

CITY OF SANTA ROSA  
CITY COUNCIL

TO: MAYOR AND CITY COUNCIL  
FROM: ERIC GAGE, CITY PLANNER  
PLANNING AND ECONOMIC DEVELOPEMENT  
SUBJECT: BICYCLE TRAIL ROUTE AMENDMENT

AGENDA ACTION: RESOLUTIONS

---

RECOMMENDATION

It is recommended by the Planning Commission and the Planning and Economic Development Department that the Council, by three resolutions, 1) amend the General Plan, 2) Bicycle and Pedestrian Master Plan, 3) and Citywide Creek Master Plan to delete a segment of proposed Bicycle Route 231, which would connect Annadel State Park to White Oak Drive.

---

EXECUTIVE SUMMARY

In December 2016, a legal settlement directed the City to initiate the process of deleting a segment of a proposed bicycle route, depicted as Route 231, from the General Plan, Bicycle and Pedestrian Master Plan, and related references in the Citywide Creek Master Plan. The segment of planned bicycle route proposed for removal is on property owned by the Villages at Wild Oak Association and the Roman Catholic Bishop of Santa Rosa. No physical changes will result from the proposed Plan revisions. On April 12, 2018, the Planning Commission voted unanimously to recommend that the Council approve the requested General Plan Amendment.

BACKGROUND

1. Project Description

A legal settlement obligated the City to initiate the process of removing a segment of a planned bicycle route, depicted as Route 231, from the General Plan, Bicycle and Pedestrian Master Plan, and related references from the Citywide Creek Master Plan. The proposal would delete text and table references to the planned route, and would remove it from all maps and exhibits in each document. An existing paved pedestrian trail segment will remain in its present location. No physical changes will result from the proposed Plan revisions.

The 2010 Bicycle and Pedestrian Master Plan depicts a Class I and Class III bicycle route, identified as Route 231, in an east-west alignment along the southern bank of Oakmont Creek.

The planned trail segment to be removed would have extended from the Annadel State Park parking lot on the west to White Oak Drive on the east, traversing multiple parcels owned and maintained in common by the Villages at Wild Oak Association and a parcel owned by the Roman Catholic Bishop of Santa Rosa.

In December 2017, the City initiated the process to update the Bicycle and Pedestrian Master Plan, which is anticipated to be complete in late winter to early spring of 2019. The bicycle and pedestrian connections will be re-evaluated in this area in the update.

2. Surrounding Land Uses

North: Low Density Residential

South: Low Density Residential, Parks and Recreation

East: Parks and Recreation

West: Open Space

Annadel State Park land is located to the west, private open space to the south and east, and Oakmont Creek and low density residential uses to the north.

3. Existing Land Use – Project Site

The planned bicycle route runs east-west near the northern boundary of the properties, which consists of three parcels (031-390-072, 031-021-029, and 031-021-030). An existing paved pedestrian trail segment will remain in its present location. No physical changes are proposed. The project parcels, owned by the Villages at Wild Oak Association contain condominium units, common and landscaped areas, and an open space area identified as a practice polo field in the development plan. The property is accessed from the southwest from White Oak Drive. The property to the west, bordered by White Oak Drive, is owned by the Roman Catholic Bishop of Santa Rosa and is the site of a church and associated parking areas.

4. Project History

On November 4, 2010, the City filed suit against the landowners of the Villages at Wild Oak Association and the Roman Catholic Bishop of Santa Rosa. The suit, in major part, was seeking the court's declaration that the Wild Oak No. 5 project zoning required that the Public Access Easement between Annadel State Park and the Wild Oak development include a "right-of-use" by bicyclists and equestrians, in addition to pedestrians. A goal of the litigation was to clarify the

scope of use rights in the Public Access Easement, and then to mitigate conflicts between users of the easement. In addition to seeking the court's declaratory judgment, the City alleged violations of City Code, including public nuisance, unpermitted encroachments, and prescriptive easement. The Villages at Wild Oak denied that the public had any use rights across its property, or in the alternative, that the scope of users of the public access easement was limited to "pedestrians and official vehicles". A First Amended Cross-complaint was filed. The Roman Catholic Bishop of Santa Rosa denied the allegations.

