



## ENVIRONMENTAL REVIEW

PURSUANT TO CALIFORNIA PUBLIC RESOURCES CODE  
CEQA GUIDELINES SECTION 15183

Cotati Village Community Project

LEAD AGENCY:

CITY OF COTATI  
COMMUNITY DEVELOPMENT DEPARTMENT  
201 WEST SIERRA AVENUE  
COTATI, CA 94931

PREPARED BY:



METROPOLITAN PLANNING GROUP  
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**JANUARY 2024**

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**COTATI VILLAGE COMMUNITY**

|                                                                                        |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |
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| <b>Project Title:</b>                                                                  | Cotati Village Community                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |
| <b>Lead Agency:</b>                                                                    | City of Cotati: Community Development Department<br>201 West Sierra Avenue<br>Cotati, CA 94931                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |
| <b>Contact Person:</b>                                                                 | Jon-Paul Harries, Senior Planner<br>707-665-3634                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |
| <b>Project Location:</b>                                                               | City of Cotati, Sonoma County, California<br>APNs: 144-050-009 & 046-286-021                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |
| <b>Project Sponsor(s)/Owners:</b>                                                      | Collin Monahan<br>116 Associated Investors, LLC<br>1101 5 <sup>th</sup> Avenue, Ste. 300<br>San Rafael, CA 94901<br><a href="mailto:collin@monahanpacific.com">collin@monahanpacific.com</a><br>415-456-0600                                                                                                                                                                                                                                                                                                                                                                      |
| <b>General Plan Designation:</b>                                                       | General Commercial (GC)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |
| <b>Zoning:</b>                                                                         | Commercial, Gravenstein Corridor (CG)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |
| <b>Description of project:</b>                                                         | The Project proposes a mixed-use development consisting of six three-story buildings containing 177 dwelling units for rent, 4,752 square feet of commercial floor area, a 5,708 square foot community center building, a 5,065 square foot pool and pool deck area, frontage improvements, parking, landscaping, and ancillary improvements. Eighteen units (fifteen percent of overall units) are reserved for very low-income households. Residential units would have between one and three bedrooms and sizes range from 576 square feet to 1,200 square feet in floor area. |
| <b>Surrounding land uses and setting; briefly describe the project's surroundings:</b> | The Project site is bounded by Gravenstein Highway (SR-116) to the south, Alder Avenue to the east, residential development to the north, Lowe's Home Improvement to the northeast, and undeveloped land to the east. The approximately 7.82-acre Project site is undeveloped, consisting primarily of ruderal vegetation and scattered trees. The site is relatively flat due to mass grading in 2002 in preparation for the Cotati Commons project, previously known as the South Sonoma Business Park (SSBP) project, approved in 2001.                                        |
| <b>Other public agencies whose approval is required:</b>                               | Caltrans<br>Sonoma County<br>Regional Water Quality Control Board<br>California Department of Fish and Wildlife                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |

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|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>Have California Native American tribes traditionally and culturally affiliated with the project area requested consultation pursuant to Public Resources Code section 21080.3.1? If so, has consultation begun?</b> | The City of Cotati notified California Native American Tribes in accordance with Public Resources Code §21080.3.1. Notice was sent to the Federated Indians of Graton Rancheria on May 2, 2022. A written request for consultation, dated May 4, 2022, was received from the Federated Indians of Graton Rancheria; and the City initiated consultation with the Tribe and provided an archaeological report to the tribe on August 4, 2022. Subsequent correspondence resulted in a request from the Tribe to review the CEQA Analysis, which was provided to the Tribe on January 16, 2024. No additional comments were received. |
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**COTATI VILLAGE COMMUNITY**

| <b>TABLE OF CONTENTS</b>                                                        | <b>PAGE</b> |
|---------------------------------------------------------------------------------|-------------|
| <b>1. INTRODUCTION .....</b>                                                    | <b>1</b>    |
| 1.1. OVERVIEW OF CEQA ANALYSIS.....                                             | 1           |
| 1.2. PURPOSE AND SUMMARY OF THIS CEQA DOCUMENT .....                            | 1           |
| 1.3. PUBLIC REVIEW PROCESS .....                                                | 1           |
| <b>2. PROJECT DESCRIPTION .....</b>                                             | <b>2</b>    |
| 2.1. BACKGROUND.....                                                            | 2           |
| 2.2. PROJECT LOCATION.....                                                      | 3           |
| 2.3. GENERAL PLAN AND ZONING .....                                              | 4           |
| 2.4. PROJECT DESCRIPTION.....                                                   | 4           |
| <b>3. RELEVANT CITY PLANNING DOCUMENTS.....</b>                                 | <b>21</b>   |
| 3.1. CITY OF COTATI GENERAL PLAN .....                                          | 21          |
| 3.2. CITY OF COTATI GENERAL PLAN EIR.....                                       | 21          |
| 3.3. CITY OF COTATI ZONING CODE .....                                           | 22          |
| <b>4. APPLICABLE CEQA PROVISIONS AND FINDINGS .....</b>                         | <b>22</b>   |
| 4.1. GENERAL PLAN/COMMUNITY PLAN EXEMPTION (CEQA GUIDELINES SECTION 15183)..... | 23          |
| 4.2. APPLICABILITY OF THE PROJECT TO CEQA GUIDELINES SECTION 15183.....         | 23          |
| 4.3. CEQA DETERMINATION AND SUMMARY OF FINDINGS .....                           | 25          |
| <b>5. EVALUATION OF ENVIRONMENTAL EFFECTS .....</b>                             | <b>27</b>   |
| 5.1. AESTHETICS.....                                                            | 29          |
| 5.2. AGRICULTURAL AND FORESTRY RESOURCES .....                                  | 34          |
| 5.3. AIR QUALITY.....                                                           | 37          |
| 5.4. BIOLOGICAL RESOURCES.....                                                  | 53          |
| 5.5. CULTURAL RESOURCES.....                                                    | 63          |
| 5.6. ENERGY .....                                                               | 67          |
| 5.7. GEOLOGY AND SOILS .....                                                    | 70          |
| 5.8. GREENHOUSE GAS EMISSIONS .....                                             | 77          |
| 5.9. HAZARDS/HAZARDOUS MATERIALS .....                                          | 83          |
| 5.10. HYDROLOGY AND WATER QUALITY .....                                         | 89          |
| 5.11. LAND USE AND PLANNING.....                                                | 97          |
| 5.12. MINERAL RESOURCES .....                                                   | 99          |
| 5.13. NOISE.....                                                                | 101         |
| 5.14. POPULATION AND HOUSING.....                                               | 110         |
| 5.15. PUBLIC SERVICES .....                                                     | 113         |
| 5.16. RECREATION .....                                                          | 117         |
| 5.17. TRANSPORTATION.....                                                       | 119         |
| 5.18. TRIBAL CULTURAL RESOURCES.....                                            | 130         |
| 5.19. UTILITIES AND SERVICE SYSTEMS .....                                       | 133         |
| 5.20. WILDFIRE.....                                                             | 140         |
| 5.21. MANDATORY FINDINGS OF SIGNIFICANCE .....                                  | 144         |
| <b>6. REFERENCE DOCUMENTS .....</b>                                             | <b>147</b>  |
| 6.1. TECHNICAL APPENDICES .....                                                 | 147         |
| 6.2. OTHER DOCUMENTS REFERENCED .....                                           | 148         |

**7. ENVIRONMENTAL CONDITIONS OF APPROVAL ..... 150**

**TABLE OF FIGURES**

**FIGURE 1: REGIONAL LOCATION ..... 11**  
**FIGURE 2: PROJECT VICINITY ..... 13**  
**FIGURE 3: ZONING ..... 15**  
**FIGURE 4: GENERAL PLAN LAND USE..... 17**  
**FIGURE 5: SITE PLAN ..... 19**

**TABLE OF TABLES**

**TABLE 5.3.1: AIR QUALITY SIGNIFICANCE THRESHOLDS..... 40**  
**TABLE 5.3.2 CONSTRUCTION PERIOD EMISSIONS ..... 42**  
**TABLE 5.3.3 OPERATIONAL EMISSIONS..... 43**  
**TABLE 5.3.4: CONSTRUCTION AND OPERATION RISK IMPACTS AT THE OFF-SITE PROJECT MEI ..... 46**  
**TABLE 5.3.5: CUMULATIVE COMMUNITY RISK IMPACTS AT THE LOCATION OF THE PROJECT MEI ..... 49**  
**TABLE 5.8.1: CLIMATE IMPACT THRESHOLDS OF SIGNIFICANCE (PROJECT LEVEL) ..... 78**  
**TABLE 5.8.2: GHG EMISSION FORECASTS..... 79**  
**TABLE 5.13.1: VIBRATION SOURCE LEVELS FOR CONSTRUCTION EQUIPMENT ..... 105**  
**TABLE 5.13.2: TYPICAL RANGES OF LEQ CONSTRUCTION NOISE LEVELS AT 50 FEET, dBA ..... 105**  
**TABLE 5.17.1 EXISTING AND EXISTING PLUS PROJECT PEAK HOUR INTERSECTION LEVELS OF SERVICE ..... 123**  
**TABLE 5.17.2 BASELINE AND BASELINE PLUS PROJECT PEAK HOUR INTERSECTION LEVELS OF SERVICE..... 124**  
**TABLE 5.17.3 FUTURE AND FUTURE PLUS PROJECT PEAK HOUR INTERSECTION LEVELS OF SERVICE..... 124**

**ACRONYMS AND ABBREVIATIONS**

|                   |                                                              |
|-------------------|--------------------------------------------------------------|
| APN               | ASSESSOR PARCEL NUMBERS                                      |
| BAAQMD            | BAY AREA AIR QUALITY MANAGEMENT DISTRICT                     |
| BMP               | BEST MANAGEMENT PRACTICE                                     |
| CCR               | CALIFORNIA CODE OF REGULATIONS                               |
| CDFW              | CALIFORNIA DEPARTMENT OF FISH AND WILDLIFE                   |
| CEQA              | CALIFORNIA ENVIRONMENTAL QUALITY ACT                         |
| CNEL              | COMMUNITY NOISE EQUIVALENT LEVEL                             |
| CNPS              | CALIFORNIA NATIVE PLANT SOCIETY                              |
| CRHR              | CALIFORNIA REGISTER OF HISTORICAL RESOURCES                  |
| CRPUSD            | COTATI-ROHNERT PARK UNIFIED SCHOOL DISTRICT                  |
| CTS               | CALIFORNIA TIGER SALAMANDER                                  |
| dBA               | A-WEIGHTED DECIBEL                                           |
| DMA               | DRAINAGE MANAGEMENT AREA                                     |
| DPM               | DIESEL PARTICULATE MATTER                                    |
| DPR               | DEPARTMENT OF PARKS AND RECREATION                           |
| EIR               | ENVIRONMENTAL IMPACT REPORT                                  |
| EVA               | EMERGENCY VEHICLE ACCESS                                     |
| FIGR              | FEDERATED INDIANS OF GRATON RANCHERIA                        |
| GHG               | GREENHOUSE GAS                                               |
| gpd               | GALLONS PER DAY                                              |
| LID               | LOW IMPACT DEVELOPMENT                                       |
| LWWTP             | LAGUNA WASTEWATER TREATMENT PLANT                            |
| MBTA              | MIGRATORY BIRD TREATY ACT                                    |
| mph               | MILES PER HOUR                                               |
| NPDES             | NATIONAL POLLUANT DISCHARGE ELIMINATION SYSTEM               |
| NAHC              | NATIVE AMERICAN HERITAGE COMMISSION                          |
| NHPA              | NATIONAL HISTORIC PRESERVATION ACT                           |
| NRHP              | NATIONAL REGISTER OF HISTORIC PLACES                         |
| NWIC              | NORTHWEST INFORMATION CENTER                                 |
| OEHHA             | CALIFORNIA OFFICE OF ENVIRONMENTAL HEALTH HAZARDS ASSESSMENT |
| PRC               | PUBLIC RESOURCES CODE                                        |
| RCPA              | REGIONAL CLIMATE PROTECTION AGENCY                           |
| ROG               | REACTIVE ORGANIC GAS                                         |
| RWQCB             | REGIONAL WATER QUALITY CONTROL BOARD                         |
| SCH               | STATE CLEARINGHOUSE                                          |
| SMART             | SONOMA-MARIN AREA RAIL TRANSIT                               |
| SR                | STATE ROUTE                                                  |
| SRPCS             | SANTA ROSA PLAIN CONSERVATION STRATEGY                       |
| SSBP              | SOUTH SONOMA BUSINESS PARK                                   |
| SWPPP             | STORM WATER POLLUTION PREVENTION PLAN                        |
| SWRCB             | STATE WATER RESOURCES CONTROL BOARD                          |
| TCR               | TRIBAL CULTURAL RESOURCE                                     |
| UST               | UNDERGROUND STORAGE TANK                                     |
| UWMP              | URBAN WATER MANAGEMENT PLAN                                  |
| µg/M <sup>3</sup> | MICROGRAMS PER CUBIC METER                                   |

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## **1. INTRODUCTION**

This California Environmental Quality Act (CEQA) Analysis evaluates consistencies with the City's 2013 General Plan EIR to identify any new or more significant impacts from the proposed project, which includes an entitlement for Design Review and Density Bonus to construct three mixed-use buildings and three residential buildings containing 177 residential units, 4,752 square feet of gross commercial floor area, a 5,708 square foot community center building, a 5,065 square foot pool and pool deck area, and ancillary improvements on a 7.82-acre site at the northeast corner of State Route (SR) 116 and Alder Avenue (the "Project").

### **1.1. OVERVIEW OF CEQA ANALYSIS**

This CEQA Analysis has been prepared by the City of Cotati, as the lead agency in full accordance with the procedural and substantive requirements of CEQA, CEQA Guidelines, and the City of Cotati local CEQA provisions.

This CEQA Analysis uses CEQA Guidelines Sections 15183, which provides a streamlined review of the Project by tiering from the program level analysis prepared for the Cotati General Plan and its certified Environmental Impact Report (EIR), thereby focusing the analysis to potential impacts of the project relative to the impacts analyzed in the program level EIR. Section 15183 of the CEQA Guidelines mandates that projects which are determined to be consistent with the development density established by existing zoning, community plan, or general plan policies for which an EIR was certified shall not require additional environmental review, except as might be necessary to examine whether there are project-specific significant effects which are peculiar to the project or its site. The analysis provided herein tiers from the program level analysis prepared for the 2013 City of Cotati General Plan and its EIR (SCH No. 2013082037), which was certified in 2015. This CEQA Analysis describes the proposed project and its environmental setting, including the project site's existing conditions and applicable regulatory requirements, and provides an assessment of the project's consistency with the City of Cotati General Plan. All General Plan policies adopted as mitigation apply to the project as described herein.

### **1.2. PURPOSE AND SUMMARY OF THIS CEQA DOCUMENT**

The purpose of this document is to evaluate environmental effects of the Project under CEQA. This document considers the specific environmental effects of the Project as proposed and whether such impacts were adequately addressed in the City of Cotati 2013 General Plan EIR. The Project is required to incorporate or comply with all applicable mitigation measures identified in the 2013 General Plan EIR, uniformly applied development standards, and environmental conditions of approval. Section 7 of this document contains environmental conditions of approval imposed on the project to ensure implementation of mitigation measures from the 2013 General Plan EIR which have been identified to avoid, reduce, or offset potential environmental impacts. As presented herein, the Project is consistent with the General Plan and its certified EIR and qualifies for a General Plan Exemption pursuant to CEQA Guidelines Section 15183.

### **1.3. PUBLIC REVIEW PROCESS**

The project has been analyzed pursuant to CEQA Guidelines Section 15183 and does not require circulation for public review and comment. Nonetheless the City will make this CEQA Analysis available as part of the public hearing process, which requires approval from the Planning Commission for Design Review and City Council for the requested Density Bonus.

