50-foot radius of potential habitat trees listed in Table 1 shall be removed one day prior to removing potential habitat trees. This will cause noise and vibration disturbance					

MITIGATION MONITORING AND REPORTING PROGRAM
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Mitigation Measure	Implementation Procedure	Monitoring Responsibility	Monitoring / Reporting Action & Schedule	Non-Compliance Sanction/Activity	Monitoring Compliance Record (Name/Date)
around the roost trees that should help cause bats that may be roosting in habitat trees to either abandon immediately (though this rarely occurs in our experience), or avoid returning to the roost tree after nightly foraging activities. ▪ Removal of non-habitat trees may be accomplished using chainsaws or any other desired equipment. It should be noted that no removal of non-habitat trees may cause damage to habitat trees; so the applicant shall not allow falling trees, limbs or branches to fall onto habitat trees. ▪ One day after removal of non-habitat trees within a 50-foot radius of habitat trees, those trees may be removed using a two-stage process. The two stage process must be conducted over two consecutive days. - On Day 1 (e.g., Tuesday), under instruction and supervision of a qualified bat expert, selected branches and limbs not containing cavities are to be removed using only chainsaws (no excavators, etc.). The noise and vibration from this activity should be sufficient to cause bats roosting in those trees to abandon the roost immediately, or choose not to return to the tree after night emergence and foraging, as a result of the daytime disturbance and significant physical modification to the structure and appearance of the tree and surrounding area. Specifically, late in the afternoon					

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Mitigation Measure	Implementation Procedure	Monitoring Responsibility	Monitoring / Reporting Action & Schedule	Non-Compliance Sanction/Activity	Monitoring Compliance Record (Name/Date)
on Day 1 only small branches (<4" dia.) not containing cavities or fissures are removed using chainsaws (no heavy equipment). Only branches with leaves should be removed, which can include the crown or perimeter leafy canopy of each tree. - The following day (Day 2, e.g., Wednesday), the remainder of the tree is removed, either using chainsaws or other equipment. Supervision is required to provide identification of branches and limbs safe for removal and instruction to tree cutters in suitable procedures.					
▪ Tree Replacement: Protected trees to be removed must <u>shall</u> be replaced in accordance with Title 17-24.050(C) of the Municipal Code. Prior to Planning Division approval of the Improvement Plan or issuance of a Grading Permit, the developer shall provide a Tree Mitigation Plan Exhibit to the Planning Division with the following information in the form of a site plan plus table: 1) Number, size, and type of trees to be removed; 2) Total mitigation required; 3) Number, size, type, and location of trees to be planted on site; 4) Number, size, and type of trees to be planted off-site or provided in the form of an in-lieu donation; 5) Location and type of trees to be preserved during construction; 6) Tree Protection zones called out around trees proposed for preservation.					
▪ Tree Preservation: All trees called out as to be					

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preserved on the Tentative Map shall be protected during construction in accordance with Title 17-24.050(D) (1 through 6) of the Municipal Code. Tree protection zones and measures shall be called out on every sheet of the Improvement Plan involving work in the vicinity of any preserved tree. ▪ <u>Tree Relocation and Planting Success Criteria: Prior to approval of the Improvement Plan or grading permit for the project, the project arborist/forester shall develop success criteria for replacement tree survival and the triggers for replanting, to the satisfaction of the Director of Community Development.</u>					
V. CULTURAL RESOURCES					
1. If cultural resources are discovered during the Project construction (inadvertent discoveries), all work in the area of the find shall cease, and a qualified archaeologist and representatives of the culturally affiliated tribe shall be retained by the Project sponsor to investigate the find, and make recommendations as to treatment and mitigation of any impacts to those resources. 2. If human remains are encountered, all activity shall stop and the County Coroner must be notified immediately. All activity must cease until the County Coroner has determined the origin and disposition of said remains. The Coroner shall determine if the remains are prehistoric, and shall notify the State Native American Heritage Commission if applicable. Further actions shall be determined by the desires of	Require as a condition of project approval	Planning Division	All of these mitigations to be noted on the Improvement Plan, grading plan, and construction drawings		

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Mitigation Measure	Implementation Procedure	Monitoring Responsibility	Monitoring / Reporting Action & Schedule	Non-Compliance Sanction/Activity	Monitoring Compliance Record (Name/Date)
the Most Likely Descendent.					
3. The Public Improvement Plans and Building Plans shall contain the following note: "In the event that any remains of prehistoric or historic human activities are encountered during project-related activities, work in the immediate vicinity of the finds shall halt and the contractor shall immediately notify the project superintendent and the City of Santa Rosa liaison. Work shall not resume until a qualified archaeologist or historic archaeologist, as appropriate, approved by the City of Santa Rosa, has evaluated the situation and made recommendations for treatment of the resource, which recommendations are carried out. If human burials are encountered, the contractor must also contact the County Coroner.					
XIII. PUBLIC SERVICES					
Vegetation Clearance. A note shall be placed on the Final Map requiring all residential development to ensure clearance (and subsequent maintenance) of fire-hazardous vegetation around structures. A minimum 30-foot clearance is required, with greater clearances required where lot conditions warrant.	Require note on Final Map as a condition of approval	Planning Division	Prior to approval of Final Map	Deny approval of Final Map	
Landscape plans for construction of each residence shall be reviewed and approved by the Fire Department as part of the Hillside Development permit process to ensure consistency with this standard, considering tree protection/viewshed protection with the need for fire safety.	Review landscape plans during design review process	Planning Division	Prior to approval of Hillside Development Permit/Final Design Review	Deny approval of Hillside Development Permit/Final Design Review	

ENVIRONMENTAL CHECKLIST

- 1. Project Title:** The Arbors
- 2. Lead Agency Name & Address:** City of Santa Rosa
Community Development Department
Planning Division
100 Santa Rosa Avenue
Santa Rosa, California 95404
- 3. Contact Person & Phone Number:** Erin Morris, Senior Planner
Phone number: (707) 543-3273
Email: emorris@srcity.org
- 4. Project Location:** The site is located in the City of Santa Rosa, Sonoma County, California at 3500 Lake Park Drive, Assessor's Parcel No. 173-270-005. (Refer to Exhibit A, "Vicinity Map").
- 5. Project Sponsor's Name & Address:** Project Sponsor:
Jack Chamberlain
Chamberlain Lake Park LLC
655 Skyway, Suite 230
San Carlos, CA 94070

Sponsor's Representative:
Bruce Aspinall
Bruce Aspinall and Associates
2200 Range Avenue #201
Santa Rosa, CA 95401
- 6. General Plan Designation:** Low Density Residential (2.0 to 8.0 units per acre)
- 7. Zoning:** Planned Community (Nielsen Ranch)

8. Description of Project:

The project proposes to subdivide 5.69 acres into 37 lots and one common parcel to allow development of 37 single family attached homes. A new private loop street would provide vehicular access to the homes, which are clustered in the northern area of the site. Of the ~~861~~ 892 trees on the site, ~~approximately 47 percent~~ 670 trees would be removed to accommodate the proposed development. All new development is oriented toward Lake Park Drive and away from the steep southern area of the project site. No construction work associated with the residential subdivision improvements and home construction would occur within 80 feet of Russell Creek.

Off-site improvements include traffic calming measures along Lake Park Drive consisting of new roadway markings and some off-site creek trail repair work on the public parcel adjoining the site. Specifically, the project is conditioned to repair a portion of the trail adjacent to Russell Creek that has been damaged by landslide activity. This aspect of the project is also part of the conditions of approval for another project to the west, and was previously reviewed for CEQA purposes with that project (Bicentennial Estates II, Mitigated Negative Declaration adopted October 13, 2005). On April 8, 2009, the Department of Army issued a 404 Permit for this work. On July 1, 2009, a permit was granted by the North Coast Regional Water Quality Control Board to allow the slide repair work.

