

RESOLUTION NO. 28886

RESOLUTION OF THE COUNCIL OF THE CITY OF SANTA ROSA APPROVING THE ROSELAND AREA PRE-ANNEXATION AGREEMENT WITH THE COUNTY OF SONOMA, AND ADOPTING A RESOLUTION OF APPLICATION TO THE SONOMA COUNTY LOCAL AGENCY FORMATION COMMISSION (LAFCO) FOR REORGANIZATION OF PROPERTY LOCATED IN SOUTHWEST SANTA ROSA IN SONOMA COUNTY, CA

WHEREAS, the City of Santa Rosa adopted General Plan 2035 on November 3, 2009; and

WHEREAS, the voters of the City of Santa Rosa initially approved an Urban Growth Boundary (UGB) in 1990, which was revised by the voters in 1996 and again in 2010; the current UGB is in place through 2035; and

WHEREAS, on October 23, 2014, the City and Sonoma County, based on the consideration of the annexation of the Roseland area into the City a top priority for both the City and the County, entered into a Memorandum of Understanding and agreed to establish the Joint City/County Roseland Annexation Committee to discuss and negotiate a pre-annexation agreement addressing the cost sharing and other commitments necessary to successfully annex the five County islands proposed for annexation known as the Roseland Area Annexation (“Annexation Area”) depicted in Exhibit A attached hereto and herein incorporated (the “Roseland Area Annexation”); and

WHEREAS, pursuant to requirements of the California Environmental Quality Act (“CEQA”), the State CEQA Guidelines, and the Santa Rosa City Code, a Draft Environmental Impact Report (Draft EIR) for the Roseland Area/Sebastopol Road Specific Plan, Roseland Area Annexation, associated General Plan, Zoning Code and Bicycle and Pedestrian Master Plan Amendments, and Rezoning and Prezoning of parcels within the Roseland Area/Sebastopol Road Specific Plan and Roseland Area Annexation boundaries (Project) was prepared and sent to the State Clearinghouse for review by state agencies, a notice of availability of the Draft EIR was provided, and the Draft EIR was made available to the public for review and comment for a period of 45 days beginning on May 20, 2016 and ending on July 5, 2016; and

WHEREAS, on October 18, 2016, the Council held a duly noticed public hearing where it considered the Draft EIR (State Clearinghouse Number 2016012030), dated May 2016, and the Response to Comments, dated August 2016, which contains all comments and recommendations received on the Draft EIR, a list of persons, organizations and public agencies submitting comments on the Draft EIR, and responses by the City to comments received, and the Mitigation Monitoring and Reporting Program, dated August 2016, all of which comprise the Final EIR; and

WHEREAS, the Final EIR prepared for the Project identifies four significant impacts which are significant and unavoidable and cannot be feasibly mitigated, including the following:

Impact 3.3.8 Air Quality. The proposed Project, in combination with cumulative development in the San Francisco Bay Area Air Basin (SFBAAB), could result in a significantly cumulative increase of criteria air pollutants for which the air basin is designated nonattainment. This would be a significant cumulative impact, and the Project's contribution to the impact would be considered cumulatively considerable.

Impact 3.14.2 Traffic and Transportation. Traffic in connection with the proposed Project would have the potential to degrade mainline freeway operations to unacceptable levels of service under Existing plus Project conditions (Highway 101 North – Todd Road to Highway 12).

Impact 3.14.3 Traffic and Transportation. Traffic in connection with the proposed Project would have the potential to degrade freeway ramp operations to an unacceptable level of service at the southbound Highway 101 freeway off-ramp at Hearn Avenue under Existing plus Project conditions.

Impact 3.14.11 Traffic and Transportation. Traffic in connection with the proposed Project, when considered together with other past, present, and future development, would have the potential to degrade mainline freeway operations to unacceptable levels of service (Future plus Project or "cumulative" conditions); and

WHEREAS, following a staff presentation and public testimony, the Council certified the Final EIR for the Roseland Area/Sebastopol Road Specific Plan and Roseland Area Annexation, adopted the Roseland Area/Sebastopol Road Specific Plan, approved a General Plan Amendment and Bicycle and Pedestrian Master Plan Amendment, and introduced three ordinances, rezoning lands within the City of Santa Rosa consistent with the General Plan and Specific Plan, rezoning lands within the Annexation Area consistent with the General Plan and Specific Plan, and a Zoning Code text amendment pertaining to land uses within the Annexation Area; and