On January 7, 2016, the Court found that the Villages at Wild Oak held clear title to the property in question, subject only to a public easement for "Pedestrian and Emergency Vehicle Access". In addition, the Court found that the Villages at Wild Oak was not liable for any alleged violation of the City's signage, encroachment or permitting laws. The Court found in favor of the Villages at Wild Oak and against the City on all counts, except that the City voluntarily dismissed, without prejudice, a theory of a "transportational prescriptive easement" for bicycle riders. The First Amended Cross-complaint was dismissed.

On November 14, 2016, the Villages at Wild Oak Association and the City entered into a Settlement Agreement to resolve all remaining disputed issues. As part of the Settlement Agreement, the City undertook the obligation to conform the General Plan, the Bicycle and Pedestrian Master Plan, and the Citywide Creek Master Plan to the Court's Amended Corrected Judgment, eliminating the segment of planned bicycle Route 231, as described above.

On May 18, 2017, the Bicycle and Pedestrian Advisory Board considered the proposed removal of Route 231 from the General Plan, Bicycle and Pedestrian Master Plan and Citywide Creek Master Plan. The Board, by motion, supported the removal.

On October 2, 2017, in compliance with the legal settlement, the Transportation and Public Works Department initiated a General Plan Amendment, Bicycle and Pedestrian Master Plan Amendment, and Citywide Creek Master Plan Amendment to remove the planned bicycle route from the text and figures of each document.

On November 29, 2017, a neighborhood meeting was held and attended by members of the Villages at Wild Oak Association.

On April 12, 2018, the Planning Commission voted unanimously to recommend approval to the City Council of the proposed amendments.

PRIOR CITY COUNCIL REVIEW

Not Applicable

## ANALYSIS

### 1. General Plan

The Wild Oak development is designated Low Density Residential under the General Plan. The vacant property to the west of Wild Oak, and the church parcel, are designated Parks and Recreation. The land use designations of the subject parcels will remain unchanged by this action.

The proposed project would remove references to a segment of the planned bicycle route (depicted as Route 231), between the Annadel State Park parking lot to White Oak Drive, from the General Plan, the Bicycle and Pedestrian Master Plan, and the Citywide Creek Master Plan. The revisions include deleting text and table references to Route 231, and removing it from maps and exhibits. An existing paved pedestrian trail segment will remain in its present location. No physical changes will result from the proposed Plan revisions.

There would be no impacts to circulation by deleting the planned bicycle route as there would be no change to the existing environment. Pedestrian traffic would be unaffected by the change. Bicycle traffic through this area would not be allowed in compliance with the legal mandate of the court ruling, and would be initially curtailed by the placement of private signage and education. Future bicycle circulation and connectivity in this area will be addressed in the ongoing update to the Bicycle and Pedestrian Master Plan, which is anticipated to be complete in late winter of 2018 to early spring of 2019.

The proposed revisions to the General Plan are as follows:

#### **a. General Plan, Figure 5-2: Bicycle Corridors**

Remove the proposed bicycle trail along Route 231, from the Annadel State Park parking lot on the west to White Oak Drive on the east.

### 2. Other Applicable Plans – Bicycle and Pedestrian Master Plan, Citywide Creek Master Plan

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

The following changes are proposed to the Bicycle and Pedestrian Master Plan:

#### **a. Bicycle and Pedestrian Master Plan, Figure 2-2: Downtown Proposed and Existing Bicycle Facilities**

Remove the proposed bicycle trail along Route 231, from the Annadel State

Park parking lot on the west to White Oak Drive on the east.

**b. Bicycle and Pedestrian Master Plan, Figure 2-3B: Northeast Proposed and Existing Bicycle Facilities**

Remove the proposed bicycle trail along Route 231, from the Annadel State Park parking lot on the west to White Oak Drive on the east.