## **2. PROJECT DESCRIPTION**

### **2.1. BACKGROUND**

The Project site is located on the southwest portion of the South Sonoma Business Park (SSBP), for which the SSBP EIR (SCH#2000052045) was certified and the SSBP Project approved by the City of Cotati on June 13, 2001, and subsequently amended. Following approval of the SSBP Project, grading of the SSBP project site, including the subject Project site occurred in 2002; construction of the Cotati Cottages, a 46 dwelling units residential project immediately north of the subject Project site, and public improvements to Alder Avenue occurred in 2004; and construction of the Cotati Commons Marketplace, consisting of a 165,382 Lowe's Home Improvement store, occurred in 2006. In 2007, a Vesting Tentative Parcel Map (VTM) was approved for the Cotati Village project, which included 43 residential lots, three commercial lots, access and parking, a new connecting road from Alder Avenue, a residence park easement, a swimming pool and park east of Cotati Cottages, and a 0.28-acre right-of-way dedication to the State of California along the site's frontage to SR-116.

Addendum #2 to the 2001 SSBP EIR was prepared in November 2006 and approved by City Council on June 13, 2007 (Resolution #07-24). Addendum No. 2, included evaluation of SR-116 improvements, including frontage improvements that were completely or partially outside the Caltrans right-of-way adjacent to the Project site (e.g. new public sidewalks along the northern edge of SR-116 from the Redwood Drive intersection to Alder Avenue, including handicap ramps, and installation of pedestrian crosswalks north of SR-116 across the primary entrance driveway and Alder Avenue).

The Vesting Tentative Subdivision Map (VTM) for Cotati Village, a 7.82-acre portion of the approximately 30-acre SSBP site was approved by City Council on June 13, 2007 (Resolution No. 07-26), consistent with Addendum No. 2. The VTM included 43 residential lots, three commercial lots, access and parking, a new connecting road from Alder Avenue, a Residence Park Easement, a swimming pool and park east of Cotati Cottages, and right-of-way dedication (0.28 acres) to the State of California along the site's frontage to SR-116. The approval was extended numerous times, with the last extension on June 25, 2019 (Resolution No. 30: 2019) extending the previous approval to June 13, 2020. The application for the subject Project was received December 3, 2021 and requires approval for the new proposed development. No development has taken place on the subject Project site beyond grading circa 2002. The Project site has since been maintained annually for weed and fire abatement purposes.

Since the SSBP project was originally approved, the City of Cotati updated the General Plan and certified the 2013 General Plan EIR (SCH No. 2013082037) on March 24, 2015. The updated General Plan supersedes the 1998 General Plan under which the 2001 SSBP EIR and subsequent addenda were originally analyzed. The comprehensive update to the General Plan includes policies and programs that apply to the subject Project and infrastructure in the vicinity. Namely, the General Plan calls for the future closure of Alder Avenue from SR-116 and a realignment of West Cotati Avenue coupled with a new signalized intersection to be located at the southeast corner of the Project site and SR-116. The proposed Cotati Village Community Project incorporates circulation requirements of the updated General Plan. The project includes frontage improvements to SR-116 and through conditions of approval, the applicant is required to participate in the City's Traffic Impact Fee program, which will enable construction of the circulation improvements identified in the General Plan.

## 2.2. PROJECT LOCATION

Cotati is located in central Sonoma County along the Highway 101 corridor approximately 8 miles south of Santa Rosa and 40 miles north of San Francisco. It is situated in the southern region of Sonoma County in a low-lying topographical area known as the Santa Rosa Plain. The City has a population of approximately 7,584<sup>1</sup> within approximately 1,217 acres of City-incorporated land.

The Project site is located in the western portion of the City of Cotati, in the County of Sonoma (**Figure 2.4.1: Regional Location**). Specifically, the Project site is located at the northeast corner of the intersection of SR-116 and Alder Avenue and includes two contiguous parcels (APNs 144-050-009 and 046-286-021).

SR-116, which fronts the subject property to the south, is a California state highway that is maintained by the California Department of Transportation (Caltrans), connecting US 101 in Cotati to SR 1 on the Sonoma Coast in Jenner. At the project site frontage Gravenstein Highway (SR-116) is a two-lane road with a posted speed limit of 45 miles per hour (mph). Alder Avenue, which borders the subject property to the east, is a two-lane roadway that runs north-south, bound by Blodgett Street on the north and SR-116 on the south. Within the project vicinity Alder Avenue is approximately 28 feet wide and has a posted speed limit of 35 mph.

As seen in (**Figure 2.4.2: Project Vicinity**), the Project site is comprised of two contiguous parcels that occupy approximately 7.82 acres. The smaller parcel, located to the northeast portion of the site is occupied by an existing private park, comprised of a circular walking path and landscaping. The existing park will remain as currently improved under the proposed Project. The balance of the Project site, south of Ford Lane, is vacant and undeveloped, consisting primarily of ruderal vegetation and scattered trees. The site is relatively flat due to mass grading in 2002 in preparation for the Cotati Commons project, previously known as the South Sonoma Business Park (SSBP) project, approved in 2001.

The Project site is bounded by SR-116 to the south, Alder Avenue to the west, Cotati Cottages and City limits to the north, and an undeveloped parcel to the east. The frontage along Alder Avenue contains fencing behind a sidewalk and a planter strip which terminates at SR-116 and the frontage along SR-116 is currently unimproved, though there are overhead utility lines that extend the length of the site frontage. Ford Lane to the north is bounded by a fence, which terminates at Alder Avenue.

Land uses surrounding the subject property include ruderal annual grassland to the east and an existing residential townhouse development (Cotati Cottages subdivision) to the north. A residential care facility for the elderly was approved to the west of the property in October 2019 across Alder Avenue, but plans have been revised to remove the care facility and provide multi-family housing (126 units). A multi-family residential development (168 units) has also been proposed for the vacant parcel east of the project site (Redwood Row). Additionally, the City of Cotati is working to improve SR-116 along the site frontage as part of the West Cotati Avenue realignment project, which is currently in the design phase. To the south of the property, across SR-116, are existing single-family residences, and Shamrock Materials, Inc., a business specializing in stone and concrete building supplies.

The Project site is located approximately 1.5 miles west of the Sonoma-Marin Area Rail Transit (SMART) Cotati station and the SMART corridor, approximately 0.75 miles from the Cotati Hub bus station, and is directly adjacent to the SR-116 and Alder Avenue bus stop for bus route 26 operated by Sonoma

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<sup>1</sup> US Census Bureau, City of Cotati, <https://data.census.gov/cedsci/all?q=cotati>, accessed May 23, 2022

County Transit. The Project site is bounded by SR-116 to the south and access to Highway 101 is located approximately 0.25 miles east of the Project site.

During past grading activities, that occurred in conjunction with development of the SSBP Project, the land was leveled and the vegetation and some trees were removed. As of May 12, 2023, the subject Project site was dominated by a ruderal, weedy plant community, exhibiting different dominant species over time as observed since 2016. Vegetative cover varied depending on the location from a dominance of Harding grass (*Phalaris aquatica*) to smaller localized areas that are currently dominated by wild oats (*Avena barbata*), Italian rye grass (*Festuca perennis*), annual fireweed (*Epilobium brachycarpum*), curly dock (*Rumex crispus*), and bromes (*Bromus diandrus* and *B. hordeaceus*). Subdominants include, bristly ox-tongue (*Helminthotheca echioides*), English plantain (*Plantago lanceolata*), coast madia (*Madia sativa*) and silver hairgrass (*Aira caryophylla*) among other non-native grasses and forbs (i.e., broad-leaved plants). Scattered trees are located throughout the Project site, including native valley oak (*Quercus lobata*), Oregon oak (*Quercus garryana*), California black oak (*Quercus kelloggii*), northern black walnut (*Juglans nigra*), silver wattle (*Acacia dealbata*), and blackwood acacia (*Acacia melanoxydon*). One small depressional area occurs in a slight topographic low area in the northern portion of the project site, however no hydrophytic or special status plant species were observed onsite.<sup>2</sup> A roadside ditch and an isolated wetland are located along Highway 116 where improvements including the multi-use path and emergency vehicle access road will be constructed. These are non-federal waters but fall within the jurisdiction of the Regional Water Quality Control Board (RWQCB).<sup>3</sup>

### 2.3. GENERAL PLAN AND ZONING

The City of Cotati General Plan identifies the City's vision for the future and provides a framework that will guide decisions on growth, development, and conservation of open space and resources in a manner consistent with the quality of life desired by the City's residents and businesses. To ensure that this desired vision is realized, the General Plan has been designed to be internally consistent and cross-referenced with other documents, including the City's Land Use Code.

The City of Cotati Land Use Code implements the General Plan. Several different zoning districts are identified in the Land Use Code that are intended to, among other things, provide for a wide range of uses and implement the City's vision to conserve open space and resources. The project site is zoned Commercial, Gravenstein Corridor (CG) per the City of Cotati Zoning Map (**Figure 2.4.3: Zoning**).

The Project site has a General Plan land use designation of General Commercial (GC) (**Figure 2.4.4: General Plan Land Use**). The surrounding land uses are designated General Commercial to the south, east, and west, and Medium Density Residential (MDR) to the north.

### 2.4. PROJECT DESCRIPTION

The proposed Project is comprised of a mixed-use development consisting of six buildings containing 177 dwelling units, 4,752 square feet of gross commercial floor area, a 5,702 square foot community center, a 5,065 square foot pool and pool deck, frontage improvements, parking, landscaping, and

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<sup>2</sup> Letter from Monk & Associates to City of Cotati, August 5, 2019 and June 29, 2023.

<sup>3</sup> Monk and Associates, Sheet 1. Draft Aquatic Resources Delineation Map Hwy 116 and West Cotati Ave. Project August 23, 2023.

ancillary improvements. Eighteen units (fifteen percent of overall units) are reserved for very low-income households.

Residential units would be one to three bedrooms and range in floor area from 576 square feet to 1,200 square feet in floor area. The site design provides for two mixed-use buildings, Building A and C, and one residential building, Building B, fronting SR-116 with parking located behind the buildings. A drive aisle, Batchelor Lane, is proposed to cross through the middle of the site; Buildings A, B, and C are located on the southern half of the site while Buildings D, E, and F are residential buildings located on the northern half of the site. Batchelor Lane extends to the eastern property line and connects to an emergency access road on the eastern boundary of the site. A community pool, and play area and open space are proposed in the open courtyard area bounded on three sides by Building E which includes a community center/club house and Building F. An existing open space at the northeastern portion of the Project site would remain as a park (**Figure 2.4.5: Site Plan**). The Project has been submitted to the City of Cotati subject to the provisions of SB 330, vesting ordinances, polices, and standards applicable to the project and in effect on December 7, 2021.

### **New Structures**

The proposed Project site plan, architecture, preliminary improvement plans, and landscaping plans include the following:

#### *Mixed-Use Buildings*

Buildings A and C would be rectangular in shape, three stories, and 32 feet in height with corner roof projections up to 40 feet in height, sited adjacent to the southern frontage of the Project site oriented towards SR-116. Building A would contain 31 units and 2,376 square feet of commercial space. Building C would contain 31 units and 2,376 square feet of commercial space. Commercial space would be located on the western portion of Building A and the eastern portion of Building C.

#### *Residential Buildings*

Building B is a residential building containing 33 units situated between the two-mixed use buildings along the SR-116 frontage. Buildings E would be L-shaped and include the club house/community Center and Building F would be rectangular in shape and each building would be three stories (32'-6" ) in height and sited around the proposed community amenities, including a 5,065 square foot pool and pool deck and a 6,400 square foot lawn area and children's playground. Building D would be rectangular and sited to the east of Building E and contain 27 residential units. Building E would contain 28 residential units as well as the community center/club house and Building F would contain 27 residential units.

#### *Architecture*

The architectural design for the Cotati Village Community buildings would incorporate contemporary craftsman style elements. All six buildings would be three stories in height with low pitched roofs and exposed beam elements. Building A and C's commercial facades would provide additional transparency through the use of large windowpanes and glazed entry doors on the southern elevation. Residential units would feature wooden fence screening for privacy at the ground level. The rectangular building form for the six buildings is articulated through the use of recessed and projecting building frontages, projecting balconies, two colors for separated wall planes and materials, two primary finish materials including stucco and board and batten style wood siding, and complementary exterior window trim.

### *Multi-Use Path*

The Project includes construction of a 14-foot-wide paved multi-use path along SR-116 between the proposed emergency access road and Alder Avenue. The path will be outside of the proposed fencing along SR-116 and allow for public access.

### **Offsite Improvements**

Proposed frontage improvements include the following:

- Emergency vehicle access road entry at the future realignment of West Cotati Avenue, at its intersection with SR-116
- Utility undergrounding along SR-116

### **West Cotati Avenue and State Route 116 Realignment**

West Cotati Avenue currently terminates at SR-116 immediately south of the Project site. The General Plan anticipated realignment of West Cotati Avenue and SR-116 as new development would require an improved signalized intersection. A project to re-align West Cotati Avenue to improve vehicle, bicycle and pedestrian safety, signalize the intersection and widen the highway to accommodate bicycle and pedestrian facilities is in the planning phase and undergoing design by the City of Cotati. The implementation of the West Cotati Ave Realignment project is expected to build out incrementally as vacant/underutilized parcels along SR-116 are developed and when the City secures fundings to install improvements. The site frontage improvements planned as part of the Villages project are consistent with and would tie into the City's proposed West Cotati Avenue intersection and facility improvement along SR-116.

### **Access and Parking**

The Project site is planned to have access along Alder Avenue and SR-116. From Alder Avenue, the site would be accessed through a new 26-foot-wide asphalt concrete paved driveway from Alder Avenue that leads into Batchelor Lane, a new east-west roadway bisecting the proposed development. Along SR-116, a new north-south accessway at the eastern property line provides emergency vehicle access from SR-116. The 25-foot-wide emergency vehicle access would be gate controlled for access exclusively by emergency vehicles. The EVA is designed to tie into the planned future West Cotati Avenue realignment, which would ultimately result in a full access signalized intersection as anticipated by the City's General Plan.

In the future, consistent with the City of Cotati's General Plan, Alder Avenue will be inaccessible from SR-116 and instead will terminate in a cul-de-sac, and access to the Alder Avenue drive aisle would be limited to vehicles driving to and from Helman Lane to the north. Under the proposed Project, drive aisles would lead to new asphalt concrete paved parking lots that would provide a total of 331 new parking spaces including 17 new ADA parking spaces. The parking area includes 155 spaces under proposed carports. The Project also includes 34 bicycle parking spaces. The new buildings would be accessed from the parking areas and associated walkways. Emergency vehicle access (EVA) would be accommodated to City specifications with appropriate design for ingress and egress at internal drive aisles, including the proposed Batchelor Lane.

Pedestrian access would be accommodated throughout the site via a new shared pedestrian and bicycle path proposed along the SR-116 frontage, an existing 5-foot sidewalk along the site frontage of Alder Avenue, proposed internal walkways along the roadways within the site, and around the residential buildings and community spaces.

## **Landscaping and Lighting**

The Landscape Site Plan proposes a mix of trees, shrubs, groundcover, grasses, and vines. Trees and other landscaping are proposed along the perimeter of the project site, throughout the parking lot, between buildings, and within the interior courtyards. The landscaping plan includes the preservation of six heritage oak trees within the central portion of the Project site as well as preservation of existing street trees located along Alder Avenue (see Sheet L1: Preliminary Landscape Plan and Sheet L2: Preliminary Landscape Notes). Landscaping would feature drought tolerant plants and a high efficiency irrigation system, including weather-based controllers. Landscape areas would establish buffers, provide shading, and serve as biofiltration and stormwater detention facilities. A landscaping strip would provide for tree planting along the southern property line fronting SR-116.

Project lighting includes 14-foot-tall overhead street lighting placed along the project frontage on SR-116, Alder Avenue, along Batchelor Lane, and throughout parking areas. LED bollard lighting fixtures are proposed throughout the site in pedestrian walkways between buildings, near parking spaces, and in the central open space and will be no more than four feet tall. The Project will be required by standard conditions of approval by the City to comply with outdoor lighting standards as provided in the City of Cotati Land Use Code Section 17.30.060.

## **Water Supply**

Potable water would be accommodated via the installation of new 10-inch water laterals within Batchelor Lane and the private drive aisle along the easterly property line that would connect the new buildings to the existing 10-inch water main within Alder Avenue, the 12-inch water main within the public right of way (Alder or Ford Lane), and the 10-inch water main within SR-116. Nine fire hydrants are proposed throughout the project site to be served by new water connections.