WHEREAS, on October 25, 2016, the ordinances were adopted by the Council and are expected to go into effect on the 31st day following adoption; and

WHEREAS, the proposed Roseland Area Annexation would benefit the City, County and the Southwest community in that it would facilitate implementation of Roseland Area/Sebastopol Road Specific Plan and all the benefits that would ensue from such implementation as well as encourage the orderly and efficient provision of municipal services; and

WHEREAS, on October 26, 2016, the Joint City/County Roseland Annexation Committee unanimously supported a draft pre-annexation agreement, and agreed to advance the proposed agreement to the Board of Supervisors and City Council; and

WHEREAS, the Annexation Area encompasses 1,616 parcels and approximately 714 acres and are located fully within Santa Rosa's UGB; and

WHEREAS, all of the parcels located within the Annexation Area are rezoned consistent with the Santa Rosa 2035 General Plan; and

WHEREAS, California Government Code Section 56744 prohibits any annexation that would result in the creation of an unincorporated island or islands (unincorporated territory substantially surrounded by a city); and

WHEREAS, a reorganization is defined by California Government Code Section 56073 as a two or more changes of organization contained within a single proposal, such as an annexation.

WHEREAS, the Council has considered the significant, unavoidable affects outlined in the Final EIR and has weighed the potential significant impacts related to the Roseland Area Annexation against the benefits of the Roseland Area Annexation.

NOW, THEREFORE, BE IT RESOLVED that the Council of the City of Santa Rosa makes the following findings and recitations:

Section 1. That the above recitations are true, correct, and material to this Resolution.

Section 2. Environmental Clearance.

- (A) A resolution approving the Pre-Annexation Agreement and a resolution of application to Sonoma LAFCO for reorganization of the Annexation Area, as depicted in Exhibit A is consistent with the applicable provisions of the California Environmental Quality Act (CEQA), in that the City has certified the Final EIR for the Roseland Area/Sebastopol Road Specific Plan and Roseland Area Annexation, which includes the proposed Roseland Area Annexation within the project description, as well as adopted CEQA findings and a Mitigation Monitoring and Reporting Program, as described in Resolution 28873 adopted on October 18, 2016; and
- (B) There are no new circumstances nor new information that would require subsequent environmental review pursuant to CEQA Guidelines Section 15162; and
- (C) With respect to the significant, unavoidable effects as identified in the Final EIR, which may be impacted by the proposed Roseland Area Annexation, and based on substantial evidence in the record, finds as follows:

Air Quality. By its very nature, air pollution is largely a cumulative impact. According to the Bay Area Air Quality Management District (BAAQMD), no single project is sufficient in size, by itself, to result in nonattainment of ambient air quality standards. Instead, a project's individual emissions contribute to existing cumulatively significant adverse air quality impacts. In developing thresholds of significance for air pollutants, the BAAQMD considered the emission levels for which a project's individual emissions would be cumulatively considerable. According to the BAAQMD, if a project exceeds its identified significance thresholds, the project's impact would be cumulatively considerable. As stated under

Air Quality Impact 3.3.3 of the Draft Environmental Impact Report, it cannot be guaranteed, despite mitigation, that construction of subsequent projects allowed under the proposed project would generate air pollutant emissions below BAAQMD significance thresholds because of the programmatic and conceptual nature of the proposed project and uncertainties related to future subsequent projects. Therefore, significant cumulative impacts would result and the project's contribution to those impacts would be cumulatively considerable.

During the past few years the City of Santa Rosa has modified its planning policies and land use regulations to increase residential densities in the vicinity of rail and bus transit facilities and on other infill properties. This has resulted in accommodating the increase in population projected through the year 2035 within the same Urban Growth Boundary established to accommodate projected population to the year 2020. This land use pattern is designed to reduce automobile trips (and, therefore, vehicle miles traveled) and is supportive of a program of greenhouse gas reduction. Thus a basis for a finding of overriding consideration is the fact that the policies included in the Roseland Area/Sebastopol Road Specific Plan, as encouraged and facilitated by the Roseland Area Annexation, will provide a more efficient settlement pattern compared to the current General Plan for the plan area.