Detailed Description

The project includes a Tentative Map, Conditional Use Permit, and Hillside Development Permit to subdivide 5.69 acres into 37 lots and one common parcel. The proposed density is 6.5 units per acre. Proposed lot sizes range from 1,648 square feet to 7,290 square feet with an average lot size of 2,638 square feet. Access to 35 of the new lots would be provided via a new private loop street, Arbor Circle, which would connect with Lake Park Drive in two locations. Two of the lots, Lots 36 and 37, would take direct access from Lake Park Drive east of Bella Vista Way.

The new single family homes would be attached in pairs and threes and would range in size from about 1,560 square feet to 2,539 square feet. All of the homes would include fire sprinklers in compliance with the Fire Code and the project is conditioned to include clearance and maintenance of fire-hazardous vegetation within 30 feet of new structures. The common area of the subdivision, which contains most of the preserved trees and steepest slopes on the property, would be maintained by a homeowners association formed with this subdivision. Portions of the project construction located on slopes of 10% or more include the larger 15-foot side yards required by the Hillside Development standards of the Zoning Code.

New development would occur primarily in the northern area of the site, leaving the southern area in its natural wooded and steep condition. The project preserves a total of 222 trees, including 66 of the site's 128 heritage trees, between proposed improvements and a swath of mature trees and steep terrain in the southern area of the site. No construction work associated with the residential subdivision improvements and home construction would occur within 80 feet of Russell Creek. The project is conditioned to repair a portion of the trail adjacent to Russell Creek that has been damaged by landslide activity. This aspect of the project is also part of the conditions of approval for another project to the west, and was previously reviewed for CEQA purposes with that project (Bicentennial Estates II, Mitigated Negative Declaration adopted October 13, 2005) and a permit granted by the North Coast Regional Water Quality Control Board to allow the slide repair work.

9. Surrounding Land Uses and Setting:

North: Single family detached homes

West: Undeveloped (Approved Bicentennial Estates II project)

South: City-owned open space parcel/Russell Creek

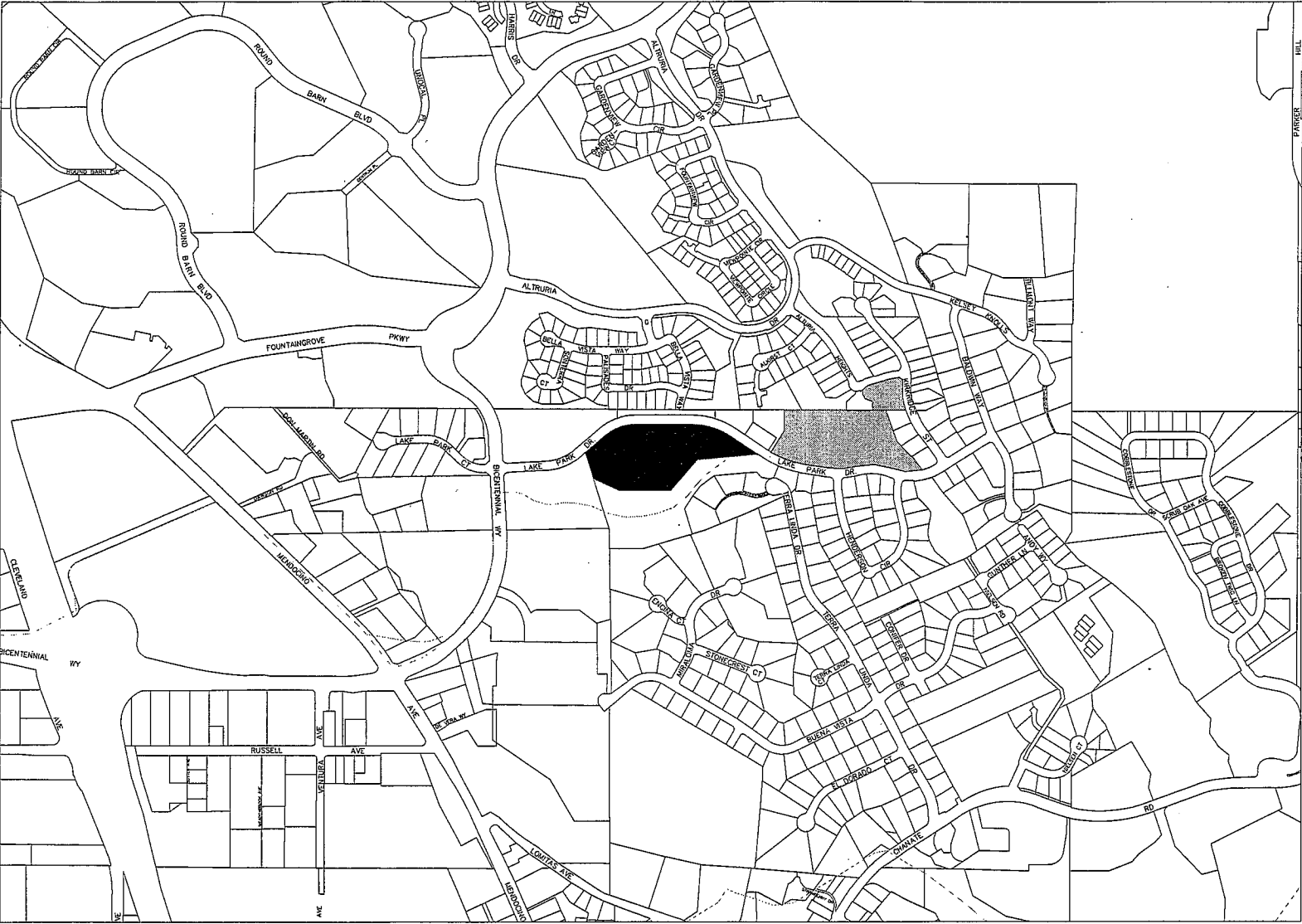
East: Single family detached residential

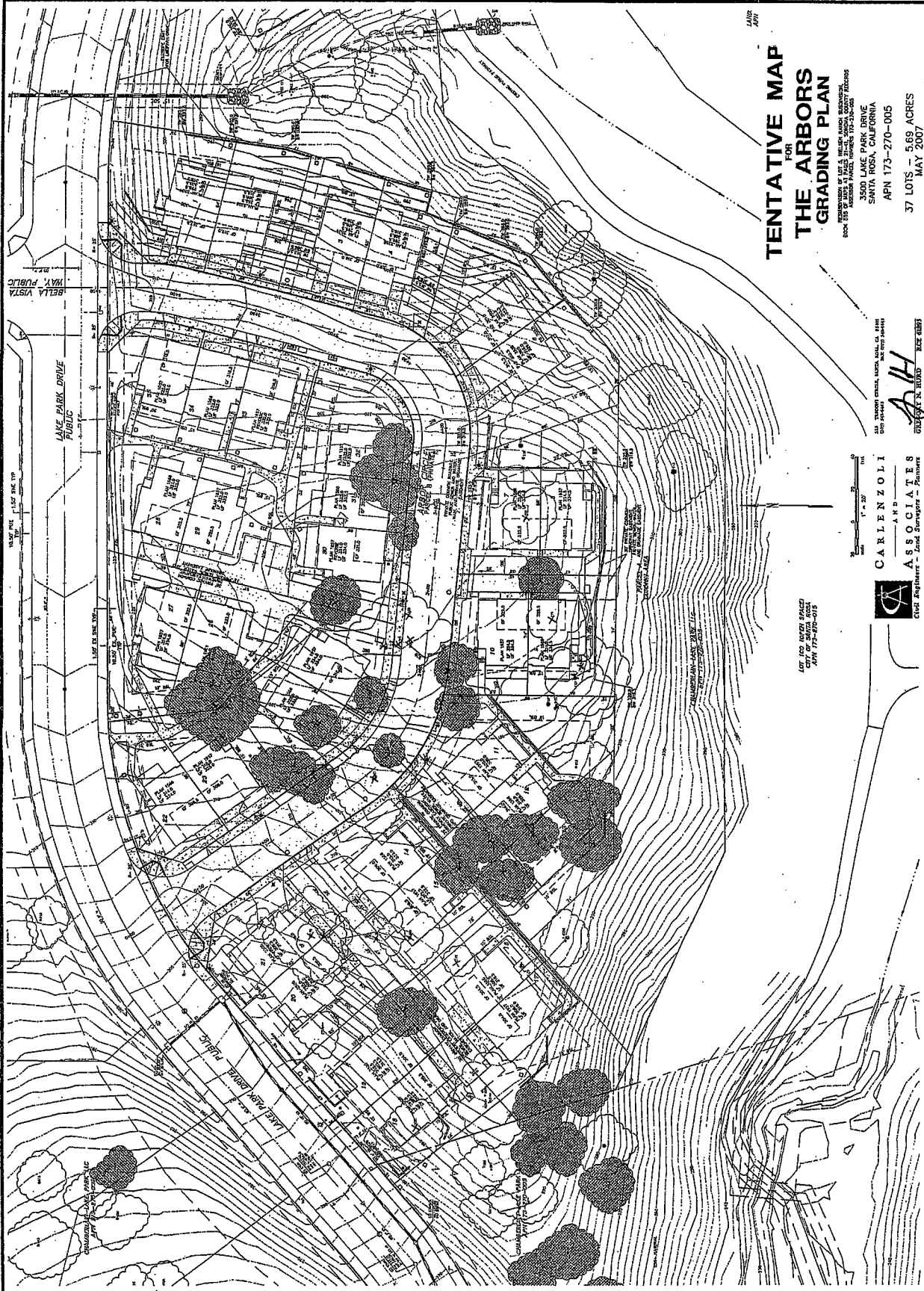
10. Other Public Agencies Whose Approval Is Required:

California Regional Water Quality Control Board (Approval granted for Nielsen Ranch Slide Repair, Bicentennial Estates II project on July 1, 2009)

California Department of Fish and Game

Project Location: The Arbors





**TENTATIVE MAP
FOR
THE ARBORS
GRADING PLAN**

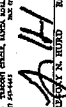
PREPARED BY LEE & NELSON ARCHITECTS
3500 LAKE PARK DRIVE
SANTA ROSA, CALIFORNIA
APN 173-270-005
37 LOTS - 5.69 ACRES
MAY 2007

SHEET 2 OF 3

**CARLEZZOLI
ASSOCIATES**
Civil Engineers - Land Surveyors - Planners
1111 TOWN CENTER DRIVE, SUITE 100
SANTA ROSA, CALIFORNIA 95404
(707) 544-4444



**LEE & NELSON
ARCHITECTS**
3500 LAKE PARK DRIVE
SANTA ROSA, CALIFORNIA 95404
(707) 544-4444



LOT 100 NOT SPACED
TO MEET THE REQUIREMENTS
OF THE SUBDIVISION MAP ACT
APN 173-270-015

ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED

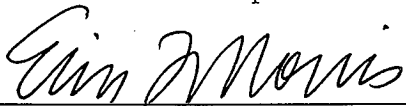
The environmental factors checked below would be potentially affected by this project, involving at least one impact that is a "Potentially Significant Impact" as indicated by the checklist on the following pages.

- | | | |
|--|---|---|
| ☒ Aesthetics | ☐ Agriculture Resources | ☐ Air Quality |
| ☒ Biological Resources | ☒ Cultural Resources | ☒ Geology / Soils |
| ☐ Hazards & Hazardous Materials | ☒ Hydrology / Water Quality | ☒ Land Use / Planning |
| ☐ Mineral Resources | ☐ Noise | ☐ Population / Housing |
| ☒ Public Services | ☐ Recreation | ☐ Transportation / Traffic |
| ☐ Utilities / Service Systems | ☐ Mandatory Finding of Significance | |

DETERMINATION

On the basis of this initial evaluation:

- ☐ I find that the proposed project COULD NOT have a significant effect on the environment and a NEGATIVE DECLARATION will be prepared.
- ☒ I find that although the proposed project could have a significant effect on the environment, there will not be a significant effect in this case because revisions in the project have been made by or agreed to by the project proponent. A MITIGATED NEGATIVE DECLARATION will be prepared.
- ☐ I find that the proposed project MAY have a significant effect on the environment, and an ENVIRONMENTAL IMPACT REPORT is required.
- ☐ I find that the proposed project MAY have a "potentially significant impact" or "potentially significant unless mitigated" impact on the environment, but at least one effect 1) has been adequately analyzed in an earlier document pursuant to applicable legal standards, and 2) has been addressed by mitigation measures based on the earlier analysis as described on attached sheets. An ENVIRONMENTAL IMPACT REPORT is required, but it must analyze only the effects that remain to be addressed.
- ☐ I find that although the proposed project could have a significant effect on the environment, because all potentially significant effects (a) have been analyzed adequately in an EARLIER EIR or NEGATIVE DECLARATION pursuant to applicable legal standards, and (b) have been avoided or mitigated pursuant to that earlier EIR or NEGATIVE DECLARATION, including revisions or mitigation measures that are imposed upon the proposed project, nothing further is required.


Signature

March 29, 2010
Date

Erin Morris, Senior Planner

I. AESTHETICS

Would the project:

- | | | | | |
|--|--------------------------|--------------------------|-------------------------------------|-------------------------------------|
| a. Have a substantial adverse effect on a scenic vista? | ☐ | ☐ | ☒ | ☐ |
| b. Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway? | ☐ | ☐ | ☐ | ☒ |
| c. Substantially degrade the existing visual character or quality of the site and its surroundings? | ☐ | ☐ | ☒ | ☐ |
| d. Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area? | ☐ | ☐ | ☒ | ☐ |

Discussion:

The site is undeveloped and heavily wooded, generally sloping downward from Lake Park Drive. The site is not located on or near a scenic road or vista per local or state standards so the project will have no impact on these scenic resources.

The applicant submitted visual simulations depicting the new development as viewed from Lake Park Drive. While the project will result in changes to the visual character of the site due to the removal of trees and construction of new single family homes, the impact is anticipated to be less-than-significant because the new residential development will be consistent with the character of surrounding residential neighborhood and with the General Plan and Nielsen Ranch Planned Community in terms of land use and residential density.

The City of Santa Rosa Zoning Code (Code) Section 20-30.080 requires that all outdoor lighting fixtures be limited to a maximum height of 14 feet, or the height of the nearest building, whichever is less. In addition, the Code also requires that lighting fixtures be shielded or recessed to reduce light bleed to adjoining properties, and that each light fixture be directed downward and away from adjoining properties and public rights-of-way, so that no on-site light fixture directly illuminates an area off the site. With these requirements in place, the proposed project will not create a new source of substantial light or glare which would adversely affect day or nighttime views in the area. A standard condition of approval regarding exterior lighting requirements will be placed on the project, therefore, reducing the potential impacts to less than significant.

Mitigation Measures: None required.

(Sources: General Plan, Zoning Code)

II. AGRICULTURE

Would the project:

- | | | | | |
|--|--------------------------|--------------------------|--------------------------|-------------------------------------|
| a. Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use? | ☐ | ☐ | ☐ | ☒ |
| b. Conflict with existing zoning for agricultural use, or a Williamson Act contract? | ☐ | ☐ | ☐ | ☒ |
| c. Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use? | ☐ | ☐ | ☐ | ☒ |

Discussion:

The site is not farmland and is not located near farmland; therefore, the project will have no impact on agricultural resources.

Mitigation Measures: None required.

(Sources: General Plan, City GIS)

III. AIR QUALITY

Would the project:

- | | | | | |
|--|--------------------------|-------------------------------------|-------------------------------------|--------------------------|
| a. Conflict with or obstruct implementation of the applicable air quality plan? | ☐ | ☐ | ☒ | ☐ |
| b. Violate any air quality standard or contribute substantially to an existing or projected air quality violation? | ☐ | ☐ | ☒ | ☐ |
| c. Result in a cumulatively considerable net increase any criteria pollutant for which the project region is non – attainment under an applicable federal or state ambient air quality standard (including releasing emissions which exceed quantitative thresholds for ozone precursors)? | ☐ | ☐ | ☒ | ☐ |
| d. Expose sensitive receptors to substantial pollutant concentrations? | ☐ | ☒ | ☐ | ☐ |
| e. Create objectionable odors affecting a substantial number of people? | ☐ | ☐ | ☒ | ☐ |

Discussion:

The City of Santa Rosa participates with the Bay Area Air Quality Management District (BAAQMD) to address air quality issues. The Pacific Ocean dominates the climate of Sonoma County as the summer winds blow contaminants south toward San Francisco and in the winter periods of stagnant air can occur, especially between storms. Air Quality in Santa Rosa has generally improved as motor vehicles have become cleaner, agricultural and residential burning has been curtailed, and consumer products have been reformulated or replaced.

