

RESOLUTION NO. RES-2020-158

RESOLUTION OF THE COUNCIL OF THE CITY OF SANTA ROSA CERTIFYING THE FINAL SUBSEQUENT ENVIRONMENTAL IMPACT REPORT AND ADOPTING THE MITIGATION MONITORING AND REPORTING PROGRAM AND FINDINGS OF FACT FOR THE DOWNTOWN STATION AREA SPECIFIC PLAN, FILE NUMBER ST18-002

WHEREAS, on October 9, 2007, the City Council adopted the Downtown Station Area Specific Plan (2007 Specific Plan) to increase the number of residents and employees within walking distance of the Sonoma Marin Area Rail Transit (SMART) station through the intensification of land uses in the Plan Area; and

WHEREAS, the Environmental Impact Report (EIR) for the 2007 Specific Plan, certified in October 2007 (SCH #2006072104), described and disclosed the environmental effects associated with adoption of the 2007 Specific Plan. As evaluated in the EIR, the 2007 Specific Plan involved changes to land use and zoning regulations intended to foster a vibrant mix of housing, shopping, and jobs in proximity to transit, as well as a range of circulation and infrastructure improvements needed to support the densification and intensification of uses downtown; and

WHEREAS, the 2007 Specific Plan did not address other areas of policy necessary to facilitate Downtown development and, combined with the Great Recession of 2007-2009, very little housing was produced within the Plan Area; and

WHEREAS, On April 24, 2018 the City received a grant from the Metropolitan Transportation Commission (MTC) in the amount of \$800,000 to update the 2007 Specific Plan based on the Plan Area's designation as a Priority Development Area; and

WHEREAS, the proposed Downtown Station Area Specific Plan (DSASP) updates the 2007 Specific Plan and represents the community's vision of creating a vibrant, sustainable, and important community gathering place where residents can celebrate their diversity and heritage; and

WHEREAS, the proposed DSASP updates the 2007 Specific Plan and represents the community's vision of creating a vibrant, sustainable, and important community gathering place where residents can celebrate their diversity and heritage; and

WHEREAS, on January 8, 2019 the City commenced the DSASP planning process which included a robust community engagement strategy including four community workshops, four Citizen Advisory Committee meetings, three Technical Advisory Committee meetings, online surveys, focus groups, and other events held both in person and virtually to create a vision for the Plan Area and to receive feedback on draft documents; and

WHEREAS, pursuant to the requirements of the California Environmental Quality Act ("CEQA"), the State CEQA Guidelines, and the Santa Rosa City Code, a Notice of Preparation of a Subsequent Environmental Impact Report for the DSASP was circulated for a 30-day public

review period, from December 19, 2019 through January 21, 2020, and a public scoping meeting was held on January 15, 2020, to offer interested individuals, organizations, and governmental agencies an opportunity to provide input regarding the potential environmental effects of the DSASP; and

WHEREAS, a Draft Subsequent Environmental Impact Report was prepared consistent with CEQA Guidelines Section 15162 which provides that the lead agency or a responsible agency shall prepare a subsequent EIR when substantial changes are proposed in the project or when substantial changes occur with respect to the circumstances under which the project is undertaken which will require major revisions of the previous EIR due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects; and

WHEREAS, the Draft Subsequent Environmental Impact Report (2020 Draft SEIR) was prepared and sent to the State Clearinghouse (#2006072104) for review by State and responsible agencies and was made available to the public for review and comment for a period of 45 days beginning on July 15, 2020 and ending on August 31, 2020; and

WHEREAS, on August 13, 2020, the Planning Commission held a noticed public hearing regarding the Draft DASAP and the Draft SEIR, at which time all persons were invited to speak or submit written comments, and adopted Resolution #12023 recommending that the City Council certify the 2020 Final SEIR, and adopt the Findings of Fact and Mitigation Monitoring and Reporting Program; and

WHEREAS, written responses were provided in response to all written and oral comments; those Responses to Comments, dated September 14, 2020, contain all comments and recommendations received on the 2020 Draft SEIR, a list of persons, organizations and public agencies submitting comments on the 2020 Draft SEIR, and responses by the City to comments received. The Responses to Comments do not provide any significant new information which would require recirculation of the 2020 Draft SEIR; and

WHEREAS, the 2020 Draft SEIR, the Responses to Comments and the Mitigation Monitoring and Reporting Program, dated September 14, 2020, comprise the 2020 Final SEIR; and

WHEREAS, the 2020 Final SEIR prepared for the DSASP identifies a number of potentially significant environmental effects and a program for avoiding or mitigating those effects, as set forth in Exhibit A (Findings of Fact) and Exhibit B (Mitigation Monitoring and Reporting Program) attached hereto, and concludes there are no unavoidable, significant effects of the DSASP which cannot be avoided or are unmitigable; and

WHEREAS, CEQA and the State Guidelines thereto, Section 15091, prohibit a public agency from approving or carrying out a project for which an environmental impact report has been completed which identifies one or more significant effects, unless the public agency makes one or more of the following written findings for each of those significant effects accompanied by statements of the facts supporting each finding:

- A. Specific economic, social, or other considerations make infeasible the mitigation measures or project alternatives identified in the certified EIR; or
- B. Changes or alterations have been required in, or incorporated into the project, which mitigate or avoid the significant environmental effects thereof as identified in the Final EIR; or
- C. Such changes or alterations are within the responsibility and jurisdiction of another public agency and not the City. Such changes have been adopted by such other agency or can and should be adopted by such other agency; and

WHEREAS, on September 24, 2020, at a public meeting of the Planning Commission, the Commission considered the contents of the 2020 Final SEIR, the Mitigation Monitoring and Reporting program (MMRP) and the written Findings of Fact for the proposed DSASP in accordance with the requirements of CEQA and the Santa Rosa City Code; and

WHEREAS, the Planning Commission found that the 2020 Final SEIR adequately identifies and analyzes the environmental effects of the DSASP and was completed in compliance with the requirements of CEQA and the State CEQA guidelines, and therefore adopted Resolution #12023 recommending that the City Council certify the Final SEIR and adopt the MMRP and Findings of Fact; and

WHEREAS, the Council has independently reviewed and analyzed the 2020 Final SEIR.

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Santa Rosa finds and determines that the Final Subsequent Environmental Impact Report for the DSASP and associated General Plan amendments, comprised of the 2020 Draft SEIR, the comments received and the responses to comments, and the Mitigation Monitoring and Reporting Program, adequately identifies and analyzes the environmental effects of the DSASP, and further finds that the Final Subsequent Environmental Impact Report reflects the City's independent judgment and analysis and was completed in compliance with the requirements of CEQA and the State CEQA Guidelines.

BE IT FURTHER RESOLVED that the City Council makes the following findings:

1. Each member of the City Council has independently reviewed and considered the information contained within the 2020 Final SEIR, including the 2020 Draft SEIR, the comments on the Draft SEIR and the responses to the comments, and the Mitigation Monitoring and Reporting Program and finds the material represents the independent judgement and analysis of the City, as the lead agency.
2. An adequate opportunity for public participation, including review and comment on the 2020 Draft SEIR, has been provided in accordance with the requirements of CEQA.