Traffic and Transportation. The City of Santa Rosa is working collaboratively with Caltrans to approve and fund construction of a widened Hearn Avenue freeway overpass and associated intersection improvements. This project is identified in the City's General Plan 2035 and is projected to alleviate both congestion and adverse queuing onto the freeway in the future. However, because the widening project would not be complete under Existing plus Project near-term conditions, the adverse queuing conditions would remain and the impact of the Specific Plan and the Roseland Area Annexation would be significant and unavoidable. Note that under Future plus Project conditions (see Draft Environmental Impact Report, Impact 3.14.12), the Hearn Avenue overpass widening and interchange project would be completed and the impact would be reduced to a level of less than significant.

The projected unacceptable operation on US 101 could be mitigated by widening the freeway to include additional through lanes in each direction. However, further widening of US 101 is not included in the Sonoma County Transportation Authority's (SCTA) Comprehensive Transportation Plan, nor do any financing mechanisms currently exist to fund the improvement. Widening the freeway would require major reconstruction of multiple freeway structures, right-of-way acquisition including many homes and businesses, closure or relocation of city streets paralleling the freeway corridor, and the likely creation of additional secondary environmental impacts. As a result, such improvements to US 101 are considered infeasible. The City of Santa Rosa, the County of Sonoma, and the SCTA recognize that US 101 will experience congestion into the foreseeable future and that there will be no further major capacity enhancements, such as expansions or new freeways. All three entities

concur in various planning and policy documents that long-range solutions to regional mobility must focus on better land use planning that supports transit and alternative transportation modes; stronger jobs-housing balance; and increased support of transportation demand measures. The proposed Specific Plan, as encouraged and facilitated by the Roseland Area Annexation, emphasizes each of these goals.

A basis for a finding of overriding consideration for Traffic and Transportation is the fact that for the City to facilitate residential development to accommodate its state-mandated share of regional housing needs, residential development within the City and Urban Growth Boundary and surrounding transit stations must continue to be allowed, and at higher densities. Commercial and industrial development, which also generate traffic, are needed to provide services to the increased population, a tax base for revenues, and jobs for a portion of the population. The Specific Plan, as encouraged and facilitated by the Roseland Area Annexation, provides for development, both residential and commercial, in a manner that supports transit and encourages alternative transportation modes, minimizing traffic impacts to the greatest extent feasible.

- (D) Based on the foregoing, finds that the benefits, such as higher residential densities, increased multi-modal connectivity that will support transit ridership, and consistent provision of municipal services throughout the area, which will be realized and achieved from the proposed Roseland Area Annexation, outweigh the environmental risks associated with the adoption and implementation of the Roseland Area Annexation, and on this basis that the significant effects are acceptable, and therefore there are overriding considerations in favor of approval of the Pre-Annexation Agreement and a resolution of application for the Roseland Area Annexation.
- (E) All other impacts identified in the Final EIR will be mitigated to less than significant with the adoption and implementation of the Mitigation Monitoring and Reporting Program, dated August 2016.

BE IT FURTHER RESOLVED that the Council hereby adopts a Resolution of Application to the Sonoma LAFCO for reorganization of five County islands located in southwest Santa Rosa totaling 714 acres as depicted in Exhibit A.

BE IT FURTHER RESOLVED, that the Council hereby approves the Pre-Annexation Agreement and authorizes the Mayor to execute the Pre-Annexation Agreement, in substantially the same form as Exhibit B attached to this resolution, subject to approval as to form by the City Attorney.

BE IT FURTHER RESOLVED that the Planning and Economic Development Department shall file the Annexation Application with Sonoma LAFCO in early 2017.

IN COUNCIL DULY PASSED this 29th day of November, 2016.

AYES: (7) Mayor Sawyer, Vice Mayor Schwedhelm, Council Members Carlstrom, Combs, Coursey, Olivares, Wysocky

NOES: (0)

ABSENT: (0)

ABSTAIN: (0)

ATTEST: _____ APPROVED: _____
City Clerk Mayor

APPROVED AS TO FORM:

Interim City Attorney

Exhibit A – Roseland Area/Sebastopol Road Specific Plan & Roseland Area Annexation Project Areas

Exhibit B – Pre-Annexation Agreement