Sonoma County is in attainment of federal standards and in compliance with the State Implementation Plan (SIP). The United States Environmental Protection Agency requires that air basins record no more than three exceedances of ozone at a single station, over a three-year period (no more than one exceedance per year, on average). Stations that record four or more exceedances in three years cause the region to violate the standard. According to the BAAQMD, pollutant monitoring results for the years 1996 to 2001 at the Santa Rosa ambient air quality monitoring station indicate that air quality in the project area has generally been good.

Vehicle Trips

The project is located on Lake Park Drive, a local collector street. The project will result in additional vehicle traffic along local roadways. An estimated 370 new vehicle trips per day would result from the project. Based on the Bay Area Air Quality Management District's thresholds of significance, projects that generate fewer than 2,000 vehicle trips per day are not considered major air pollutant contributors and do not require a technical air quality study.

Global Climate Change

Climate change refers to any significant change in measures of climate, such as average temperature, precipitation, or wind patterns over a period of time. Climate change may result from natural factors, natural processes, and human activities that change the composition of the atmosphere and alter the surface and features of the land. Significant changes in global climate patterns have recently been associated with global warming, an average increase in the temperature of the atmosphere near the Earth's surface, attributed to accumulation of Greenhouse Gas (GHG) emissions in the atmosphere. Greenhouse gases trap heat in the atmosphere, which in turn heats the surface of the Earth. Some GHGs occur naturally and are emitted to the atmosphere through natural processes, while others are created and emitted solely through human activities. The emission of GHGs through the combustion of fossil fuels (i.e., fuels containing carbon) in conjunction with other human activities, appears to be closely associated with global warming. State law defines GHG to include the following: carbon dioxide (CO₂), methane (CH₄), nitrous oxide (N₂O), hydrofluorocarbons, perfluorocarbons, and sulfur hexafluoride (Health and Safety Code, section 38505(g)). The most common GHG that results from human activity is carbon dioxide, followed by methane and nitrous oxide.

Assembly Bill 32 (AB 32), the California Global Warming Solutions Act of 2006, recognizes that California is the source of substantial amounts of GHG emissions. The potential adverse impacts of global warming include the exacerbation of air quality problems, a reduction in the quality and supply of water to the state from the Sierra snow pack, a rise in sea levels resulting in the displacement of thousands of coastal businesses and residences, damage to marine ecosystems and the natural environment, and an increase in the incidences of infectious diseases, asthma, and other human health-related problems. In order to avert these consequences, AB 32 establishes a state goal of reducing GHG emissions to 1990 levels by the year 2020 (a reduction of approximately 25 percent from forecast emission levels) with further reductions to follow.

Per SB 97, enacted in 2007, lead agencies are required to make a good-faith effort, based on available information, to calculate, model, or estimate the amount of CO₂ and other GHG emissions from a project, including the emissions associated with vehicular traffic, energy consumption, water usage and construction activities. The State of California is currently in the process of developing draft CEQA Guidelines "for the mitigation of greenhouse gas emissions or the effects of greenhouse gas emissions" by July 1, 2009 and directs the Resources Agency to certify and adopt the CEQA Guidelines by January 1, 2010.

The proposed project would generate less than four (4) tons per day of carbon dioxide primarily in the form of vehicle exhaust. Several aspects of the proposed project, identified below, would result in less GHG emissions than if the project

were developed elsewhere. In the future, when it becomes reasonable based upon scientific and regulatory guidance to determine the significance of a land use project's GHG emissions, these aspects of the project likely would support a finding that the impacts of this project on climate change are not significant or cumulatively considerable. The following aspects of the project would lessen GHG emissions:

- The proposed new development is within the City's Urban Growth Boundary and is in compliance with the General Plan for the site;
- The project site is within an area long planned for residential development;
- The project site is close to employment centers along Fountaingrove Parkway and Mendocino Avenue;
- The project site is close to a shopping center with full service grocery store (within ½ mile) and other existing services along Mendocino Avenue;
- The proposed project will incorporate design elements and other measures to reduce GHG emissions, as required by the City's Green Building Ordinance; and
- The landscape plan will include drought-resistant landscaping as required by the City's Water Efficient Landscaping Policy.

Construction Impacts

The project would generate temporary air pollutant emissions during construction activities. The short-term air quality impacts during construction would be associated primarily with an increase in suspended particulates (dust). Construction activities, including site clearing and soil disturbance, could generate dust emissions and locally elevated levels of particulates (i.e., PM10) downwind of construction activities. This increase in dust could result in potentially significant short-term impacts on nearby residential uses. The BAAQMD provides feasible control measures for construction emissions of PM10. The potentially significant air quality impacts would be reduced to a less-than-significant level with the mitigation presented below.

This project would use typical construction equipment such as trucks and bulldozers. This type of equipment can generate temporary emissions of ozone precursors (i.e., nitrogen oxides and volatile organic compounds). These emissions are accommodated in the emission inventory of the state and federally required air plans and would not have a significant impact on the attainment and maintenance of ozone standards. In addition, toxic air contaminants (TACs), such as diesel exhaust, are emitted from various construction vehicles and equipment. The project would require limited construction activities and would not emit substantial TACs.

Mitigation Measures: Implement Bay Area Air Quality Management District construction management standards during all on- and off- site construction activities.

- Water all active construction areas at least twice daily and more often during windy periods to prevent visible dust from leaving the site; active areas adjacent to windy periods; active areas adjacent to existing land uses shall be kept damp at all times, or shall be treated with non-toxic stabilizers or dust palliatives.
- Cover all trucks hauling soil, sand, and other loose materials or require all trucks to maintain at least two feet of freeboard.
- Wash off the tires or tracks of all trucks and equipment leaving the site.
- Pave, apply water at least three times daily, or apply (non-toxic) soil stabilizers on all unpaved access roads, parking areas and staging areas.
- Sweep daily (or more often if necessary) to prevent visible dust from leaving the site (preferably with water sweepers) all paved access roads, parking areas, and staging areas at construction sites; water sweepers shall vacuum up excess water to avoid runoff-related impacts to water quality.
- Sweep streets daily, or more often if necessary (preferably with water sweepers) if visible soil material is carried onto adjacent public streets.

(Sources: Bay Area Air Quality Management Standards; State Office of Planning Research Technical Advisory; URBEMIS GHG Emissions Calculator)

IV. BIOLOGICAL RESOURCES

Would the project:

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|--|--------------------------|-------------------------------------|-------------------------------------|--------------------------|
| a. Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service? | ☐ | ☒ | ☐ | ☐ |
| b. Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by the California Department of Fish and Game or US Fish and Wildlife Service? | ☐ | ☒ | ☐ | ☐ |
| c. Have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means? | ☐ | ☐ | ☒ | ☐ |
| d. Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites? | ☐ | ☒ | ☐ | ☐ |
| e. Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance? | ☐ | ☒ | ☐ | ☐ |
| f. Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan? | ☐ | ☐ | ☒ | ☐ |

Discussion:

For the purposes of this project, a biological resources impact is considered significant if the project will:

- have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations;
- have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, or regulations;
- have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act;
- interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors;
- conflict with local ordinances protecting biological resources, such as a tree preservation ordinance;
- conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan

Vegetation on the project site consists primarily of Coast Live Oak trees, with some Valley Oaks, Black Oaks, and madrone. A Tree Survey/report, a Wildlife Habitat Assessment, and a Special Status Plant Survey report were prepared to assess the project's potential impacts on biological resources including oak woodland, trees, plants, and animals. These reports are attached as part of the technical appendices to this document. The findings and conclusions of each study are presented in summary below.