## **Wastewater**

Wastewater would be accommodated via the installation of a new 8-inch sanitary sewer lateral that would connect to the existing 10-inch sanitary sewer main within SR-116 for the three buildings fronting SR-116 and via a new 6-inch sanitary sewer lateral that would connect to the existing 8-inch sanitary sewer main within (Alder or Ford Lane) for the three buildings in the northern portion of the site. The new sanitary sewer lines would collect wastewater generated onsite and conveys flows through the existing sanitary sewer system to the wastewater processing plant for treatment.

## **Solid Waste**

Four covered solid waste containment areas are proposed; two would be situated south and two would be located north of the residential buildings. Each solid waste containment area would include six dumpsters, two for trash/landfill materials, two for recyclable materials, two for organic material, and would be enclosed by 6-foot-high concrete masonry unit walls with metal gates.

## **Storm Drainage Infrastructure**

Storm drains would be utilized throughout the project site to direct stormwater from impervious areas to the landscaped courtyards, rain garden/detention basin located within the internal drive aisle, and other vegetated bio-retention features consistent with the requirements of Low Impact Development (LID). Four drainage management areas (DMAs) are proposed to contain and treat stormwater flows throughout the site. The southern portion of the site (19%) will be treated by 12 bio-infiltration swales located between buildings A, B, and C. The northern portion of the site (81%) will be treated in the

modified bio-infiltration swale located along the northern property line of the adjacent Cotati Cottages tract via a proposed stormwater easement.

### **Site Preparation and Construction**

For the purpose of this analysis, it is assumed that site preparation and construction would occur within an approximately 12-month period. Site preparation would initiate with the removal of vegetation and trees. Two Valley Oak trees will require removal. Existing trees to be preserved on site will incorporate tree preservation and protection measures identified in the Project's arborist report (**Appendix E**).

Grading would occur to achieve proposed site elevations. Preliminary grading plans indicate approximately 2,600 cubic yards of net export of soils from the site. Following completion of grading activities, infrastructure improvements and building foundations would be constructed. Foundations are proposed to be slab-on-grade. Utilities, storm drains and catch basins would be installed and buildings erected. New driveways, sidewalks, curbs and gutters, striping, landscaping, and signage would be installed.

Construction equipment expected to be utilized during site preparation and grading includes tractors, backhoes, haul trucks, graders, pavers, forklifts, and water trucks. All material and equipment would be staged on-site or, through issuance of an encroachment permit, at abutting rights-of-way.

### **Density Bonus**

The Project applies the provisions of State Density Bonus Law (Government Code 65915) to provide units on site above the base maximum residential density. The base density of the Commercial, Gravenstein Corridor (CG) zone is 15 residential units per acre, which allows for 117 residential units at the Project site. By reserving 15% of base units for very low-income households (18 units), the Project is allowed a density bonus of 50% (59 density bonus units). Using the density bonus, the Project provides for a total of 177 residential units.

### **Project Objectives**

The project objectives are identified as the following:

- Provide for a mix of residential and commercial uses.
- Propose development in CG that meets the minimum density requirements.
- Provide housing to meet the City's Regional Housing Needs Allocation (RHNA).
- Provide affordable units to assist in meeting the City's housing needs.
- Propose development on an infill, underutilized, or vacant parcel designated for urban uses within city limits.
- Propose infill development that can connect to existing utility infrastructure.

### **Required Discretionary Actions**

The applicant is requesting approval of a Design Review application to construct a mixed-use development, which consists of six buildings that will accommodate 177 residential units and 4,752 square feet of commercial space. The Project applicant has applied to the City of Cotati for the following entitlements:

- Design Review
- Density Bonus



- Tree Removal Permit

In addition, the Project will be required to obtain all ministerial permits from the City as required to construct the Project, e.g., building permits, grading permits, occupancy permits, following approval of entitlement applications.

### **Other Public Agency Review**

In addition to the approval necessary from the City of Cotati as the lead agency, the Cotati Village Community mixed-use Project may require the following approvals from agencies other than the City:

- Sonoma Water (formerly Sonoma County Water Agency) – For review, approval and acceptance of the Project's Stormwater Management Plan
- Caltrans Encroachment Permit
- Regional Water Quality Control Board
- California Department of Fish and Wildlife

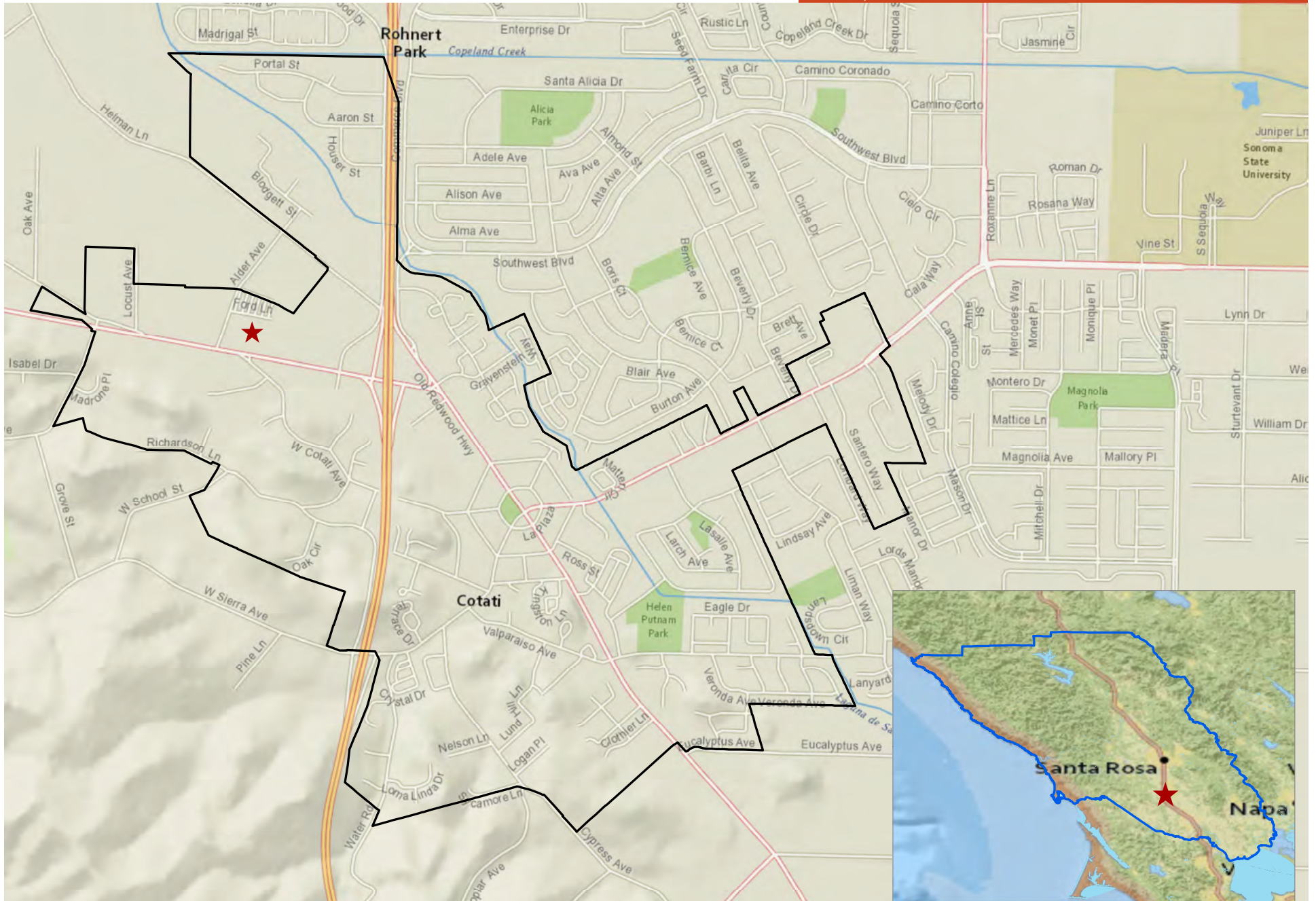
### **California Native American Tribal Consultation**

In accordance with Public Resources Code (PRC) Section 21084.2, lead agencies are required to consider Tribal Cultural Resources (TCR) including a site feature, place, cultural landscape, sacred place or object of cultural value to the tribe and is listed on the California Register of Historic Resources (CRHR) or a local register, or the lead agency, at its discretion, chooses to treat resources as such. In accordance with PRC Section 21080.3.1(b)(1), the Federated Indians of Graton Rancheria (FIGR), in a letter dated July 2015, stated that its tribe was traditionally and culturally affiliated with a geographic area within the City of Cotati's geographic area of jurisdiction, and requested formal notice of and information on projects for which the City of Cotati serves as a lead agency under CEQA.

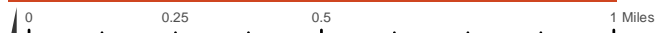
In accordance with PRC Section 21080.3.1(d), the City of Cotati provided written formal notification to the FIGR on May 2, 2022, which included a brief description of the proposed project and its location, the City of Cotati's contact information, and a notification that the Federated Indians of Graton Rancheria has 30 days to request consultation pursuant to this section.

The City of Cotati received a response requesting consultation under PRC Section 21080.3.1(b)(2) from the FIGR on May 4, 2022. The City of Cotati entered into consultation with FIGR and provided requested information on August 4, 2022. Subsequent correspondence resulted in a request from the Tribe to review the CEQA Analysis, which was provided to the Tribe on January 16, 2024. No further action was requested.

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COTATI COMMUNITY: REGIONAL LOCATION



Data source: City of Cotati GIS, County of Sonoma GIS

- ★ PROJECT LOCATION
- ▭ CITY OF COTATI
- ▭ SONOMA COUNTY



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COTATI COMMUNITY: PROJECT VICINITY

-  PROJECT SITE
-  CITY OF COTATI













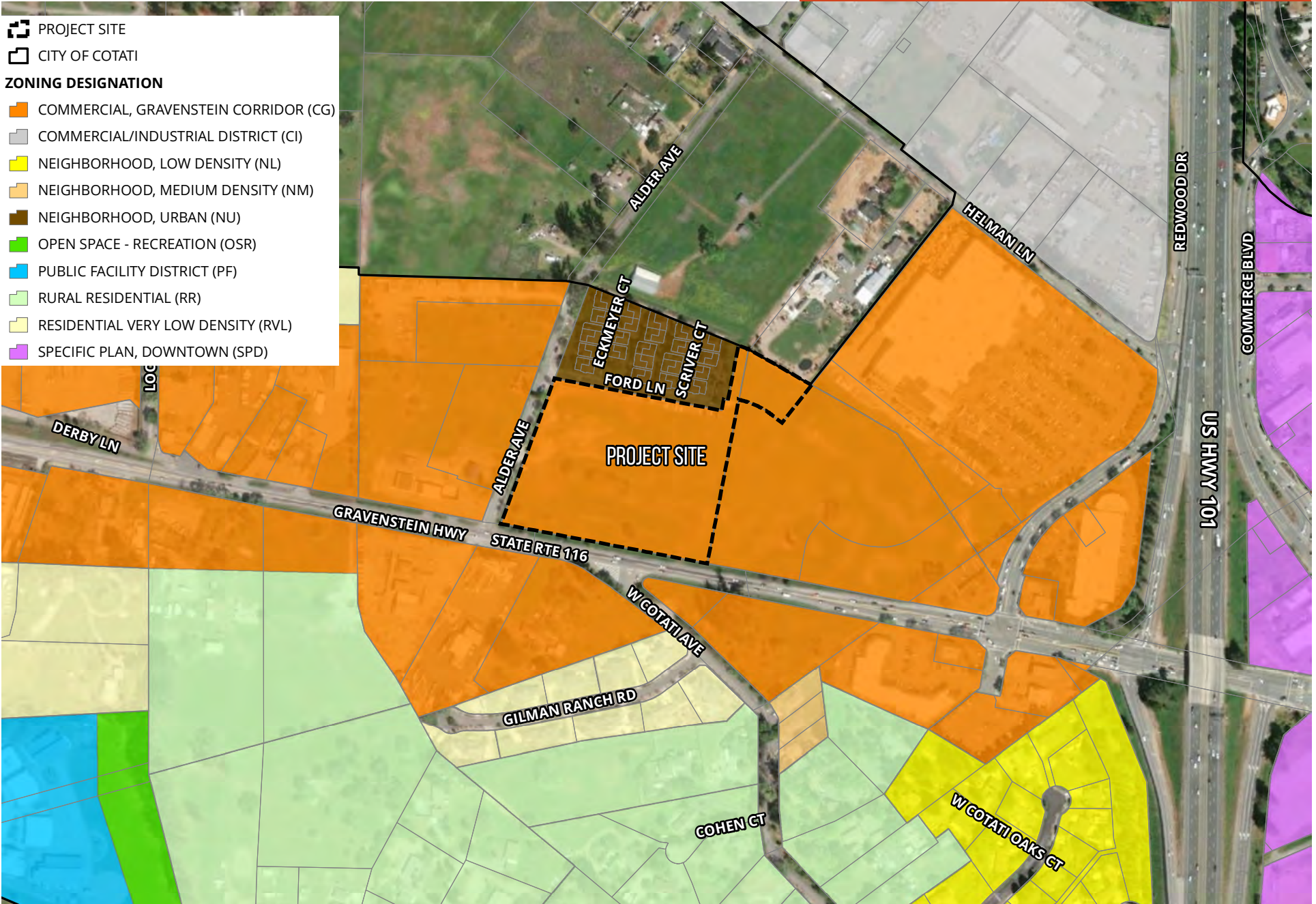
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 PROJECT SITE

 CITY OF COTATI

**ZONING DESIGNATION**

-  COMMERCIAL, GRAVENSTEIN CORRIDOR (CG)
-  COMMERCIAL/INDUSTRIAL DISTRICT (CI)
-  NEIGHBORHOOD, LOW DENSITY (NL)
-  NEIGHBORHOOD, MEDIUM DENSITY (NM)
-  NEIGHBORHOOD, URBAN (NU)
-  OPEN SPACE - RECREATION (OSR)
-  PUBLIC FACILITY DISTRICT (PF)
-  RURAL RESIDENTIAL (RR)
-  RESIDENTIAL VERY LOW DENSITY (RVL)
-  SPECIFIC PLAN, DOWNTOWN (SPD)