**c. Bicycle and Pedestrian Master Plan, Howarth/Spring Lake Park Bikeway Pythian Road (Routes #63, #231, #239)**

Amend the text of pages 2-25 & 2-26, as follows:

~~“This multi-use pathway runs along Lake Ralphine in Howarth Park, and connects to Channel Drive through Annadel State Park and through the Wild Oak and Oakmont communities to connect to Pythian Road. This route provides access east through to Hood Mountain Regional Park, the future County “Central Sonoma Valley Trail” and south toward Lawndale Road south of the city limits and into the unincorporated area of Sonoma County. This corridor provides an alternative to Sonoma Highway and Montgomery Drive for commuters coming from the Channel Drive Pythian Road area into Santa Rosa. A connection between the County’s Spring Lake Park pathway (Route #63, Segment d) to Channel Drive (Route 231) is proposed to close the gap between the County and City and facilitate the use of this corridor. Paving the route through Annadel State Park would require coordination with the State and Wild Oak Homeowners Association for improvements to the existing pathway between lower Timber Springs Drive and White Oak Drive to reduce any potential for pedestrian and bicycle conflicts. This corridor also connects to a pathway via Route #63 that circles Spring Lake and provides a connection to the Bay Area Ridge Trail discussed in Chapter 1 (page 1-7). Almost three miles long, the pathway that circles Spring Lake is very popular with recreational riders, both loop riders and those headed for the west side of Annadel State Park. Due to its popularity, user conflicts exist between bicyclists and walkers around Spring Lake as well as along Howarth Park.”~~

**d. Bicycle and Pedestrian Master Plan, Table 3-1 Bicycle Project List**

Remove the following projects from the Bicycle Project List and revise project totals as necessary:

- Annadel State Park Trail (SB)
- Timber Springs Drive
- Pathway
- White Oak Drive

## **Citywide Creek Master Plan**

The project area is located in the Oakmont watershed planning area, depicted on Maps 1 and 2 of the Citywide Creek Master Plan. The trail runs along the south bank of Oakmont Creek, which is characterized as a Natural and Modified Natural creek in the Plan.

The following changes are proposed to the Citywide Creek Master Plan:

**a. Citywide Creek Master Plan, Planning Watershed Area: Oakmont, Map 1:**

Remove the proposed bicycle trail along Route 231, from the Annadel State Park parking lot on the west to White Oak Drive on the east.

**b. Citywide Creek Master Plan, Planning Watershed Area: Oakmont, Map 2:**

Remove the proposed bicycle trail along Route 231, from the Annadel State Park parking lot on the west to White Oak Drive on the east.

**c. Citywide Creek Master Plan, Oakmont Creek Reach 1:**

Amend the text on page 98, as follows:

**“Recreation, Access and Transportation.** The creek flows through a mix of public and private property. An existing ~~Class 4 paved, pedestrian only~~ trail extends on the south/left bank from White Oak Drive to Timber Springs Road. ~~A proposed on-street connection along Timber Springs Road would connect to a~~ An existing unpaved road/trail in Annadel State Park. ~~This trail is~~ proposed to be paved. At Channel Drive a proposed on-street connection would continue to Spring Lake Park and along Montgomery Drive. A parallel on-street connection on the north bank would follow Oakmont Drive and Stone Bridge Road, passing along the driveway to the City’s Oakmont Treatment Plant to cross an existing trail bridge (#1) to Channel Drive.”

3. Zoning

The Zoning District for all three of the project parcels is PD77-001, the Wild Oak Planned Community Development. The zoning designation will not be changed as part of the project.

4. Neighborhood Comments

A neighborhood meeting was held on November 29, 2017. Two representatives of the Villages at Wild Oak Association attended the meeting and provided historical background on the property and trail. While the trail is identified as a

“proposed” bicycle route in the General Plan, Bicycle and Pedestrian Master Plan, and Citywide Creek Master Plan, rather than an existing route, the attendees described ongoing coordination with local bicycle stakeholder groups to remove references to the trail in tourist and promotional literature. The Association representatives also expressed a commitment to participate in future City efforts to update the Bicycle and Pedestrian Master Plan and development of alternative proposed routes for future connectivity.

5. Public Improvements/On-Site Improvements

Not applicable.

FISCAL IMPACT

Approval of this action does not have a fiscal impact on the General Fund.