Wildlife Habitat Assessment

This assessment titled Wildlife Habitat Assessment for The Arbors, dated January 21, 2009, was prepared by qualified biologists and conducted to determine the potential for occurrence of special-status animal species and the limitations for development of the project site. The biologist concluded that the site has a low potential to support the northwestern pond turtle and western red bat, moderate potential to support the cooper's hawk, sharp shinned hawk, and pallid bat, and high potential to support the acorn woodpecker. The report concluded that the project could potentially have a significant impact to raptors and bats and mitigation was recommended to reduce potential impacts to less-than-significant. Due to the low potential for northwestern pond turtles to occur on the site, it is concluded that the project will have a less than significant impact and no mitigation is necessary.

The report concluded that direct mortality of bats roosting in the trees on the site could result if construction occurs during the roosting season (April through August), or during winter torpor months (October through February). The greatest potential for mortality to bats exists with removal of trees containing cavities that could support colonies, particularly with non-volant young. To avoid or minimize risk of mortality to bats, tree removal must occur during specific seasonal periods when adult and young bats are actively flying in and out of their tree roost, and must follow certain procedures that cause bats to abandon the tree roost prior to tree removal. This method provides a level of disturbance that should be sufficient to cause any roosting bats to abandon the roost immediately, or choose not to return to the roost tree after night emergence and foraging activity due to alteration and disturbance of the tree.

Mitigation was recommended by the biologist to reduce potential impacts to less-than-significant:

Mitigation Measures:

- Comply with all of the recommendations contained within the Wildlife Habitat Assessment for The Arbors dated January 21, 2009 (attached to this Initial Study document) and with any additional recommendations provided by the project biologist(s), to the satisfaction of the Community Development Director.
- Prior to issuance of a grading permit or approval of the Improvement Plan, the applicant shall provide a letter report to the City of Santa Rosa – Community Development identifying the name of the qualified biologist(s) that will monitor tree removal activities, and a general schedule indicating when the biologist(s) will be present on site. If grading work is to occur within the nesting season (between February 15 and August 15), the report shall also include the results of the pre-construction surveys including an exhibit indicating which trees have active nests. At minimum, the biologist(s) shall be present prior to commencement of on-site construction work to ensure that sensitive trees (trees with active nests and/or that are identified as habitat trees for bats) are clearly marked, and shall instruct construction personnel on the specific measures necessary to comply with the mitigation.
- Qualified biologists shall be present on-site to monitor tree removal activities to ensure that raptors and bats are protected.

Detailed Raptor Mitigation

- Grading or removal of nesting trees and habitat shall be conducted outside the nesting season, which occurs between approximately February 15 and August 15.
- If grading between August 15 and February 15 is infeasible and groundbreaking must occur within the nesting season, a pre-construction nesting bird (both passerine and raptor) survey of the grasslands and adjacent trees shall

be performed by a qualified biologist within 7 days of ground breaking. If no nesting birds are observed no further action is required and grading shall occur within one week of the survey to prevent “take” of individual birds that could begin nesting after the survey.

- If active bird nests (either passerine and/or raptor) are observed during the pre-construction survey, a disturbance-free buffer zone shall be established around the nest tree(s) until the young have fledged, as determined by a qualified biologist.
- The radius of the required buffer zone can vary depending on the species, (i.e., 75-100 feet for passerines and 200-300 feet for raptors), with the dimensions of any required buffer zones to be determined by a qualified biologist in consultation with CDFG.
- To delineate the buffer zone around a nesting tree, orange construction fencing shall be placed at the specified radius from the base of the tree within which no machinery or workers shall intrude.
- After the fencing is in place there will be no restrictions on grading or construction activities outside the prescribed buffer zones. The buffer zone shall remain in place until after the young have fledged.

Detailed Bat Mitigation

- A qualified bat biologist shall be present during all tree removal activities to minimize risks to bats. Prior to commencement of project construction activities and after consultation with the bat biologist, all potential habitat trees as identified in Table 2 of the project’s Wildlife Habitat Assessment and as further identified at the project site by the biologist shall be marked, so that it will be clear to construction personnel and City staff which trees require special handling as described in the following procedures:
- Conduct tree removal only during seasonal periods of activity; starting about March 1 (or when night temperatures are above 45F and when rains have ceased) until April 15 (prior to when females begin to give birth to young), or from August 15 (when young bats are self-sufficiently volant) until about October 15 (before night temperatures fall below 45F and rains begin, causing torpor).
- Trees *not* identified as providing potential habitat that occur within a 50-foot radius of potential habitat trees listed in Table 1 shall be removed one day prior to removing potential habitat trees. This will cause noise and vibration disturbance around the roost trees that should help cause bats that may be roosting in habitat trees to either abandon immediately (though this rarely occurs in our experience), or avoid returning to the roost tree after nightly foraging activities.
- Removal of non-habitat trees may be accomplished using chainsaws or any other desired equipment. It should be noted that no removal of non-habitat trees may cause damage to habitat trees; so the applicant shall not allow falling trees, limbs or branches to fall onto habitat trees.
- One day after removal of non-habitat trees within a 50-foot radius of habitat trees, those trees may be removed using a two-stage process. The two stage process must be conducted over two consecutive days.
 - On Day 1 (e.g., Tuesday), under instruction and supervision of a qualified bat expert, selected branches and limbs not containing cavities are to be removed using only chainsaws (no excavators, etc.). The noise and vibration from this activity should be sufficient to cause bats roosting in those trees to abandon the roost immediately, or choose not to return to the tree after night emergence and foraging, as a result of the daytime disturbance and significant physical modification to the structure and appearance of the tree and surrounding area. Specifically, late in the afternoon on Day 1 only small branches (<4” dia.) not containing cavities or fissures are removed using chainsaws (no heavy equipment). Only branches with leaves should be removed, which can include the crown or perimeter leafy canopy of each tree.
 - The following day (Day 2, e.g., Wednesday), the remainder of the tree is removed, either using chainsaws or other equipment. Supervision is required to provide identification of branches and limbs safe for removal and instruction to tree cutters in suitable procedures.

- No diesel or gas-powered equipment shall be stored or operated directly beneath trees with potential roosts, except for chainsaws used for removal of those trees.

Special Status Plants

A Plant Survey was prepared by a botanist, with results summarized in letters dated May 19, 2009 and July 8, 2009. Plant surveys were conducted in March 16, April 10, May 6, June 8 and June 25, 2009. The plant surveys were conducted in accordance with California Department of Fish and Game guidelines and are in compliance with these guidelines and with the standard protocol for conducting plant surveys. The survey dates cover the flowering period of all the special status plant species that could potentially occur on the site based on a 9-quadrangle search of the CNDDDB and CNPS on-line electronic inventory and the presence of potential habitat. The surveys did not find any special status plants on the site and no special status plants are expected to occur on the project site. Therefore, the project is expected to have no impact on special status plants and mitigation is not recommended.

Trees and Oak Woodland

A separate arborist report was prepared that identifies each of the trees on the site and provides an inventory and analysis of the health and vigor of the tree species. Tree removals would occur in conjunction with road, utility, driveway and residence construction. An arborist's report (Ralph Osterling Consultants, Inc – September 18, 2007, updated November 2009) evaluated all trees of 4-inch diameter or greater on the project site. A total of ~~864~~ 892 trees were identified on the site, consisting mainly of oaks. Approximately ~~409~~ 670 trees would be removed, including ~~17~~ 62 of the site's 129 heritage Oaks. The project will result in preservation of oak woodland along the south area of the site but will result in the loss of oak woodland where the new homes and roadways would be constructed. The project arborist evaluated the existing forest and concluded that the site represents an "unnatural stand of oaks" because of tree overcrowding conditions that have led to tree competing for light, water, and nutrients. As a consequence of the intense competition, the tree developed foliar canopies limited to the upper one-fourth of the tree's architecture. Water and nutrients are also scarce due to competition and the site's physical characteristics resulting in reduced development of new growth.