# COTATI COMMUNITY: ZONING















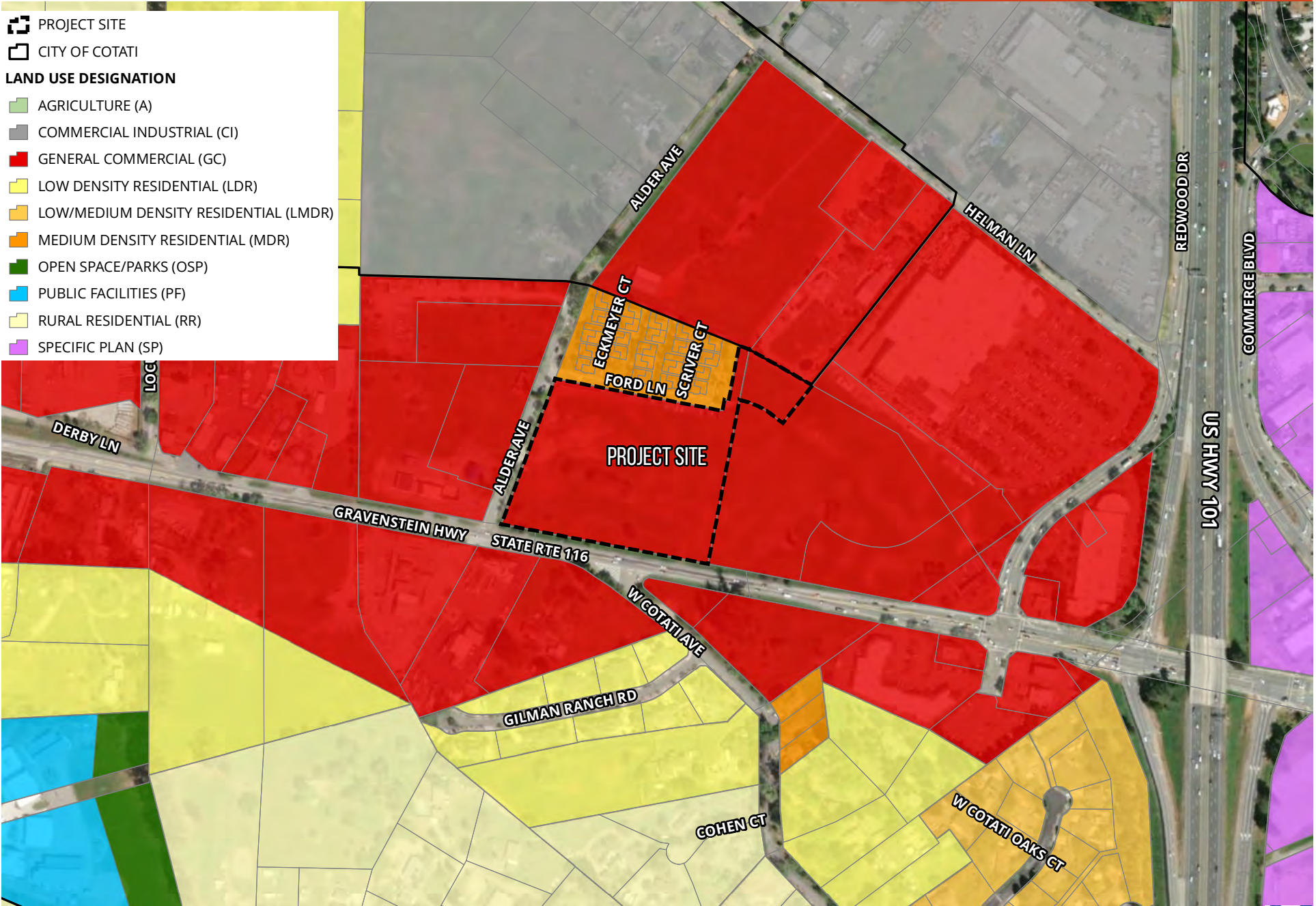
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-  PROJECT SITE
-  CITY OF COTATI
- LAND USE DESIGNATION**
-  AGRICULTURE (A)
-  COMMERCIAL INDUSTRIAL (CI)
-  GENERAL COMMERCIAL (GC)
-  LOW DENSITY RESIDENTIAL (LDR)
-  LOW/MEDIUM DENSITY RESIDENTIAL (LMDR)
-  MEDIUM DENSITY RESIDENTIAL (MDR)
-  OPEN SPACE/PARKS (OSP)
-  PUBLIC FACILITIES (PF)
-  RURAL RESIDENTIAL (RR)
-  SPECIFIC PLAN (SP)



COTATI COMMUNITY: GENERAL PLAN LAND USE



Data source: City of Cotati GIS, County of Sonoma GIS



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# COTATI COMMUNITY: SITE PLAN



Data source: City of Cotati GIS, County of Sonoma GIS



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### **3. RELEVANT CITY PLANNING DOCUMENTS**

#### **3.1. CITY OF COTATI GENERAL PLAN**

The 2013 City of Cotati General Plan was adopted in 2015 and identifies the City's vision for the future and provides a framework that will guide decisions on growth, development, and conservation of open space and resources in a manner consistent with the quality of life desired by the City's residents and businesses. To ensure that this desired vision is realized, the General Plan has been designed to be internally consistent and cross-referenced with other documents, including the City's Land Use Code. The Cotati General Plan was adopted by City Council on March 24, 2015 by Resolution Number 2015-12.

The Cotati General Plan is intended for a broad range of applications, including:

- Informing discretionary activities carried out by City Council and Planning Commission;
- Program and project development and implementation carried out by City staff;
- Preparation of project proposals by the development community; and
- Facilitation of public understanding of future development in Cotati and the City's vision, goals, and priorities.

A copy of the City of Cotati's General Plan is available at the Community Development Department, 201 West Sierra Avenue, Cotati, California 94931, during normal business hours and online at <http://cotaticity.org/>.

#### **3.2. CITY OF COTATI GENERAL PLAN EIR**

The City of Cotati 2013 General Plan EIR (SCH No. 2013082037) was certified on March 24, 2015 by Resolution Number 2015-11. The 2013 General Plan EIR analyzed the following environmental resource topics: aesthetics and visual resources; air quality; biological resources; cultural resources; geology and soils; greenhouse gases and climate change; hazards; hydrology and water quality; land use, agriculture, and population; noise; public services and recreation; transportation and circulation; and utilities. The EIR analyzed two buildout scenarios. One evaluated maximum projected development within the City Limits, and the other evaluated the maximum projected development that could occur within the existing City Limits and the City's Sphere of Influence.

The 2013 General Plan EIR reviewed potentially significant environmental effects resulting from plan implementation and developed measures and policies to mitigate impacts to less-than-significant levels. Nonetheless, significant and unavoidable impacts were determined to occur under the General Plan. Therefore, the City adopted a statement of overriding considerations, which balance the merits of approving the plan despite the significant environmental effects. The effects identified as significant and unavoidable in the 2013 General Plan EIR include:

##### ***Aesthetics***

- Impact 3.1-1: Substantial Adverse Effects on Visual Character, including Scenic Vistas or Scenic Resources.
- Impact 4.1: Cumulative Degradation of the Existing Visual Character of the Region

##### ***Noise***

- Impact 3.10-1: Traffic Noise Sources.
- Impact 3.10-7: Cumulative Noise Impacts
- Impact 4.11: Cumulative Exposure of Noise-Sensitive Land Uses to Noise in Excess of Normally Acceptable Noise Levels or to Substantial Increases in Noise.

### ***Traffic***

- Impact 3.12-1: Acceptable traffic operation at the study intersections and roadway segments controlled by the City of Cotati, though the ability to fully fund all identified improvements is uncertain.
- Impact 3.12-2: Acceptable traffic operation on Gravenstein Highway, though the funding and timing of improvements needed to accommodate regional and local growth on the highway is uncertain.
- Impact 3.12-3: Unacceptable operation on US 101 freeway facilities.
- Impact 4.13: Cumulative Impact on the Transportation Network.

### ***Utilities***

- Impact 3.13-3: Potential to exceed wastewater treatment capacity or the requirements of the RWQCB.
- Impact 4.14: Cumulative Impact on Utilities.

### ***Other***

- Impact 4.15: Irreversible Effects (Consumption of Nonrenewable Resources, Irretrievable Commitments, Irreversible Physical Changes).

The Draft EIR for the Cotati General Plan (SCH No. 2013082037) was prepared in September 2014. The Draft EIR, together with the Response to Comments Document dated November 2014, constitute the Final EIR for the Cotati General Plan. A copy of the City of Cotati's 2013 General Plan EIR is available at the Community Development Department, 201 West Sierra Avenue, Cotati, California 94931, during normal business hours and online at [www.cotaticity.org](http://www.cotaticity.org).

### **3.3. CITY OF COTATI ZONING CODE**

The City of Cotati Land Use Code implements the goals and policies of the Cotati General Plan by classifying and regulating the uses of land and structures within the City of Cotati. In addition, the Land Use Code is adopted to protect and promote the public health, safety, and general welfare of residents, and preserve and enhance the aesthetic quality of the city. The Land Use Code is provided within Title 17 (Land Use) of the City of Cotati Municipal Code.

The Project site is zoned Commercial, Gravenstein Corridor (CG), which permits a maximum residential density of 117 units at the Project site (15 units per acre). The project proposes reservation of 15% of units for very low income households (18 units), and requests a 50% density bonus for the 176 proposed residential units.

## **4. APPLICABLE CEQA PROVISIONS AND FINDINGS**

The following discussion presents the relevant provisions of CEQA with which the proposed project complies. It provides an overview of the Community Plan Exemption. A description of how the project

complies with each provision is also provided. Finally, this section concludes with the CEQA finding and determination that the project is exempt from further environmental review.

#### **4.1. GENERAL PLAN/COMMUNITY PLAN EXEMPTION (CEQA GUIDELINES SECTION 15183)**

California Public Resources Code Section 21083.3 and CEQA Guidelines Section 15183 allows a streamlined environmental review process for projects that are consistent with the densities established by existing zoning, community plan, or general plan policies for which an Environmental Impact Report (EIR) was certified.

Section 15183 (a) “mandates that projects which are consistent with the development density established by existing zoning, community plan, or general plan policies for which an EIR was certified shall not require additional environmental review, except as might be necessary to examine whether there are project-specific significant effects which are peculiar to the project or its site. This streamlines the review of such projects and reduces the need to prepare repetitive environmental studies.”

Section 15183(b) of the CEQA Guidelines specifies that “in approving a project meeting the requirements of Section 15183, examination of environmental effects:

As prescribed in Section 15183(b), a public agency shall limit its examination of environmental effects to those which the agency determines, in an initial study or other analysis:

1. Are peculiar to the project or the parcel on which the project would be located,
2. Were not analyzed as significant effects in a prior EIR on the zoning action, general plan or community plan with which the project is consistent,
3. Are potentially significant off-site impacts and cumulative impacts which were not discussed in the prior EIR prepared for the general plan, community plan or zoning action, or
4. Are previously identified significant effects which, as a result of substantial new information which was not known at the time the EIR was certified, are determined to have a more severe adverse impact than discussed in the prior EIR.

Section 15183(c) specifies that impacts which are not peculiar to the project site which have been addressed as a significant effect in the prior EIR or can be substantially mitigated by applying uniformly applied development standards and policies shall not require preparation of an additional EIR on the basis of that impact. As such, the project is required to implement all applicable mitigation measures set forth in the 2013 General Plan EIR to avoid, reduce, or offset environmental impacts. Section 6 of this CEQA Analysis identifies the relevant conditions of approval that will be required of the proposed project to demonstrate compliance with mitigation measures set forth in the program level EIR, and policies, programs and goals of the General Plan.

#### **4.2. APPLICABILITY OF THE PROJECT TO CEQA GUIDELINES SECTION 15183**

Section 15183(d) of the CEQA Guidelines states that streamlining provisions of this section apply to projects that meet the following criteria: (1) the project is consistent with (a) a community plan adopted as part of a general plan, (b) a zoning action which zoned or designated the parcel on which the project would be located to accommodate a particular density of development, or (c) a general plan of a local agency, and (2) an EIR was certified by the lead agency for the zoning action, the

community plan, or the general plan. The proposed Project is consistent with the General Plan land use designation and zoning for the site, and meets the streamlining provisions under CEQA Guidelines Section 15183(d)(1) as follows:

The Project site is consistent with the General Plan land use designation of General Commercial (GC) and zoning district of Commercial, Gravenstein Corridor (CG) for the site. The GC land use designation is intended to provide for basic business and service needs of the local community, including shopping centers, neighborhood-oriented retail, and highway-oriented commercial uses. Office and multi-family residential land uses which are easily integrated into the adjacent districts are also appropriate. Base densities allow for 15 dwelling units per acre, with 80 percent site coverage. The CG zoning designation implements the GC land use designation of the General Plan. CG is a mixed-use designation that allows for a wide range of retail and service land uses that serve both the local population and regional markets, and for residential uses as part of mixed-use projects. The Project proposes ground floor commercial spaces and multifamily residential units consistent with the allowable uses under the General Plan and zoning designations.

The Project proposes development of base units in line with the standard of 15 dwelling units per acre and sets aside 15% of base units for very low-income households, which qualifies the Project for the addition of density bonus units as allowed by right per State law under Government Code Section 65915. The proposed development is consistent with the overall projected development in the City of Cotati General Plan and 2013 General Plan EIR, which assumed build out would result in approximately 1,431 new housing units and 2.39 million square feet of industrial, commercial, public facility, and other non-residential uses within the city limits.

The Project is consistent with General Plan policies, including the following:

- Policy LU 1.4: Require new development to occur in a logical and orderly manner, focusing growth on infill locations and areas designated for urbanization on the Land Use Map (see Figure 7.1), and be subject to the ability to provide urban services, including paying for any needed extension of services.
- Action LU 1c: Prioritize the processing of development applications for infill, underutilized, or vacant parcels designated for urban uses over those projects requiring annexation.
- Policy LU 2.11: Continue to mix residential and commercial uses in appropriate areas, with an emphasis on providing mixed uses in the areas with Specific Plan land use designations.
- Policy LU 3.2: Encourage infill development of vacant lots within existing commercial districts and the core downtown/business areas and prioritize such development.
- Policy H-2.1: Ensure that adequate land designated for residential and/or mixed-use development is available to accommodate the City's fair share of ABAG's Regional Housing Needs Allocation (RHNA) and monitor on an annual basis to ensure continual compliance with State law.
- Policy H-2.2: Continue to require that residential development in the NU, NM, CG, and DSP zones meet the minimum density requirements identified in the Land Use Code, and report requests for reduced density on an annual basis.
- Policy H-2.7: Require housing developments to provide housing units at a range of affordability levels to assist in meeting the City's housing needs as required by Chapter 17.31 of the Land Use Code.
- Policy H-2.11: Encourage housing development on existing infill sites in order to efficiently utilize existing infrastructure.



- Policy H-3-2: Provide incentives for discretionary affordable housing development that address community priorities, including density bonuses, expedited processing, relaxation in development standards through the use of concessions and incentives, and either reduction, delay, or waiver of fees when financially feasible.
- Policy H-3-3: Continue to provide density bonuses to eligible projects as required by Government Code Section 65915, including projects that meet the minimum amount of total units affordable to extremely low, very low and low income households or provide units restricted to occupancy for senior households.

**4.3. CEQA DETERMINATION AND SUMMARY OF FINDINGS**

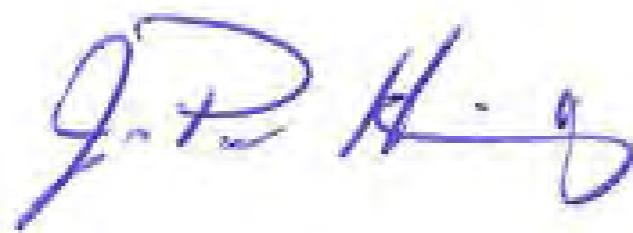
As summarized above and presented herein, the proposed project is eligible for the following CEQA provisions:

**Community Plan Exemption.** Development of the project site has been planned for and analyzed in the Environmental Impact Reports (EIRs) certified for the City of Cotati General Plan. As such, the analyses in the General Plan program-level EIR is applicable to the project and provides the basis for use of the Community Plan Exemption (California Public Resources Code Section 21083.3 and CEQA Guidelines Section 15183).

The proposed project will implement applicable mitigation measures identified in the City of Cotati 2013 General Plan EIR (SCH Number 2013082037), as detailed in Section 7 below. With implementation of relevant mitigation measures imposed as conditions of approval, the project would not result in a substantial increase in the severity or significant impacts that were previously identified in the program level EIR, nor would the project introduce any new significant impacts that were not previously identified. Therefore, there would be no additional environmental impacts beyond those disclosed and analyzed in the 2013 General Plan EIR.

The Cotati Village Project applicant(s) has reviewed all CEQA conditions of approval and as signed below is committed to implementing all conditions of approval as part of the Project. The finding above provides a basis for CEQA compliance. We do hereby certify that the above determination has been made pursuant to State and Local requirements.

The City of Cotati finds 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 (2013 General Plan EIR) pursuant to applicable standards, and (b) have been avoided or mitigated pursuant to that earlier EIR, including revisions to the project or mitigation measures that are imposed upon the proposed project, as environmental conditions of approval, nothing further is required.



\_\_\_\_\_  
**Signature: City of Cotati**

1/26/2024

\_\_\_\_\_  
**Date**



\_\_\_\_\_  
**Signature: Project Applicant**

1/26/2024

\_\_\_\_\_  
**Date**



## 5. EVALUATION OF ENVIRONMENTAL EFFECTS

This section examines the Project's potential environmental effects within the parameters outlined in CEQA Guidelines Section 15183(b). The "Prior EIR" (as defined in CEQA Guidelines Section 15183(b)(3), is the City of Cotati 2013 General Plan EIR, inclusive of all impact determinations, significance thresholds and mitigation measures identified therein.