FINDINGS

Pursuant to Zoning Code Section 20-64.050, Findings, the following findings must be made to approve a General Plan Amendment:

- a. The proposed amendment ensures and maintains internal consistency with the goals and policies of all elements of the General Plan;
- b. The proposed amendment would not be detrimental to the public interest, health, safety, convenience, or welfare of the City;
- c. The site is physically suitable (including absence of physical constraints, access, compatibility with adjoining land uses, and provision of utilities) for the requested/anticipated land use developments; and
- d. The proposed project has been reviewed in compliance with the California Environmental Quality Act (CEQA).

The proposed amendment ensures and maintains internal consistency with the goals and policies of all elements of the General Plan. The revisions to each document will ensure internal consistency between them, while overall bicycle circulation in this area will be addressed in the update to the Bicycle and Pedestrian Master Plan update, which is currently underway. The amendment will delete the proposed bicycle route along the creek trail. Since no physical change to the existing environment will occur as a result of this project, it would not be detrimental to the public interest, health, safety, convenience, or welfare of the City. Further, with no physical changes proposed, a finding of physical suitability is not applicable to the project. Compliance with CEQA is addressed in the Environmental Impact section of this report (below).

ENVIRONMENTAL IMPACT

Staff has reviewed the proposed Bicycle Trail Route Amendment and has determined that the project is exempt from CEQA pursuant to CEQA Guidelines section 15061(b)(3), which provides that an activity is exempt from CEQA if the activity in question will not have a significant effect on the environment. Staff's determination is based on the following:

- The existing references to Route 231 in the General Plan and Bicycle and Pedestrian Master Plan are references to a *proposed* trail. Route 231 is not identified in any of the City's regulatory documents as an actual, existing bicycle trail. Thus, the proposed project simply removes from the General Plan and Master Plan all references to a hypothetical future bicycle trail. Environmental impacts of removing hypothetical future development are considered speculative and are not subject to CEQA review. (CEQA Guidelines section 15064 (d).)
- Route 231 does not currently exist as an improved city bike trail and there is no existing signage indicating the existence of such trail. In other words, the existing environmental conditions in the area do not include a City bike trail. The removal of a hypothetical trail from the City's planning documents would not cause any environmental impacts.
- The City is currently in the process of preparing a comprehensive amendment to the Bicycle and Pedestrian Master Plan. Any potential environmental impacts associated with the planned bicycle and pedestrian network will be analyzed as part of the Master Plan amendment.

#### BOARD/COMMISSION/COMMITTEE REVIEW AND RECOMMENDATIONS

On April 12, 2018, the Planning Commission held a public hearing regarding the requested amendments. Three members of the public spoke, two voiced support for removal of the planned bicycle route, while one stated opposition to the action. Concerns were raised by the Commission regarding bicycle circulation in the area and the need to move quickly to address the situation through the ongoing Bicycle and Pedestrian Master Plan update. However, given the ruling by the court, the Commission voted unanimously to recommend approval to the City Council of the proposed amendments.

#### NOTIFICATION

In compliance with SB 18, City staff referred the project to the California Native American Heritage Commission, which provided a list of local tribe contacts. Local tribes were referred project information and given the required time to respond. No requests for consultation were received.

Notification of the neighborhood meeting was sent by mail to property owners in a radius of 400 feet from the project area. Notification of the City Council Hearing was also conducted by mail to the same radius. In addition, a notice was published in the Press Democrat, and a public hearing sign was posted at the site.



## ATTACHMENTS

- Attachment 1 - Location Map
- Attachment 2 - Neighborhood Context Map
- Attachment 3 - Proposed Revisions
- Attachment 4 - Settlement Agreement
- Attachment 5 - Minutes of the May 18, 2017 Bicycle and Pedestrian Advisory Board Meeting
- Attachment 6 - Minutes of the April 12, 2018 Planning Commission Meeting
- Attachment 7 - Planning Commission Resolution Nos. 11889, 11890 and 11891
- Resolution 1 - General Plan Amendment
- Resolution 2 - Bike and Ped Master Plan
- Resolution 3 - Citywide Creek Master Plan

## CONTACT

Eric Gage, City Planner  
Planning and Economic Department  
(707) 543-4351  
[egage@srcity.org](mailto:egage@srcity.org)