Trees identified as "to be preserved" on the Tentative Map could be impacted by project construction if they are not properly protected. Therefore, it is concluded that implementation of the project would result in the loss of protected and heritage Oak trees and oak woodland, which is a significant impact. However, with the inclusion of the mitigation measures listed below, the impact is expected to be less-than-significant.

Mitigation Measures:

Trees/Woodland

- **Tree Replacement:** Protected trees to be removed must be replaced in accordance with Title 17-24.050(C) of the Municipal Code. Prior to Planning Division approval of the Improvement Plan or issuance of a Grading Permit, the developer shall provide a Tree Mitigation Plan Exhibit to the Planning Division with the following information in the form of a site plan plus table: 1) Number, size, and type of trees to be removed; 2) Total mitigation required; 3) Number, size, type, and location of trees to be planted on site; 4) Number, size, and type of trees to be planted off-site or provided in the form of an in-lieu donation; 5) Location and type of trees to be preserved during construction; 6) Tree Protection zones called out around trees proposed for preservation.
- **Tree Preservation:** All trees called out as to be preserved on the Tentative Map shall be protected during construction in accordance with Title 17-24.050(D) (1 through 6) of the Municipal Code. Tree protection zones and measures shall be called out on every sheet of the Improvement Plan involving work in the vicinity of any preserved tree.
- **Tree Relocation and Planting Success Criteria:** Prior to approval of the Improvement Plan or grading permit for the project, the project arborist/forester shall develop success criteria for replacement tree survival and the triggers for replanting, to the satisfaction of the Director of Community Development.

(Sources: City Code Title 17, Zoning Code, General Plan, Project Arborist's Reports, Project Wildlife Assessment, Project Plant Survey)

V. CULTURAL RESOURCES

Would the project:

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|---|--------------------------|-------------------------------------|-------------------------------------|-------------------------------------|
| a. Cause a substantial adverse change in the significance of a historical resource as defined in §15064.5? | ☐ | ☐ | ☐ | ☒ |
| b. Cause a substantial adverse change in the significance of an archaeological resource pursuant to §15064.5? | ☐ | ☐ | ☒ | ☐ |
| c. Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature? | ☐ | ☐ | ☒ | ☐ |
| d. Disturb any human remains, including those interred outside of formal cemeteries? | ☐ | ☒ | ☐ | ☐ |

Discussion:

There are no unique geological or paleontological features on the project site and there are no known cultural or historical resources on the project site. A Cultural Resources Survey, dated August 17, 2007, was prepared by Tom Origer and Associates. This information was shared with the Lytton band and the project incorporates the recommendations of the report. While no significant impacts are anticipated to historical/cultural or archaeological resources, a standard condition of project approval will require that improvement plans and building plans contain a note requiring notification of the City in the event of discovery of prehistoric or historic human activities. A qualified archaeologist or historian may be required to conduct further investigations, depending upon the nature of the discovery, prior to further site disturbance activities. These requirements are listed below for informational purposes:

Mitigation Measures:

- If cultural resources are discovered during the Project construction (inadvertent discoveries), all work in the area of the find shall cease, and a qualified archaeologist and representatives of the culturally affiliated tribe shall be retained by the Project sponsor to investigate the find, and make recommendations as to treatment and mitigation of any impacts to those resources.
- If human remains are encountered, all activity shall stop and the County Coroner must be notified immediately. All activity must cease until the County Coroner has determined the origin and disposition of said remains. The Coroner shall determine if the remains are prehistoric, and shall notify the State Native American Heritage Commission if applicable. Further actions shall be determined by the desires of the Most Likely Descendent.
- The Public Improvement Plans and Building Plans shall contain the following note: "In the event that any remains of prehistoric or historic human activities are encountered during project-related activities, work in the immediate vicinity of the finds shall halt and the contractor shall immediately notify the project superintendent and the City of Santa Rosa liaison. Work shall not resume until a qualified archaeologist or historic archaeologist, as appropriate, approved by the City of Santa Rosa, has evaluated the situation and made recommendations for treatment of the resource, which recommendations are carried out. If human burials are encountered, the contractor must also contact the County Coroner."

(Sources: General Plan)

VI. GEOLOGY AND SOILS

Would the project:

e. Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving:

i) Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42.

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ii) Strong seismic ground shaking?

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iii) Seismic related ground failure, including liquefaction?

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iv) Landslides?

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f. Result in substantial soil erosion or the loss of topsoil?

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g. Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on, or off, site landslide, lateral spreading, subsidence, liquefaction or collapse?

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h. Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial risks to life or property?

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i. Have soils incapable of adequately supporting the use of septic tanks or alternative wastewater disposal systems where sewers are not available for the disposal of wastewater?

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Discussion:

The City of Santa Rosa is subject to geological hazards related primarily to seismic events (earthshaking) due to presence of active faults. The applicant provided a slope analysis exhibit that identifies slope constraints across the project site. The steepest slopes on the property (those in excess of 25%) occupy over 36 percent of the property. The average slope of the site is 22 percent. Proposed building envelopes avoid significant intrusion into slope areas in excess of 25%.

In their report dated May 18, 2005, RGH Consultants noted evidence of soil creep along the southern flank of the Arbors site and a small landslide near the western edge, but there was no evidence of any large scale landslide features. On March 29, 2010, RGH Consultants provided an update letter which indicates that there two areas of active soil creep on the project site. The report explains that soil creep is different from landslides and that the site is not within an old, inactive landslide.

The project site is not located within any Alquist Priolo Special Study Zone as depicted in the General Plan 2010 (Figure 12-2). The tentative map proposes only minimal grading activities on the project site's steeper slopes. Application of City and UBC construction standards will address any potential impacts related to possible area seismic activity. The project will include connection to City sewer systems for wastewater disposal, and therefore will not include use of a septic system.

Mitigation Measures: None required.

Sources: Project Geotechnical Report

VII. HAZARDS AND HAZARDOUS MATERIALS

Would the project:

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|--|--------------------------|--------------------------|-------------------------------------|-------------------------------------|
| a. Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials? | ☐ | ☐ | ☒ | ☐ |
| b. Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment? | ☐ | ☐ | ☒ | ☐ |
| c. Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school? | ☐ | ☐ | ☒ | ☐ |
| d. Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment? | ☐ | ☐ | ☒ | ☐ |
| e. For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard for people residing or working in the project area? | ☐ | ☐ | ☐ | ☒ |
| f. For a project within the vicinity of a private airstrip, would the project result in a safety hazard for people residing or working in the project area? | ☐ | ☐ | ☐ | ☒ |
| g. Impair implementation of or physically interfere with an adopted emergency response plan or | ☐ | ☐ | ☒ | ☐ |

emergency evacuation plan?

- h. Expose people or structures to a significant risk of loss, injury or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands?

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Discussion:

The proposed construction and use of 37 residential units is not expected to result in significant use or storage of hazardous materials. The project site is not listed on any sites maintained by the State of California (Regional Water Control Board, Department of Toxic Substances Control, and Integrated Waste Management Board). The project site is located over one mile from the closest school. The project site is not located within two miles of the Sonoma County Airport. Emergency access will be available through street connections to Lake Park Drive, which in turn connects to Fountaingrove Parkway to the west.

The project site is located in an area containing wildland vegetation, and is characterized as having very high fire hazards. See discussion and mitigation contained under Public Services – Fire, Section XIII, below.

Mitigation Measures: See Section XIII, Fire Hazards mitigation.

(Sources: City GIS Maps)

VIII. HYDROLOGY AND WATER QUALITY

Would the project:

- a. Violate any water quality standards or waste discharge requirements?
- b. Substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g., the production rate of pre-existing nearby wells would drop to a level which would not support existing land uses or planned uses for which permits have been granted)?
- c. Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, in a manner which would result in substantial erosion or siltation on- or off- site?
- d. Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site?