This evaluation builds from the Appendix G Environmental Checklist and has been modified to reflect the parameters outlined in CEQA Guidelines Section 15183(b). The checkboxes in the evaluation below indicate whether the proposed project would result in environmental impacts, as follows:

- **New Significant Impact** – The proposed project would result in a new significant impact that was not previously identified in the General Plan EIR.
- **Substantial Increase in Severity of Previously Identified Significant Impact in General Plan EIR** – The proposed project's specific impact would be substantially greater than the specific impact described in the General Plan EIR.
- **Substantial Change Relative to General Plan EIR** – The proposed Project would involve a substantial change from analysis conducted in the General Plan EIR.
- **Equal or Less Severity of Impact than Previously Identified in General Plan EIR** – The severity of the specific impact of the proposed project would be the same as or less than the severity of the specific impact described in the General Plan EIR.

Where the severity of the impacts of the proposed project would be the same as or less than the severity of the impacts described in the General Plan EIR, the checkbox for "Equal or Less Severity of Impact Previously Identified in GP EIR" is checked. Where the checkbox for "Substantial Increase in Severity of Previously Identified Significant Impact in GP EIR" or "New Significant Impact" is checked, there are significant impacts that are:

- Peculiar to the project or project site (CEQA Guidelines Section 15183(b)(3));
- Not analyzed as significant impacts in the previous EIRs, including off-site and cumulative impacts (CEQA Guidelines Section 15183(b)(2));
- Due to substantial changes in the project (CEQA Guidelines Section 15162(a)(1));
- Due to substantial changes in circumstances under which the project will be undertaken (CEQA Guidelines Section 15162(a)(2)); or
- Due to substantial new information not known at the time the EIRs were certified (CEQA Guidelines Sections 15162(a)(3) and 15183(b)(4)).

Following the Checklist, a summary of the potential environmental impacts relevant to the proposed project that may result from the General Plan, as evaluated in the 2013 General Plan EIR, are described. Next, the potential project-specific environmental effects of the proposed project, including

the project's consistency with the 2013 General Plan EIR, are discussed. Last, applicable General Plan EIR mitigation measures, as well as General Plan Objectives, Policies and Programs, are identified.

As described herein, the proposed project will be required to comply with all applicable mitigation measures and policies identified in the Cotati 2013 General Plan EIR.

This evaluation hereby incorporates by reference the 2013 General Plan EIR discussion and analysis of all environmental topics. The 2013 General Plan EIR significance thresholds have been consolidated and abbreviated in this Checklist; a complete list of the significance thresholds can be found in the 2013 General Plan EIR.

The 2013 General Plan EIR is a program level document that consider the combined effects of implementing several related projects. As such, the analyses presented in the 2013 General Plan EIR represent a cumulative analysis of environmental impacts that may occur from buildout of the General Plan.

**5.1. AESTHETICS**

| <b>Except as provided in Public Resources Code Section 21099, would the Project:</b>                                                                                                                                                                                                                                                                 | <b>New Significant Impact Relative to General Plan EIR</b> | <b>More Severe Impact Relative to General Plan EIR</b> | <b>No Substantial Change Relative to General Plan EIR</b> | <b>No Change Relative to General Plan EIR</b> |
|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------|--------------------------------------------------------|-----------------------------------------------------------|-----------------------------------------------|
| a) Have a substantial adverse effect on a scenic vista?                                                                                                                                                                                                                                                                                              | <input type="checkbox"/>                                   | <input type="checkbox"/>                               | <input type="checkbox"/>                                  | <input checked="" type="checkbox"/>           |
| b) Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?                                                                                                                                                                                             | <input type="checkbox"/>                                   | <input type="checkbox"/>                               | <input type="checkbox"/>                                  | <input checked="" type="checkbox"/>           |
| c) Substantially degrade the existing visual character or quality of public views of the site and its surroundings? (Public views are those that are experienced from publicly accessible vantage points.) If the project is in an urbanized area, would the project conflict with applicable zoning and other regulations governing scenic quality? | <input type="checkbox"/>                                   | <input type="checkbox"/>                               | <input type="checkbox"/>                                  | <input checked="" type="checkbox"/>           |
| d) Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?                                                                                                                                                                                                                                | <input type="checkbox"/>                                   | <input type="checkbox"/>                               | <input checked="" type="checkbox"/>                       | <input type="checkbox"/>                      |

Source: Cotati General Plan and 2013 General Plan EIR adopted and certified on March 24, 2015. California Scenic Highway Mapping System, Scenic Highway System Lists, 2019; Public Works/Engineering Conditions of Approval prepared on September 27, 2023; and City of Cotati Municipal Code.

**2013 General Plan EIR Findings**

The City of Cotati 2013 General Plan EIR identifies visual and scenic resources throughout the City including scenic highways and corridors, natural scenic resources such as rivers, wildlife area, and prominent visual features in the Cotati Planning Area.

The 2013 General Plan EIR concludes that, with implementation of General Plan policies, impacts to the visual character, visual quality and views to the Sonoma Mountains, and resources along the City's scenic roadways would be significant and unavoidable. The following impacts to aesthetics were considered under the 2013 General Plan EIR:

- Impact 3.1-1: General Plan Implementation could result in Substantial Adverse Effects on Visual Character, including Scenic Vistas or Scenic Resources. General Plan Policies LU 1.4, LU 1.6, LU 1.8, LU 2.1, LU 2.2, LU 3.2, OS 1.1 - OS 1.15, CON 1.15 - CON 1.20 and Actions LU 1c, LU 1d, LU 2b, LU 2c, OS 1a – OS 1g, and CON 1I were identified as mitigating policies. However,

despite these measures, implementation of the General Plan would have a significant and unavoidable impact.

- Impact 3.1-2: General Plan Implementation could result in the Creation of New Sources of Nighttime Lighting and Daytime Glare. This impact is considered less than significant. Through the implementation of mitigating General Plan Policy OS 1.13 and Action OS 1f, implementation of the General Plan would have a less than significant impact.
- The City of Cotati adopted the Findings of Fact and Statement of Overriding Considerations on March 24, 2015, including for the significant and unavoidable impacts identified for Aesthetics and Visual Resources (Impact 3.1-1). The City findings determined that despite the significant and unavoidable impact to aesthetic resources, no other project alternative would meet the City's objective to realize the development potential of undeveloped lands for residential, office, and commercial uses necessary for housing opportunity and job growth.

The City of Cotati 2013 General Plan EIR identifies significant visual resources in the Planning Area including views of the Sonoma Mountains, expansive views of agricultural lands, wildlife habitat areas, the Laguna de Santa Rosa, and various creek corridors. These resources can be viewed from public vantage points, including highways, open roads, open space areas, and private residences throughout the Planning Area. The EIR identified Policies LU 1.4, LU 1.6, LU 1.8 which address visual resources associated with the location of new development, preservation of rural areas, and the urban growth boundary. General Plan policies LU 2.1, LU 2.2, and LU 3.2 address site design, OS 1.1 -OS 1.20 address preservation of open space, scenic views, and rural lands and CON1.15-1.19 address preservation of ridgelines, hillsides, and slopes.

The 2013 General Plan Final EIR (FEIR) determined that the implementation of the General Plan could result in substantial adverse effects on visual character, including impacts to scenic vistas or scenic resources and no feasible mitigation measures were available. The findings of the FEIR determined that there were mitigating policies included in the 2013 General Plan that would lessen the impacts, but that they would not reduce the impacts to less than significant. The City adopted a Statement of Overriding Considerations Finding that the benefits of the General Plan outweigh the significant and unavoidable impacts to aesthetic resources.

### **Project Consistency with the 2013 General Plan EIR**

#### **5.1(a)(c) (Scenic Vistas and Visual Character) – No Change Relative to the General Plan FEIR**

The 2013 General Plan EIR determined that buildout of the General Plan would result in significant and unavoidable impacts on scenic vistas or scenic resources and a statement of overriding consideration was adopted with the 2013 General Plan FEIR. The FEIR determined that while the city does not have officially designated scenic vista points, the city contains numerous areas and viewsheds with relatively high scenic value. Identified significant visual resources, including views of the Sonoma Mountains, Laguna de Santa Rosa, agricultural lands, wildlife habitat areas, and creek corridors, could be viewed from public vantage points throughout the city.

While the General Plan establishes policies and actions that are designed to reduce the impact on scenic quality and visual character, the Statement of Overriding Consideration acknowledged that the only method to completely avoid impacts on a citywide basis would be to severely limit the development potential of undeveloped lands that could support job growth and provision of housing

options. This was determined not to be consistent with the objectives of the 2013 General Plan to support a range of high-quality housing options and expand economic development and jobs-generating uses in the city. Therefore, the visual impact was determined to be a significant and unavoidable impact.

The Statements of Overriding Considerations recognized the change in scenic resources and visual character and that the visual impacts of buildout would be unavoidable. Per the Statements of Overriding Considerations, "The introduction of new development into previously undisturbed areas may result in potentially significant impacts to scenic resources or result in the degradation of the Planning Area's visual character. Additionally, new development may result in changes to the skyline throughout the Planning Area, which may obstruct or interfere with views of the surrounding hillsides and the surrounding foothill areas."<sup>4</sup> Future projects developed under the General Plan would be required to be consistent with General Plan policies and actions, which aim to reduce visual impacts. However, the Statement of Overriding Considerations determined that "no feasible mitigation is available to fully reduce the cumulative effect on visual character, or to mitigate the proposed projects contribution to a less-than-significant level. Therefore, the proposed General Plan's contribution to this impact is considerable and the impact is significant and unavoidable."

The Project proposes development consistent with the General Plan land use designation, General Plan policies and actions, and development standards applicable to the site. The project proposes the development of six buildings consisting of new residential units and commercial floor area on a site designated to accommodate such uses, as planned for through buildout of the General Plan. The Project has been determined to be consistent with applicable policies of the General Plan, as well as development standards such as height limits, setbacks/build-to lines, and site coverage.

The Project's location along SR-116 would introduce new development on a vacant site that would partially obstruct views of surrounding hillsides from certain vantage points, particularly along streets adjacent to the site. However, such impacts have been considered in the 2013 General Plan FEIR and the Statement of Overriding considerations. This includes recognizing that development may change the skyline and obstruct or interfere with views of the surrounding hillsides and that there is no mitigation available to fully reduce impact on visual character. Therefore, the Project would not substantially alter the visual character or visual quality of the site and will not result in a substantial new or more severe impact to aesthetic resources relative to what was identified in the 2013 General Plan EIR.

### **5.2(b) (Scenic Resources within a Scenic Highway) – No Change Relative to the General Plan EIR**

The 2013 General Plan EIR, as shown on 2013 General Plan EIR Figure 3.1-1, determined there are no officially designated state scenic highways or highways eligible for a designation by the California Department of Transportation Scenic Highways Program within the City. The most recent CalTrans California State Scenic Highway Map designates SR-116 as eligible for designation as a scenic highway. However, the Project is located along a section of SR-116 within the urban growth boundary of the City of Cotati. It is surrounded by urban uses including established commercial and residential development. The project will comply with required setbacks and the design includes landscaping and the planting of street trees along SR-116 every 25 feet for the length of the project frontage.

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<sup>4</sup> City of Cotati. Findings of Fact and Statement of Overriding Considerations for the 2013 Cotati General Plan Update. November 2014. Pages 27-28.

Additionally, the project aims to preserve 33 native oaks and will remove two which will be replaced in accordance with Municipal Code Chapter 17.54. As such, the project will not damage scenic resources within a designated state scenic highway. Accordingly, the Project will not result in a substantial new or more severe impact relative to what was identified in the 2013 General Plan EIR.

#### **5.4(d) (Lighting and Glare) – No Substantial Change Relative to the General Plan EIR**

The Project is located on an underutilized site which is surrounded by commercial development and residential uses, vacant parcels planned for future development, roadways, and various sources of existing lighting including streetlights, buildings, and headlights from vehicles. The Project proposes outdoor lighting, consisting of new lighting for the access road, Batchelor Lane, driveways and parking areas, pedestrian areas, and building entries. The City's uniformly applied standards require lighting to have a shielded downward light source no taller than fourteen feet in height. A final lighting detail and design is required to be reviewed for compliance with Cotati Municipal Code Chapter 17.30.060 prior to issuance of the building permit and is required as a Condition of Approval (**COA**) **AES-1**. Additionally, as documented in the Public Works/Engineering Project Conditions Approval (Appendix O) the project is required to comply with City Standard Decorative type lighting and lighting plans shall be reviewed and approved by the City Engineer and the Police Chief.

Lighting associated with new development was anticipated by the 2013 General Plan EIR and the Project site is located in an area designated to accommodate commercial and residential development with existing adjacent sources of lighting. As conditioned, the Project will not result in a substantial new or more severe impact relative to what was identified in the 2013 General Plan EIR.

#### **2013 General Plan EIR Mitigating Policies and Actions**

**Action LU 1c:** Prioritize the processing of development applications for infill, underutilized, or vacant parcels designated for urban uses over those projects requiring annexation.

**Status:** The project site has previously been graded as part of a prior development approval and remains undeveloped with a land use designation providing for commercial and residential uses in an area containing other existing and planned commercial and residential development. The project site is located within the city limits and annexation is not required. As such, the project complies with this policy.

**Action CON 1l:** Require assessment of public views and ridgelines as part of the project review process to assure that projects protect natural resources through proper site planning, building design, and landscaping.

**Status:** Assessment of views was provided through a viewshed analysis consisting of project specific photo simulations viewed at the SR-116 and Alder Avenue intersection. The Project introduces new buildings that would obscure views to hillsides from certain locations, however the Project site is designated for development and the Project has been designed to meet applicable development standards within the municipal code regulating the size, scale, and setbacks. As proposed, the Project complies with this policy.



**Action OS 1f:** Review all development proposals, planning projects, and infrastructure projects to ensure that open space and scenic resource impacts are reduced by maximizing design features that preserve a sense of open space and by minimizing off-site and night sky impacts of outdoor lighting consistent, with the requirements of the Land Use Code.

**Status:** The proposed project will maintain the existing park area on the northwest portion of the site adjacent to the Cottages. Additionally, the Project includes development of a multi-use path along SR-116 which will be separated from the road by a 10-foot vegetated buffer and lined with trees. Further, to ensure lighting is in compliance with this action **COA AES-1** requires a final lighting plan be submitted prior to issuance of a building permit. As conditioned, the Project is consistent with this policy.

### **Conclusion and Environmental Conditions of Approval**

The Project is within the scope of development projected under the General Plan and would not result in any substantial new or more severe impacts to aesthetics relative to what was identified in the 2013 General Plan EIR. Furthermore, there are no circumstances peculiar to the Project site and there have been no substantial changes in environmental circumstances that would result in new or more severe significant environmental effects than were identified and evaluated in the 2013 General Plan EIR. The following environmental conditions of approval would apply to the Project to implement requirements of the 2013 General Plan EIR mitigating policies and actions:

**AES-1:** Prior to issuance of a building permit, the applicant shall submit a final lighting plan and the City shall verify that the final lighting plan complies with applicable requirements set forth in Section 17.30.060 of the Cotati Municipal Code, in accordance with General Plan Action OS1f to minimize off-site and night sky impacts of outdoor lighting.