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	Potentially Significant Impact	Less-Than-Significant With Mitigation Incorporation	Less-Than- Significant Impact	No Impact
e. Create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff?	☐	☐	☒	☐
f. Otherwise substantially degrade water quality?	☐	☐	☒	☐
g. Place housing within a 100-year flood hazard area as mapped on a federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map?	☐	☐	☒	☐
h. Place within a 100-year flood hazard area structures which would impede or redirect flood flows?	☐	☐	☒	☐
i. Expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam?	☐	☐	☒	☐
j. Inundation by seiche, tsunami, or mudflow?	☐	☐	☒	☐

Discussion:

The project will be served by City water and wastewater services. Storm drainage improvement will be constructed to connect site drainage to City systems. The project site is not located in a 100-year floodplain. The project is near Russell Creek but is not expected to impact the creek, as development is oriented toward Lake Park Drive and away from the creek parcel.

Stormwater Management Description

Approximately half of the on-site storm water flows toward Lake Park Drive. A majority of these storm flows would be treated in lined bio-retention units. The remaining 50 percent of the site flows toward an on-site seasonal drainage swale located in a public drainage easement. This is an existing public drainage swale for the neighboring streets. Prior to entering this seasonal drainage swale, the flows would be treated in lined bio-retention units and vegetated filter strips. A portion of the on-site private roads is treated through media filter units where it cannot be treated by landscape means. After treatment and prior to discharge into the public storm drain system or the seasonal drainage swale, the storm flows will be detained to meet the City of Santa Rosa standards to limit the post-development two-year peak storm flows to the level of the two-year pre-development peak storm flows.

A majority of the treatment areas are located on the common area of the project owned by the Homeowners Association. A few on-lot systems will be covered by maintenance easements. Maintenance of the treatment systems and detention systems will be by the Project's Homeowners Association.

On January 14, 2010, City staff and the developer's engineer met with Regional Water Board staff to review the project's SUSMP Plan for compliance with the recently adopted Low Impact Development (LID) design criteria. At the meeting, the Board staff indicated that they were satisfied with the current design, which utilizes a combination of small, dispersed bioretention areas with subdrains and a couple of media filters, provided that the project engineer evaluated the possibility of eliminating the media filters at the Final SUSMP stage.

Conclusion

In addition to the above, the applicant will be required to implement Best Management Practices for controlling runoff and limiting on-site erosion from grading and construction activities. The project is not expected to result in a violation of water quality or waste discharge standards. The project site is not located within a 100-year floodplain and would not present a flooding danger to project residents. No water wells would be utilized as part of the project as the residential development would be required to connect to City water services.

Mitigation Measures: None required.

(Sources: Project SUSMP Description, Project Plans)

IX. LAND USE AND PLANNING

Would the project:

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|---|--------------------------|--------------------------|-------------------------------------|--------------------------|
| a. Physically divide an established community? | ☐ | ☐ | ☒ | ☐ |
| b. Conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project (including, but not limited to the general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect? | ☐ | ☐ | ☒ | ☐ |
| c. Conflict with any applicable habitat conservation plan or natural community conservation plan? | ☐ | ☐ | ☒ | ☐ |

Discussion:

The application proposes a 37-lot residential subdivision in an area planned for low density residential use. The proposed residential project is consistent with the General Plan, which designates the site Low Density Residential. The project site's existing PD (Planned Development) zone would remain unchanged. The zone would be consistent with the range of other residential subdivisions in the area as part of the greater Nielsen Ranch development. Applicable General Plan policies include:

Section 2.4, Low Density Land Use Designation: Development is intended for single-family residential dwellings, with a density range of 2-8 units/gross acre.

LUL-E-2: As part of planning and development review activities, ensure that projects, subdivisions, and neighborhoods are designed to foster livability. (This includes use of different housing types and locations to accommodate a diverse range of needs, and use of quiet, interconnected neighborhood streets to accommodate pedestrians and bicyclists.)

LUL-F-1: Do not allow development at less than the minimum density prescribed by each residential land use classification.

LUL-F-3: Maintain a balance of various housing types in each neighborhood and ensure that new development does not result in undue concentration of a single housing type in any one neighborhood.

The project would result in a density of 6.5 units per gross acre, within the prescribed range of the General Plan, and would be in keeping with the character of other residential projects in the immediate area. The project site is located along a public street (Lake Park Drive) that does not divide the established neighborhood. The project would not result in a conflict with any habitat conservation or natural community conservation plans.

Hillside Development Permit Requirements

Chapter 20-32 of the Zoning Code provides standards for hillside development with the stated purpose of preserving Santa Rosa's scenic character, conserving the City's open spaces and significant natural features, respecting natural features in the design and construction of hillside development, and designing hillside development to be sensitive to existing terrain, views, and significant natural forms and features. The Hillside Development Permit process will ensure that the development project meets the regulations of this Chapter.

Mitigation Measures: None required.

(Source: General Plan, Site Planned Development Policy Statement)

X. MINERAL RESOURCES

Would the project:

- | | | | | |
|---|--------------------------|--------------------------|--------------------------|-------------------------------------|
| a. Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state? | ☐ | ☐ | ☐ | ☒ |
| b. Result in the loss of availability of a locally-important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan? | ☐ | ☐ | ☐ | ☒ |

Discussion:

The project site does not contain any locally- or regionally-significant mineral resources. The development of the project site with residential uses will not create an adverse impact upon locally- or regionally-significant resources since there are no such resources located on the project site.

Mitigation Measures: None required.

(Sources: General Plan)

XI. NOISE

Would the project result in:

- | | | | | |
|---|--------------------------|--------------------------|-------------------------------------|--------------------------|
| a. Exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies? | ☐ | ☐ | ☒ | ☐ |
| b. Exposure of persons to or generation of excessive ground borne vibration or ground borne noise levels? | ☐ | ☐ | ☒ | ☐ |
| c. A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project? | ☐ | ☐ | ☒ | ☐ |
| d. A substantial temporary or periodic increase in ambient noise levels in the project vicinity above | ☐ | ☐ | ☒ | ☐ |

Potentially Significant Impact	Less-Than-Significant With Mitigation Incorporation	Less-Than- Significant Impact	No Impact
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levels existing without the project?

- | | | | | |
|---|--------------------------|--------------------------|--------------------------|-------------------------------------|
| e. For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels? | ☐ | ☐ | ☐ | ☒ |
| f. For a project within the vicinity of a private airstrip, would the project expose people residing or working in the project area to excessive noise levels? | ☐ | ☐ | ☐ | ☒ |

Discussion:

The project would result in noise impacts related to construction of the proposed residential units. Residential uses do not typically generate substantial sources of noise. There are no major sources of noise generation near the project site aside from the nearby helipad; impacts of the helipad were discussed in a previous EIR.

The project will result in short-term noise impacts related to site grading and construction activities. Standard City conditions of project approval limit the hours of construction to 7 a.m. to 7 p.m. Monday through Friday and 8 a.m. to 6 p.m. Saturdays. No construction is permitted on Sundays and holidays.

Mitigation Measures: None required.

(Sources: General Plan)

XII. POPULATION AND HOUSING

Would the project:

- | | | | | |
|---|--------------------------|--------------------------|-------------------------------------|--------------------------|
| a. Induce substantial population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)? | ☐ | ☐ | ☒ | ☐ |
| b. Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere? | ☐ | ☐ | ☒ | ☐ |
| c. Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere? | ☐ | ☐ | ☒ | ☐ |

Discussion:

The project would not induce substantial or unplanned levels of residential growth. The site was duly considered for the proposed levels of residential development (density) as part of the update to the City's General Plan. There are no residences currently located on the project site, and the project would therefore not result in displacement of housing units or residents.

Mitigation Measures: None required.

XIII. PUBLIC SERVICES

Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services:

a. Fire protection?	☐	☒	☐	☐
b. Police protection?	☐	☐	☒	☐
c. Schools?	☐	☐	☒	☐
d. Parks?	☐	☐	☒	☐
e. Other public facilities?	☐	☐	☒	☐

Discussion:

The project site is located within a Very High Fire Severity Zone due to its slopes and presence of wildland vegetation. The City of Santa Rosa would provide all necessary public services.

Fire protection services will be provided by the City of Santa Rosa. The Fire Department has reviewed the project plans and determined that the project complies with the Fire Code; all homes will be required to have fire sprinklers. Owners of each lot will be required to maintain minimum 30-foot firebreak clearances around residences, with clearances up to 100 feet possible where brush and other flammable materials occur (also noted below as a mitigation measure). The firebreak clearance requirement does not mean that sites must be cleared of existing healthy trees but does require a higher level of tree and brush maintenance to ensure that flammable materials such as deadwood are removed; the project has been conditioned to require that the developer provide informational brochures to all homeowners with specifications for maintaining the firebreak clearances.

Police protection services will be provided by the City Police Department, who will impose conditions regarding use of security night lighting and construction security. Evidence of school impact fees would be made to the applicable school district offices (Santa Rosa City Schools) prior to City issuance of any building permits. Parks impacts would be addressed through payment of City impact fees. Electrical and gas facilities would be constructed by the project developer, with service provided by Pacific Gas and Electric Company.

Mitigation Measures:

Vegetation Clearance. A note shall be placed on the Final Map requiring all residential development to ensure clearance (and subsequent maintenance) of fire-hazardous vegetation around structures. A minimum 30-foot clearance is required, with greater clearances required where lot conditions warrant to the satisfaction of the Fire Marshal. Landscape plans for construction of each residence shall be reviewed as part of the Hillside Development permit process to ensure consistency with this standard.

XIV. RECREATION

	Potentially Significant Impact	Less-Than-Significant With Mitigation Incorporation	Less-Than- Significant Impact	No Impact
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Would the project:

- Increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?
- Include recreational facilities or require the construction or expansion of recreational facilities, which might have an adverse physical effect on the environment?

☐	☐	☒	☐
☐	☐	☒	☐

Discussion:

No on-site park or recreational facilities are proposed with the project. A walking path adjoins the site to the south and follows Russell Creek; the project has been designed to orient development away from the creek and therefore would not impact the recreational use of the path. The site is near Francis Nielsen Ranch Park, which provides convenient recreation in close proximity. The project would be required to make impact fee payments to the City's Recreation and Parks system to address increased demand on park facilities resulting from the creation of 37 new residences. Fee payments are required at time of building permit issuance.

Mitigation Measures: None required.

XV. TRANSPORTATION/TRAFFIC

Would the project:

- Cause an increase in traffic, which is substantial in relation to the existing traffic load and capacity of the street system (i.e., result in a substantial increase in either the number of vehicle trips, the volume to capacity ratio on roads, or congestion at intersections)?
- Exceed, either individually or cumulatively, a level of service standard established by the county congestion management agency for designated roads or highways?
- Result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks?
- Substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?
- Result in inadequate emergency access?
- Result in inadequate parking capacity?
- Conflict with adopted policies, plans, or programs

☐	☐	☒	☐
☐	☐	☒	☐
☐	☐	☐	☒
☐	☐	☐	☒
☐	☐	☒	☐
☐	☐	☒	☐
☐	☐	☐	☒

supporting alternative transportation (e.g., bus turnouts, bicycle racks)?

Discussion:

The City Traffic Engineer has reviewed the proposed Tentative Map and has determined that it would not generate a significant amount of traffic or present adverse impacts to traffic along local streets. Lake Park Drive was designed to accommodate the future development of the project site. The project is conditioned to require traffic calming improvements on Lake Park Drive. The project is not located near a public or private airport, and would not impact air traffic patterns or safety. While the site is near Sutter hospital, a previous EIR addressed potential impacts of the helipad.

Mitigation Measures: None required.

(Sources: General Plan, Project Plans, Traffic Engineering staff)

XVI. UTILITIES AND SERVICE SYSTEMS

Would the project:

- | | | | | |
|---|--------------------------|--------------------------|-------------------------------------|--------------------------|
| a. Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board? | ☐ | ☐ | ☒ | ☐ |
| b. Require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects? | ☐ | ☐ | ☒ | ☐ |
| c. Require or result in the construction of new storm water drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects? | ☐ | ☐ | ☒ | ☐ |
| d. Have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed? | ☐ | ☐ | ☒ | ☐ |
| e. Result in a determination by the wastewater treatment provider which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments? | ☐ | ☐ | ☒ | ☐ |
| f. Be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs? | ☐ | ☐ | ☒ | ☐ |
| g. Comply with federal, state, and local statutes and regulations related to solid waste? | ☐ | ☐ | ☒ | ☐ |

Discussion:

The project will be served by City water and sewer services; adequate water supplies and wastewater treatment plant capacity are available for the project. New storm drainage facilities will be required to accommodate runoff from the proposed project; standard City conditions will require compliance with the Storm Water Mitigation Plan Guidelines and use of best management practices. Adequate landfill capacity exists at County facilities to support the project.

Mitigation Measures: None required.

(Sources: General Plan)

XVII. MANDATORY FINDINGS OF SIGNIFICANCE

Would the project:

- a. Does the project have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?

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☐
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Discussion:

As discussed in the Biological Resources section, the project could have a significant impact relative to Oak woodland, trees, birds, and bats. However, with implementation of mitigation, this impact would be reduced to less-than-significant.

Mitigation Measures: See Biological Resources mitigation above.

- b. Does the project have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects)?

☐
☐
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☐

Discussion:

The project involves low density cluster residential on a site long planned for residential development, as part of a master planned community.

Mitigation Measures: None required.

- c. Does the project have environmental effects which will cause substantial adverse effects on

☐
☐
☒
☐

human beings, either directly or indirectly?

Discussion:

The residential project, as conditioned, would not have detrimental effects on human beings in that it involves standard construction and development practices on a site long planned for residential development.

Mitigation Measures: None required.

APPENDIX

SOURCE REFERENCES

The following is a list of references used in the preparation of this document. Unless attached herein, copies of all reference reports, memorandums and letters are on file with the City of Santa Rosa Department of Community Development. References to Publications prepared by Federal or State agencies may be found with the agency responsible for providing such information.

- 1) City of Santa Rosa 2020 General Plan, adopted June 18, 2002, and Final EIR, certified June 18, 2002 (SCH No. 2001012030).
- 2) Geotechnical investigation RGH, July 17, 2008, March 29, 2010
- 3) Project Arborist Report, Ralph Osterling and Associates, dated September 18, 2007, January 8, 2008, and November 2009
- 4) Preliminary Stormwater Plan, Carlenzoli and Associates, dated October 2008
- 5) Project Wildlife Habitat Assessment, Wildlife Research Associated, dated January 21, 2009
- 6) Project Special Status Plant Survey, Jane Valerius Environmental Consulting, May 19, 2009 and July 8, 2009
- 7) Cultural Resources Survey for The Arbors, Tom Origer and Associates, August 17, 2007

PROJECT SPONSOR'S INCORPORATION OF MITIGATION MEASURES

As the project sponsor or the authorized agent of the project sponsor, I, _____, undersigned, have reviewed the Initial Study for the _____ and have particularly reviewed all mitigation measures and monitoring programs identified herein. I accept the findings of the Initial Study and mitigation measures and hereby agree to modify the proposed project applications now on file with the City of Santa Rosa to include and incorporate all mitigation measures and monitoring programs set out in this Initial Study.

Property Owner (authorized agent)

Date

DETERMINATION FOR PROJECT

On the basis of this Initial Study and Environmental Checklist I find that the proposed project:

☒ could have a Potentially Significant Effect on the environment; however, the aforementioned mitigation measures to be performed by the property owner (authorized agent) will reduce the potential environmental impacts to a point where no significant effects on the environment will occur. A Mitigated Negative Declaration will be prepared.

Erin Morris
Signature

March 29, 2010
Date

Erin Morris, Senior Planner
City of Santa Rosa, Community Development Department

Appendix A:
Technical Report

Appendix B:
Correspondence