**5.2. AGRICULTURAL AND FORESTRY RESOURCES**

| <b>Would The Project:</b>                                                                                                                                                                                                                                                                  | <b>New Significant Impact Relative to General Plan EIR</b> | <b>More Severe Impact Relative to General Plan EIR</b> | <b>No Substantial Change Relative to General Plan EIR</b> | <b>No Change Relative to General Plan EIR</b> |
|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------|--------------------------------------------------------|-----------------------------------------------------------|-----------------------------------------------|
| 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?                                             | <input type="checkbox"/>                                   | <input type="checkbox"/>                               | <input type="checkbox"/>                                  | <input checked="" type="checkbox"/>           |
| b) Conflict with existing zoning for agricultural use, or a Williamson Act contract?                                                                                                                                                                                                       | <input type="checkbox"/>                                   | <input type="checkbox"/>                               | <input type="checkbox"/>                                  | <input checked="" type="checkbox"/>           |
| c) Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code section 12220(g)), timberland (as defined by Public Resources Code section 4526), or timberland zoned Timberland Production (as defined by Government Code section 51104(g))? | <input type="checkbox"/>                                   | <input type="checkbox"/>                               | <input type="checkbox"/>                                  | <input checked="" type="checkbox"/>           |
| d) Result in the loss of forest land or conversion of forest land to non-forest use?                                                                                                                                                                                                       | <input type="checkbox"/>                                   | <input type="checkbox"/>                               | <input type="checkbox"/>                                  | <input checked="" type="checkbox"/>           |
| e) Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use or conversion of forest land to non-forest use?                                                                               | <input type="checkbox"/>                                   | <input type="checkbox"/>                               | <input type="checkbox"/>                                  | <input checked="" type="checkbox"/>           |

Sources: Cotati General Plan and 2013 General Plan EIR adopted and certified on March 24, 2015; California Department of Conservation Farmland Mapping and Monitoring Program, 2016; Sonoma County Permit Sonoma GIS, Williamson Act Contracts, 2019; and USGS Land Cover Classification System.

**2013 General Plan EIR Findings**

The City of Cotati 2013 General Plan EIR determined that approximately 36.42 acres of Farmland of Local Importance within the City limits may be converted to urbanized land uses upon full

buildout of the General Plan. The 36.42 acres of Farmland of Local Importance are not under Williamson Act Contract and represent less than nine percent of the total acreage of Important Farmlands within the Cotati Planning Area. Approximately 63.46 acres of land cover within the City of Cotati are used for agricultural purposes. The 2013 General Plan EIR concluded that with implementation of the policies and action items in the General Plan, impacts to agricultural and forestry resources would be less than significant. The following impacts to agriculture and forestry resources were considered under the 2013 General Plan EIR:

- Impact 3.9-3: Implementation of the General Plan would not result in the conversion of farmland, including Prime Farmland, Unique Farmland, and Farmland of Statewide Importance. While implementation of the 2013 General Plan would result in the future urbanization of a small amount of Farmland of Local Importance, over 90 percent of the Important Farmlands within the Planning Area would be preserved and protected for ongoing viable agricultural use upon buildout of the General Plan. As such, this impact is considered less than significant.
- Impact 3.8-4: Implementation of the General Plan would not conflict with existing farmlands, agricultural zoning, or Williamson Act Contracts and would have a less than significant impact.
- The City of Cotati 2013 General Plan EIR determined that there are no lands within or adjacent to the city that are currently zoned as forest land, timber, or timber production. Therefore, implementation of the General Plan would have no impact on forest land, timber, or timber production.
- There is no agriculturally zoned land within City limits, and the 36.42 acres of Farmland of Local Importance may be converted to urbanized land uses, which are not under any Williamson Act Contract and represent less than nine percent of the total acreage of Important Farmlands evaluated within the Planning Area.

### **Project Consistency with the 2013 General Plan EIR**

#### **5.2 (a-e) (Farmland, Agricultural Land, Forest Land) – No Change Relative to the General Plan EIR**

There are no farmland, agricultural lands, or forest lands onsite. The Project site previously contained a residence and several agricultural buildings in the southwest corner with the rest of the site used for agriculture, as recorded in the Phase I environmental site assessment (**Attachment I**). Buildings were estimated to have been demolished around the late-1970s/ early-1980s and any agricultural use has long since ceased. In 2003, the site was used as a construction staging area for building materials and vehicles during construction of adjacent residences to the north and graded at that time.

The project site is not designated as Prime Farmland, Unique Farmland, or Farmland of Statewide Importance pursuant to FMMP nor is it designated as forestland pursuant to Section 12220(g) of the Public Resources Code. In addition, the site is not zoned for agricultural use or designated as a Williamson Act contract. As such, impacts of the Project to agricultural resources will be equal or less severe than impacts identified in the 2013 General Plan EIR.

### **2013 General Plan EIR Mitigating Policies and Actions**

There are no 2013 General Plan EIR mitigation measures nor mitigating policies and actions which are applicable to the Project.

**Conclusion**

The Project is within the scope of development projected under the General Plan and would not result in any substantial new or more severe impacts to agricultural and forestry resources relative to what was identified in the 2013 General Plan EIR. Furthermore, there are no circumstances peculiar to the Project site and there have been no substantial changes in environmental circumstances that would result in new or more severe significant environmental effects than were identified and evaluated in the 2013 General Plan EIR. No Conditions of Approval are required beyond compliance with uniformly applied development standards and applicable local and state regulations.

**5.3. AIR QUALITY**

| <b>Would The Project:</b>                                                                                                                                                                            | <b>New Significant Impact Relative to General Plan EIR</b> | <b>More Severe Impact Relative to General Plan EIR</b> | <b>No Substantial Change Relative to General Plan EIR</b> | <b>No Change Relative to General Plan EIR</b> |
|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------|--------------------------------------------------------|-----------------------------------------------------------|-----------------------------------------------|
| a) Conflict with or obstruct implementation of the applicable air quality plan?                                                                                                                      | <input type="checkbox"/>                                   | <input type="checkbox"/>                               | <input checked="" type="checkbox"/>                       | <input type="checkbox"/>                      |
| b) Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is in non-attainment under an applicable federal or state ambient air quality standard? | <input type="checkbox"/>                                   | <input type="checkbox"/>                               | <input checked="" type="checkbox"/>                       | <input type="checkbox"/>                      |
| c) Expose sensitive receptors to substantial pollutant concentrations?                                                                                                                               | <input type="checkbox"/>                                   | <input type="checkbox"/>                               | <input checked="" type="checkbox"/>                       | <input type="checkbox"/>                      |
| d) Result in other emissions (such as those leading to odors) adversely affecting a substantial number of people?                                                                                    | <input type="checkbox"/>                                   | <input type="checkbox"/>                               | <input checked="" type="checkbox"/>                       | <input type="checkbox"/>                      |

Source: Cotati General Plan and 2013 General Plan EIR adopted and certified on March 24, 2015; BAAQMD 2017 Bay Area Clean Air Plan; and BAAQMD CEQA Guidelines, April 2022; Air Quality and Greenhouse Gas Assessment by Illingworth and Rodkin on November 17, 2022 and update memo on November 3, 2023.

**2013 General Plan EIR Findings**

The 2013 General Plan EIR evaluated potential impacts to air quality and determined that with implementation of General Plan Policies and Actions that mitigate potential impacts, impacts to air quality would be less than significant. The following impacts to air quality were considered under the 2013 General Plan EIR:

- Impact 3.2-1: The General Plan would not conflict with or obstruct implementation of the applicable air quality plan. Through the implementation of mitigating General Plan Policies CON 2.1 - CON 2.12, CON 3.1- CON 3.20, LU 1.4, LU 1.5, LU 2.3, LU 2.5, LU 2.9, LU 2.10, LU 3.2, LU 3.8, CI 1.2, CI 1.6, CI 1.9, CI 1.17 - CI 1.21, CI 2.17 - CI 2.19 and mitigating Actions CON 2a - CON 2g, CON 3a - CON 3r, implementation of the General Plan would have a less than significant impact.
- Impact 3.2-2: The General Plan would not cause health risks associated with toxic air contaminants. Through the implementation of mitigating General Plan Policies CON 2.1- CON 2.3, CON 2.5 and mitigating Actions CON 2a - CON 2d, implementation of the General Plan would have a less than significant impact.

- Impact 3.2-3: Implementation of the General Plan would not create objectionable odors and would have a less than significant.
- Impact 3.2-4: Implementation of the General Plan would not conflict with Regional Plans and would have a less than significant.

### **National and State Regulations**

The United States Environmental Protection Agency (EPA) sets nationwide emission standards for mobile sources that include on-road motor vehicles and non-road vehicles and equipment, which captures trucks and equipment used in construction. The EPA has established nationwide fuel standards, however the State may set motor vehicle emission standards and standards for fuel that are at least as stringent as national standards. In the past decade, the EPA has established numerous standards for heavy-diesel engines, which are a significant source of NO<sub>x</sub> and particulate matter (PM<sub>10</sub> and PM<sub>2.5</sub>). Diesel particulate matter (DPM) has been identified by the EPA as a probable carcinogen. Implementation of the standards are estimated to reduce particulate matter and NO<sub>x</sub> emissions from diesel engines up to 95 percent in 2030, when the heavy-duty fleet is completely replaced by newer emission compliant vehicles. The EPA has also substantially reduced the amount of sulfur, a significant contributor to formation of particulate matter in diesel engine exhaust, allowed in diesel fuels. The federal diesel engine and diesel fuel requirements have been adopted by California, with modifications in some cases containing more stringent requirements or sooner implementation dates.

The California Air Resources Board (CARB) establishes statewide standards for emissions reductions. CARB has developed a plan to reduce diesel emission, the Risk Reduction Plan to Reduce Particulate Matter Emission from Diesel-Fueled Engines and Vehicles. In addition to requiring more stringent emission standards to aim for a reduction of particulate matter emission by 90 percent in new mobile sources and stationary diesel engines, the plan includes emission control strategies for existing diesel vehicles and engines. CARB has also adopted regulations to reduce DPM and NO<sub>x</sub> emission from existing and new off-road heavy-duty diesel vehicles, which include certain construction equipment. Regulations intended to reduce particulate matter and NO<sub>x</sub> exhaust equipment include replacing older equipment with newer equipment or conducting retrofits.

### **Bay Area Air Quality Management District**

The City of Cotati is located within the San Francisco Bay Area air basin and regulated by the Bay Area Air Quality Management District (BAAQMD). The Bay Area Air Basin is designated as non-attainment for both the one-hour and eight-hour state ozone (O<sub>3</sub>) standards, 0.09 parts per million (ppm) and 0.07 ppm, respectively. The Bay Area Air Basin is also in non-attainment for PM<sub>10</sub> and PM<sub>2.5</sub> state standards, which require an annual arithmetic mean (AAM) of less than 20 µg/m<sup>3</sup> for PM<sub>10</sub> and less than 12 µg/m<sup>3</sup> for PM<sub>2.5</sub>. In addition, the Basin is designated as non-attainment for the national 24-hour fine particulate matter (PM<sub>2.5</sub>). All other national ambient air quality standards within the Bay Area Air Basin are in attainment.

The air quality analyses in the 2013 General Plan EIR relied on prior BAAQMD screening criteria and clean air plans. Since preparation of the 2013 General Plan EIR, the BAAQMD has adopted the 2017 Bay Area Clean Air Plan (CAP). On April 20, 2022, BAAQMD adopted new CEQA thresholds for determining the level of significance for a development project along with new screening criteria.

## Local Regulation

The 2013 General Plan EIR determined that implementation of the General Plan would result in less than significant impacts with the following mitigating policies: Policies CON 2.1- CON 2.12, CON 3.1- CON 3.20, LU 1.4, LU 1.5, LU 2.3, LU 2.5, LU 2.9, LU 2.10, LU 3.2, LU 3.8, CI1.2, CI 1.6, CI 1.9, CI 1.17- 1.20, CI 1.21, and CI 2.17- 2.19 and Actions CON 2a-2d and 3a-3r.

The 2013 General Plan EIR determined that the implementation of the General Plan would be consistent with the Regional Transportation Plan and would not impede efforts to reduce air quality emissions at the regional level.

## Project Consistency with the 2013 General Plan EIR

The Project site is located in San Francisco Bay Area Air Basin (SF Air Basin) within the Cotati Valley Region. Wind patterns in the Cotati Valley are strongly influenced by the Petaluma Gap, with winds flowing predominantly from the west (BAAQMD 2017a). Cotati Valley has a potential for reduced air quality due to a larger population, industrial facilities in and around Santa Rosa, and increased motor vehicle traffic and the associated air contaminants.

The Bay Area meets all ambient air quality standards with the exception of ground-level ozone, respirable particulate matter (PM<sub>10</sub>) and fine particulate matter (PM<sub>2.5</sub>). In Sonoma County, measured levels of air pollutants are below air quality standards, including ozone, PM<sub>10</sub> and PM<sub>2.5</sub>. High ozone levels are caused by the cumulative emissions of reactive organic gases (ROG) and nitrogen oxides (NOx). These precursor pollutants react under certain meteorological conditions to form high ozone levels. Controlling the emissions of these precursor pollutants is the focus of the Bay Area's attempts to reduce ozone levels. The highest ozone levels in the Bay Area occur in the eastern and southern inland valleys that are downwind of air pollutant sources. High ozone levels aggravate respiratory and cardiovascular diseases, reduced lung function, and increase coughing and chest discomfort.

Particulate matter is assessed and measured in terms of respirable particulate matter or particles that have a diameter of 10 micrometers or less (PM<sub>10</sub>) and fine particulate matter where particles have a diameter of 2.5 micrometers or less (PM<sub>2.5</sub>). Elevated concentrations of PM<sub>10</sub> and PM<sub>2.5</sub> are the result of both region-wide (or cumulative) emissions and localized emissions. High particulate matter levels aggravate respiratory and cardiovascular diseases, reduce lung function, increase mortality (e.g., lung cancer), and result in reduced lung function growth in children.

Toxic air contaminants (TAC) are a broad class of compounds known to cause morbidity or mortality (usually because they cause cancer) and include, but are not limited to, the criteria air pollutants listed above. TACs are found in ambient air, especially in urban areas, and are caused by industry, agriculture, fuel combustion, and commercial operations (e.g., dry cleaners). TACs are typically found in low concentrations, even near their source (e.g., diesel particulate matter near a freeway). Because chronic exposure can result in adverse health effects, TACs are regulated at the regional, State, and Federal level.

Diesel exhaust is the predominant TAC in urban air and is estimated to represent about three quarters of the cancer risk from TACs (based on the Bay Area average). According to the California Air Resources Board (CARB), diesel exhaust is a complex mixture of gases, vapors and fine particles. This complexity makes the evaluation of health effects of diesel exhaust a complex scientific issue. Some of the chemicals in diesel exhaust, such as benzene and formaldehyde, have been previously identified as

TACs by the CARB, and are listed as carcinogens either under the state's Proposition 65 or under the Federal Hazardous Air Pollutants programs.

**5.3(a,b) (Conflict with Plan, Increase Criteria Pollutants) – No Substantial Change Relative to the General Plan EIR**

An Air Quality and Greenhouse Gas Assessment was prepared by Illingworth and Rodkin, Inc. on November 17, 2022 using CalEEMod and updated on November 3, 2023. The 2022 Air Quality analysis included 177 apartments in a low-rise complex (179,973 square feet), 108,400 square feet of parking area to accommodate 271 parking spaces, and a strip mall for 30,000 square feet. Subsequently, the commercial area was reduced to 4,752 square feet and the number of parking spaces was increased to 331 (114,036 square feet of roads and parking). The number of residential units has remained the same. As the project's proposed commercial area has been reduced, the 2022 air quality assessment represents a conservative estimate of impacts. As noted in the November 3, 2023 memo from Illingworth and Rodkin, the reduced commercial area would result in less emissions and does not alter the findings or conclusions of the Assessment, which concluded that construction, operational, and health risk impacts would be less than significant with best management practices and controls as detailed further in the following analysis..

The most recent and comprehensive air quality plan is the Bay Area 2017 Clean Air Plan. The primary goals of the Clean Air Plan are to attain air quality standards, reduce population exposure and protect public health, and reduce GHG emissions and protect the climate. The BAAQMD has also developed CEQA guidelines to assist lead agencies in evaluating the significance of air quality and GHG impacts. In formulating compliance strategies, BAAQMD relies on the planned land uses identified in local general plans. Land use planning affects vehicle travel, which, in turn, affects region-wide emissions of air pollutants and GHGs. The plan includes CEQA Thresholds which are seen below in **Table 5.3.1**. These thresholds determine whether the project would have construction and operational emissions below the BAAQMD thresholds.

**Table 5.3.1: Air Quality Significance Thresholds**

| Criteria Air Pollutant          | Construction Thresholds                                   | Operational Thresholds                                                                    |                                      |
|---------------------------------|-----------------------------------------------------------|-------------------------------------------------------------------------------------------|--------------------------------------|
|                                 | Average Daily Emissions (lbs./day)                        | Average Daily Emissions (lbs./day)                                                        | Annual Average Emissions (tons/year) |
| ROG                             | 54                                                        | 54                                                                                        | 10                                   |
| NOx                             | 54                                                        | 54                                                                                        | 10                                   |
| PM <sub>10</sub>                | 82 (Exhaust)                                              | 82                                                                                        | 15                                   |
| PM <sub>2.5</sub>               | 54 (Exhaust)                                              | 54                                                                                        | 10                                   |
| CO                              | Not Applicable                                            | 9.0 ppm (8-hour average) or 20.0 ppm (1-hour average)                                     |                                      |
| Fugitive Dust                   | Construction Dust Ordinance or other BMP                  | Not Applicable                                                                            |                                      |
| <b>Health Risks and Hazards</b> | <b>Single Sources Within 1,000-foot Zone of Influence</b> | <b>Combined Sources (Cumulative from all sources within 1,000-foot zone of influence)</b> |                                      |
| Excess Cancer Risk              | >10 per one million                                       | >100 per one million                                                                      |                                      |



|                                      |                        |                        |
|--------------------------------------|------------------------|------------------------|
| Hazard Index                         | >1.0                   | >10.0                  |
| Incremental annual PM <sub>2.5</sub> | >0.3 µg/m <sup>3</sup> | >0.8 µg/m <sup>3</sup> |

| Greenhouse Gas Emissions                  |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |  |
|-------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--|
| Land Use Projects – (Must Include A or B) | <p>A. Projects must include, at a minimum, the following project design elements:</p> <ol style="list-style-type: none"> <li>1. Buildings                             <ol style="list-style-type: none"> <li>a. The project will not include natural gas appliances or natural gas plumbing (in both residential and nonresidential development).</li> <li>b. The project will not result in any wasteful, inefficient, or unnecessary energy usage as determined by the analysis required under CEQA Section 21100(b)(3) and Section 15126.2(b) of the State CEQA Guidelines.</li> </ol> </li> <li>2. Transportation                             <ol style="list-style-type: none"> <li>a. Achieve a reduction in project-generated vehicle miles traveled (VMT) below the regional average consistent with the current version of the California Climate Change Scoping Plan (currently 15 percent) or meet a locally adopted Senate Bill 743 VMT target, reflecting the recommendations provided in the Governor’s Office of Planning and Research’s Technical Advisory on Evaluating Transportation Impacts in CEQA:                                     <ol style="list-style-type: none"> <li>i. Residential projects: 15 percent below the existing VMT per capita</li> <li>ii. Office projects: 15 percent below the existing VMT per employee</li> <li>iii. Retail projects: no net increase in existing VMT</li> </ol> </li> <li>b. Achieve compliance with off-street electric vehicle requirements in the most recently adopted version of CALGreen Tier 2.</li> </ol> </li> </ol> <p>B. Be consistent with a local GHG reduction strategy that meets the criteria under State CEQA Guidelines Section 15183.5(b).</p> |  |

Source: BAAQMD’s April 2022 CEQA Air Quality Guidelines

Note: BMP = Best Management Practices, ROG = reactive organic gases, NO<sub>x</sub> = nitrogen oxides, PM<sub>10</sub> = coarse particulate matter or particulates with an aerodynamic diameter of 10 micrometers (µm) or less, PM<sub>2.5</sub> = fine particulate matter or particulates with an aerodynamic diameter of 2.5µm or less;

The 2022 analysis conducted used guidelines consistent with the 2022 BAAQMD CEQA guidelines and the modifications to the project were adequately analyzed and evaluated in the 2022 Air Quality and GHG Assessment and updated 2023 memo.

*Construction Emissions*

To estimate the emissions from construction of the Project and long-term operations, the California Emissions Estimator Model (CalEEMod) Version 2020.4.0 was used. CalEEMod is a statewide model designed to provide a uniform platform to quantify air quality emissions from land use projects, which allows for projection of emissions from on-site construction activity, construction vehicle trips, and evaporative emissions. Calculations of the Project’s emissions were performed as part of the air quality and greenhouse gas assessment (**Appendix B**) and compared to thresholds of significance as established by BAAQMD.

The construction build-out scenario including equipment list and schedule, were based on project-specific information provided by the project applicant. On-site activities are primarily made up of construction equipment emissions, while offsite activities include worker, hauling, and vendor traffic.

The construction schedule assumed that the earliest possible start date would be January 2023 and the project would be built out over a period of approximately 14 months, or 320 construction workdays. The earliest year of operation was assumed to be 2025. Average daily emissions were computed by dividing the total construction emissions by the number of active workdays. **Table 5.3.2** shows the average daily construction emissions of ROG, NOx, PM<sub>10</sub> exhaust, and PM<sub>2.5</sub> exhaust during construction of the project. As indicated in Table 5.3.2, predicted annualized project construction emissions would not exceed the BAAQMD significance thresholds during any year of construction.

**Table 5.3.2 Construction Period Emissions**

| Year                                                       | ROG       | NOx       | PM <sub>10</sub> | PM <sub>2.5</sub> |
|------------------------------------------------------------|-----------|-----------|------------------|-------------------|
| Construction Emissions Per Year (Tons)                     |           |           |                  |                   |
| 2023 + 2024                                                | 1.73      | 2.02      | 0.11             | 0.09              |
| Average Daily Construction Emissions Per Year (pounds/day) |           |           |                  |                   |
| 2023+2024<br>(based on 320<br>construction<br>work days)   | 10.79     | 12.65     | 0.66             | 0.55              |
| BAAQMD<br>Threshold<br>(lbs/day)                           | 54        | 54        | 82               | 54                |
| <b>Exceed<br/>Threshold?</b>                               | <b>No</b> | <b>No</b> | <b>No</b>        | <b>No</b>         |

Construction activities, particularly during site preparation and grading, would temporarily generate fugitive dust in the form of PM<sub>10</sub> and PM<sub>2.5</sub>. Sources of fugitive dust would include disturbed soils at the construction site and trucks carrying uncovered loads of soils. Unless properly controlled, vehicles leaving the site would deposit mud on local streets, which could be an additional source of airborne dust after it dries. The BAAQMD CEQA Air Quality Guidelines consider these impacts to be less-than-significant if best management practices are implemented to reduce these emissions. The Project intends to implement a Construction Emissions Minimization Plan that includes measures that are consistent with the BAAQMD-recommended basic control measures for reducing fugitive particulate matter. To ensure these measures are followed, **COA AQ-1** has been established to require the implementation of BAAQMD Best Management Practices to reduce fugitive dust emissions.

*Operational Emissions*

Operational air emissions from the project would be generated primarily from autos driven by future residents and employees. Evaporative emissions from architectural coatings and maintenance products (classified as consumer products) are typical emissions generated during operation from these types of uses.

The Air Quality Assessment, conservatively analyzed emissions from approximately 2,827 daily trips. When accounting for trip reduction adjustments that include internal capture, the trip rate entered into CalEEMod was 2,577 new trips. This is an over-estimate as the revised Traffic Impact Study completed on October 31, 2023 by W-Trans estimated that the revised project would generate an estimated 1,398 net trips per day. The operational emissions shown in **Table 5.3.3** and are greater

than anticipated by the Project, as currently proposed because of the reduction in retail space (e.g. from 30,000 square feet to less than 5,000 square feet).

**Table 5.3.3 Operational Emissions**

| <b>Scenario</b>                                                 | <b>ROG</b> | <b>NOx</b> | <b>PM10</b> | <b>PM2.5</b> |
|-----------------------------------------------------------------|------------|------------|-------------|--------------|
| 2025 Annual Project Operations Emissions (Tons/year)            | 2.97       | 1.46       | 1.58        | 0.42         |
| <i>BAAQMD Thresholds (tons/year)</i>                            | <i>10</i>  | <i>10</i>  | <i>15</i>   | <i>10</i>    |
| 2025 Daily Project Operational Emissions (lbs/day) <sup>1</sup> | 16.28      | 7.99       | 8.68        | 0.42         |
| <i>BAAQMD Thresholds (lbs/day)</i>                              | <i>54</i>  | <i>54</i>  | <i>82</i>   | <i>54</i>    |
| <b>Exceed Thresholds?</b>                                       | <b>No</b>  | <b>No</b>  | <b>No</b>   | <b>No</b>    |

The Project would not result in a significant increase in criteria air pollutants or conflict with a Clean Air Plan because, as conditioned, the Project would have construction and operational emissions below the BAAQMD thresholds, would be on an urban site planned for urban development, and would be located near employment centers, goods and services. Therefore, as conditioned, the Project will not result in a substantial new or more severe impact relative to what was identified in the 2013 General Plan EIR.

**5.3(c) (Sensitive Receptors) – No Substantial Change Relative to the General Plan EIR**

Construction equipment and associated heavy-duty truck traffic generates diesel exhaust, which is a known toxic air contaminant (TAC). Although exhaust would not be considered to contribute substantially to air quality violations, construction exhaust emissions may still pose health risks for sensitive receptors (e.g., nearby residents). The primary community risk impacts associated with construction emissions are cancer risk and PM<sub>2.5</sub> exposure. The health risk assessment for the Project’s construction activities was conducted to evaluate potential health effects to nearby sensitive receptors from construction emissions of Diesel Particulate Matter (DPM) and PM<sub>2.5</sub> which included dispersion modeling to predict the offsite and onsite concentrations.

CARB has identified the following persons who are most likely to be affected by air pollution: children under 16, the elderly over 65, athletes, and people with cardiovascular and chronic respiratory diseases. These groups are classified as sensitive receptors. Locations that may contain a high concentration of these sensitive population groups include residential areas, hospitals, daycare facilities, elder care facilities, elementary schools, and parks. For cancer risk assessments, children are the most sensitive receptors, since they are more susceptible to cancer causing TACs. Residential locations are assumed to include infants and small children. The closest sensitive receptors to the site are the residents in the townhomes north of the project site, and other single-family homes in the surrounding area.

Project construction activities would generate dust and equipment exhaust that could affect nearby sensitive receptors. The project would increase traffic consisting of mostly light-duty gasoline-powered vehicles, which would produce TAC and air pollutant emissions. Project impacts to existing sensitive receptors were assessed for temporary construction activities and long-term operational conditions. There are also several sources of existing TACs and localized air pollutants in the vicinity of the project (e.g. project area roadways and stationary source emitters). The impact of the existing

sources of TAC was also assessed in terms of the cumulative risk which includes the project's contribution.

Impacts to existing residents adjacent to the Project site could occur during construction activities. In compliance with the BAAQMD recommendations, a community risk assessment was conducted, as part of the Air Quality and Greenhouse Gas Assessment (**Appendix B**) that evaluated health risks from construction and operation, including predicting increased cancer risk, estimating increase in annual PM<sub>2.5</sub> concentrations, and computing the Hazard Index (HI) for non-cancer health risks. The following BAAQMD thresholds of significance were used to determine whether the Project would create a significant adverse impact related to health risks and hazards as follows:

#### Project Level Thresholds of Significance

- Increase cancer risk greater than 10 in a million
- Increased hazard greater than 1 (chronic or acute)
- Increase PM<sub>2.5</sub> greater than 0.3 µg/m<sup>3</sup> annual average

#### Cumulative Thresholds of Significance

- Cancer risk greater than 100 in a million (from all local sources)
- Hazard greater than 10 (chronic from all local sources)
- PM<sub>2.5</sub> greater than 0.8 µg/m<sup>3</sup> annual average

Potential impacts were evaluated for construction and operation of the Project. Nearby sensitive receptors and the maximum exposed individual receptor (MEI) are shown in **Figure 5.3.1**.

**Figure 5.3.1 Location of Project Construction Site, Off-site Sensitive Receptors, and Maximum TAC Impact (MEI)**



Source: Air Quality & Greenhouse Gas Assessment, prepared by Illingworth & Rodkin, November 17, 2022.

*Project Construction*

Using U.S. EPA ISCST3 dispersion model, the Air Quality and Greenhouse Gas Assessment modeled annual DPM and PM<sub>2.5</sub> concentrations at nearby sensitive receptors to find the Maximum Exposed Individual (MEI), which represents the most sensitive receptor receiving the great impact from the Project. Emission sources for the construction site were grouped into two categories: exhaust emissions of DPM and fugitive PM<sub>2.5</sub> dust emissions.

The MEI most affected by construction was located on the second floor (10 feet above ground) of a townhome north of the Project. Project risk impacts are shown in **Table 5.3.6**.

**Table 5.3.4: Construction and Operation Risk Impacts at the Off-Site Project MEI**

| Source                                |             | Cancer Risk<br>(per million) | Annual PM <sub>2.5</sub><br>(µg/m <sup>3</sup> ) | Hazard<br>Index |
|---------------------------------------|-------------|------------------------------|--------------------------------------------------|-----------------|
| Project Impacts                       |             |                              |                                                  |                 |
| Project Construction (Years<br>0 - 2) | Unmitigated | 31.5 (infant)                | 0.36                                             | 0.04            |
|                                       | Mitigated   | 4.5 (infant)                 | 0.11                                             | <0.01           |
| BAAQMD Single-Source Threshold        |             | 10                           | 0.3                                              | 1.0             |
| Exceed Threshold?                     | Unmitigated | Yes                          | Yes                                              | No              |
|                                       | Controlled  | No                           | No                                               | No              |

Source: Air Quality & Greenhouse Gas Assessment, prepared by Illingworth & Rodkin, November 17, 2022.

The predicted HI values from project construction activities at the MEI location would not exceed the threshold. The uncontrolled maximum cancer risks and annual PM<sub>2.5</sub> concentration would exceed their respective single-source significance thresholds. This would be a significant impact in terms of increased cancer risk and PM<sub>2.5</sub> concentrations. However, in accordance with General Plan Policy CON 2.2 **COA AQ-2** requires that the Project implement feasible measures to reduce diesel particulate matter emissions by 70%. With the implementation of **COA AQ-1** and **AQ-2** the project will not exceed health risk thresholds during construction activities.

*Project Operation*

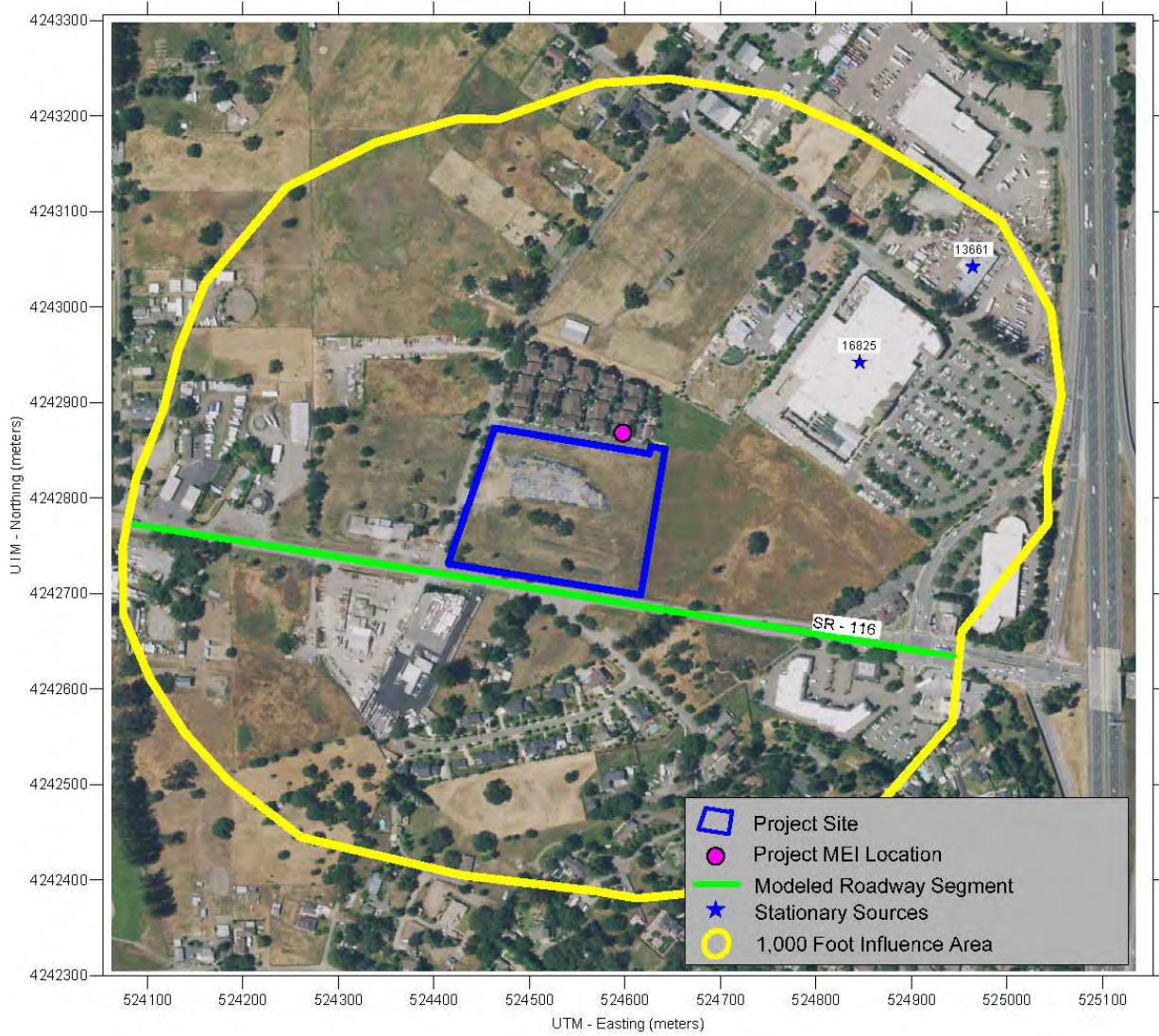
The typical operations of the Project as a residential development are expected to generate long-term emissions from mobile sources (i.e., traffic); however emissions from operation of the residential use are considered to have a negligible health risk impact. Diesel-powered vehicles are the primary concern for local traffic-generated toxic air contaminants (TACs). The Project is estimated to generate the majority of the approximately 1,400 estimated daily trips from light-duty gasoline-powered vehicles (i.e., passenger cars). As discussed in the Air Quality and Greenhouse Gas Assessment, SR-116 is within the influence area and has traffic exceeding 10,000 vehicles per day. As such, a refined analysis of the impacts of TACs and PM<sub>2.5</sub> to the project MEI receptors was completed. SR-116 traffic includes 22,500 vehicles per day based on the annual average, approximately 3.5% are trucks and 2.0% are considered diesel heavy duty trucks and 1.5% medium duty trucks. Community Health Risks were modeled in accordance with BAAQMD Methodology using ISCST3 dispersion model. Figure 5.3.2 shows the roadway link used for the modeling and MEI location where concentrations were calculated.

*Summary of Health Risks at the Project MEI*

The Project and cumulative community risk impacts at the sensitive receptors most affected by the Project (i.e., the MEI) are shown in

**Table 5.3.5.** The Project would exceed single-source thresholds for cancer risk and annual PM<sub>2.5</sub> but will be reduced below thresholds with the implementation of BMPs and control measures required by **COA AQ-1** and **AQ-2** in accordance with Policy Con 2.2.

**Figure 5.3.2. Project Site and Nearby TAC and PM2.5 Sources**



Source: Air Quality & Greenhouse Gas Assessment, prepared by Illingworth & Rodkin, November 17, 2022.



**Table 5.3.5: Cumulative Community Risk Impacts at the Location of the Project MEI**

| Source                                                                                                                      |             | Cancer Risk<br>(per million) | Annual PM <sub>2.5</sub><br>(µg/m <sup>3</sup> ) | Hazard<br>Index |
|-----------------------------------------------------------------------------------------------------------------------------|-------------|------------------------------|--------------------------------------------------|-----------------|
| Project Impacts                                                                                                             |             |                              |                                                  |                 |
| Total/Maximum Project<br>Impact (Years 0 - 30)                                                                              | Unmitigated | 31.5 (infant)                | 0.36                                             | 0.04            |
|                                                                                                                             | Mitigated   | 4.5 (infant)                 | 0.11                                             | <0.01           |
| BAAQMD Single-Source Threshold                                                                                              |             | 10                           | 0.3                                              | 1.0             |
| Exceed Threshold?                                                                                                           | Unmitigated | Yes                          | Yes                                              | No              |
|                                                                                                                             | Controlled  | No                           | No                                               | No              |
| Existing Cumulative Sources                                                                                                 |             |                              |                                                  |                 |
| SR-116, ADT 22,500                                                                                                          |             | 1.87                         | 0.11                                             | <0.01           |
| Nor-Cal Truckbodies (Facility ID #13661 Automotive<br>Body, Paint, and Interior Repair and Maintenance), MEI<br>at 890 feet |             | 0.7                          | -                                                | <0.01           |
| Lowe's HIW, Inc #1901 (Facility ID #16825, Generator),<br>MEI at 185 feet                                                   |             | 2.8                          | <0.01                                            | <0.01           |
| Combined Sources                                                                                                            | Unmitigated | 36.9                         | 0.48                                             |                 |
|                                                                                                                             | Mitigated   | 9.9                          | 0.23                                             | <0.04           |
| BAAQMD Cumulative Source Threshold                                                                                          |             | 100                          | 0.8                                              | 10.0            |
| Exceed Threshold?                                                                                                           | Unmitigated | No                           | No                                               | No              |
|                                                                                                                             | Mitigated   | No                           | No                                               | No              |

Source: Air Quality & Greenhouse Gas Assessment, prepared by Illingworth & Rodkin, November 17, 2022.

Potential impacts would be less than significant with implementation of **COA AQ-1** and **COA AQ-2** to ensure consistency with standards established by BAAQMD through implementation of the Project. As conditioned, the Project will not result in a new significant impact or substantially increase the severity of a previously identified significant impact relative to the 2013 General Plan EIR.

**5.3(d) (Odors) – No Substantial Change Relative to the General Plan EIR**

The Project would result in generation of emissions during construction and long-term operation that may be a source of odors. Development of the Project site is consistent with the land use designation applicable to the site and would not feature uses with typical odor-generating operations (e.g., wastewater treatment plants, landfills, and composting facilities). During operations, the most significant source of emissions would be from the routine operation of vehicles traveling through streets in and around the site. The majority of vehicular travel associated with the uses of the Project is expected to be from light-duty vehicles, and odors from vehicle emissions would not be substantially different from the existing environment that includes existing residential uses to the north and SR-116 roadway to the south.

During construction, diesel fume emissions from operation of diesel-fueled equipment and heavy-duty trucks would create odors that may be considered objectionable. However, construction activities will be temporary and shall be limited to construction hours as provided under Cotati Municipal Code Chapter 17.30 or as provided in conditions of approval. Standard hours of construction are Monday-Friday 7:00 a.m. to 7:00 p.m.; Saturday, Sundays, and Holidays are only allowed by the review authority through conditions of approval between 9:00 a.m. and 5:00 p.m.

Additionally, **COA AQ-1** and **COA AQ-2** will minimize emissions and associated odors. Accordingly, the Project would not be expected to result in substantial objectionable odors.

As conditioned, the Project will not result in a new significant impact or substantially increase the severity of a previously identified significant impact relative to the 2013 General Plan EIR.

### **2013 General Plan EIR Mitigating Policies and Actions**

**Policy CON 2.1:** Improve air quality through continuing to require a compact development pattern that focuses growth in and around existing urbanized areas, locating new housing near places of employment, encouraging alternative modes of transportation, and requiring projects to mitigate significant air quality impacts.

**Status:** The Project is located on a vacant site planned for high density multifamily residential units and commercial space for a mixed-use and compact development plan. Housing would be located near commercial uses onsite as well as in proximity to the site. The Project encourages alternative transportation options by including construction of a Class I multi-use path along the SR-116 frontage, incorporating bicycle parking onsite as conditioned, and introducing higher density residential uses in proximity to existing bus stops within a quarter mile of the site. The Project would be subject to **COA AQ-1** and **AQ-2** to minimize air quality impacts. As such, the project is consistent with this policy.

**Policy CON 2.2:** Minimize exposure of sensitive receptors to concentrations of air pollutant emissions and toxic air contaminants.

**Status:** Recommendations to minimize impacts to less than significant levels are provided in the Air Quality Assessment and have been imposed as **COA AQ-1** and **COA AQ-2**. Therefore, the project is consistent with this policy.

**Policy CON 2.4:** Require new development or significant remodels to install fireplaces, stoves, and/or heaters which meet current BAAQMD standards.

**Status:** The Project is required to comply with all building code standards and BAAQMD standards for fireplaces, stoves, and heaters in place at the time of Building Permit submittal. Through the application of uniformly applied development standards, the project is consistent with this policy.

**Policy CON 2.5:** Continue to require all construction projects and ground disturbing activities to implement BAAQMD dust control and abatement measures.

**Status:** Recommendations to minimize construction emissions pursuant to BAAQMD's dust control and abatement measures have been incorporated as **COA AQ-1** and **COA AQ-2**. As such, the project is consistent with this policy.

**Policy CI 1.19:** Require new development to include effective linkages to the surrounding circulation system for all modes of travel, to the extent feasible.

**Status:** The Project includes the development of a Class I multiuse path at the SR-116 frontage, which extends the pedestrian and bicycle circulation facilities available around the site. The site also incorporates an internal network of pedestrian pathways. As such, the project is consistent with this policy.

**Action CON 2b:** Refer development, infrastructure, and planning projects to the Bay Area Air Quality Management District (BAAQMD) for review. Require project applicants to prepare air quality analyses to address BAAQMD and General Plan requirements, which include analysis and identification of:

- Air pollutant emissions associated with the project during construction, project operation, and cumulative conditions.
- Potential exposure of sensitive receptors to toxic air contaminants.
- Significant air quality impacts associated with the project for construction, project operation, and cumulative conditions.
- Mitigation measures to reduce significant impacts to less than significant or the maximum extent feasible where impacts cannot be mitigated to less than significant.

**Status:** An Air Quality and Greenhouse Gas Assessment (**Appendix B**) has been prepared in accordance with Action CON 2b. Findings of the analysis have been referenced in the discussions above. Recommendations to minimize air quality emissions are provided in the Assessment and have been imposed on the Project as **COA AQ-1** and **COA AQ-2**. As conditioned, the project is consistent with this policy.

### **Conclusion and Environmental Conditions of Approval**

The Project is within the scope of development projected under the General Plan and would not result in any substantial new or more severe impacts to air quality relative to what was identified in the 2013 General Plan EIR. Furthermore, there are no circumstances peculiar to the Project site and there have been no substantial changes in environmental circumstances that would result in new or more severe significant environmental effects than were identified and evaluated in the 2013 General Plan EIR. The following environmental conditions of approval are required to implement the 2013 General Plan EIR mitigating policies and actions:

**AQ-1:** During any construction period ground disturbance, the Project will ensure that the Project contractor(s) implement the following measures to control dust and exhaust that are recommended by BAAQMD and listed below:

1. All exposed surfaces (e.g., parking areas, staging areas, soil piles, graded areas, and unpaved access roads) shall be watered two times per day.
2. All haul trucks transporting soil, sand, or other loose material off-site shall be covered.
3. All visible mud or dirt track-out onto adjacent public roads shall be removed using wet power vacuum street sweepers at least once per day. The use of dry power sweeping is prohibited.
4. All vehicle speeds on unpaved roads shall be limited to 15 miles per hour (mph).
5. All roadways, driveways, and sidewalks to be paved shall be completed as soon as possible. Building pads shall be laid as soon as possible after grading unless seeding or soil binders are used.
6. Idling times shall be minimized either by shutting equipment off when not in use or reducing the maximum idling time to 5 minutes (as required by the California airborne toxics control measure Title 13, Section 2485 of California Code of Regulations [CCR]). Clear signage shall be provided for construction workers at all access points.

7. All construction equipment shall be maintained and properly tuned in accordance with manufacturer's specifications. All equipment shall be checked by a certified mechanic and determined to be running in proper condition prior to operation.
8. Designate a Disturbance Coordinator and post a publicly visible sign with the telephone number of the Disturbance Coordinator to contact regarding dust complaints. The Disturbance Coordinator shall respond and take corrective action within 48 hours. The Air District's phone number shall also be visible to ensure compliance with applicable regulations.

**AQ-2:** All contractors shall implement a Construction Minimization Plan including feasible measures to reduce diesel particulate matter emissions from new construction by 70 percent as follows:

1. All off-road mobile construction equipment larger than 25 horsepower used at the site for more than two continuous days or 20 hours total shall meet U.S. EPA Tier 4 emission standards for PM (PM10 and PM2.5). Note that engines meeting the U.S. EPA Tier 2 or 3 standards that include particulate matter emissions control equivalent to CARB Level 3 verifiable diesel emission control devices would meet this standard.
2. Provide line power to the site during the early phases of construction to minimize the use of diesel-powered stationary equipment.
3. Alternatively, use zero-emission or non-diesel fueled equipment.

**5.4. BIOLOGICAL RESOURCES**

| <b>Would The Project:</b>                                                                                                                                                                                                                                                                                                                     | <b>New<br/>Significant<br/>Impact<br/>Relative to<br/>General<br/>Plan EIR</b> | <b>More<br/>Severe<br/>Impact<br/>Relative to<br/>General<br/>Plan EIR</b> | <b>No<br/>Substantial<br/>Change<br/>Relative to<br/>General<br/>Plan EIR</b> | <b>No<br/>Change<br/>Relative<br/>to<br/>General<br/>Plan EIR</b> |
|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------|----------------------------------------------------------------------------|-------------------------------------------------------------------------------|-------------------------------------------------------------------|
| 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 Wildlife (Formerly Fish and Game) or U.S. Fish and Wildlife Service? | <input type="checkbox"/>                                                       | <input type="checkbox"/>                                                   | <input checked="" type="checkbox"/>                                           | <input type="checkbox"/>                                          |
| 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 Wildlife (formerly Fish and Game) or U.S. Fish and Wildlife Service?                                                               | <input type="checkbox"/>                                                       | <input type="checkbox"/>                                                   | <input checked="" type="checkbox"/>                                           | <input type="checkbox"/>                                          |
| c) Have a substantial adverse effect on state or federally protected wetlands (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?                                                                                                                  | <input type="checkbox"/>                                                       | <input type="checkbox"/>                                                   | <input checked="" type="checkbox"/>                                           | <input type="checkbox"/>                                          |
| 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?                                                                                                            | <input type="checkbox"/>                                                       | <input type="checkbox"/>                                                   | <input type="checkbox"/>                                                      | <input checked="" type="checkbox"/>                               |
| e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?                                                                                                                                                                                                           | <input type="checkbox"/>                                                       | <input type="checkbox"/>                                                   | <input type="checkbox"/>                                                      | <input checked="" type="checkbox"/>                               |
| 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?                                                                                                                                                          | <input type="checkbox"/>                                                       | <input type="checkbox"/>                                                   | <input checked="" type="checkbox"/>                                           | <input type="checkbox"/>                                          |

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Source: Cotati General Plan and 2013 General Plan EIR adopted and certified on March 24, 2015; Final Santa Rosa Plain Conservation Strategy, 2005, USFWS; Recovery Plan for the Santa Rosa Plain, 2016, USFWS; Reinitiation of Formal Consultation on Issuance of Clean Water Act, Section 404 Permits by the U.S. Army Corps of Engineers (Corps) on the Santa Rosa Plain, Sonoma County, California, 2020, USFWS. Assessment of Current Site Conditions Relating to Project Regulatory Agency Permitting and Compliance Cotati Village Project Site Memo from Monk & Associates June 29, 2023. Highway 116 and West Cotati Avenue Project Aquatic Resources Delineation Map prepared by Monk & Associates on August 23, 2023. Highway 116 and West Cotati Avenue Project Biological Resource Assessment prepared by Monk and Associates October 26, 2023.

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### **2013 General Plan EIR Findings**

Biological resources are protected by federal and state statute including the Federal Endangered Species Act (FESA), the California Endangered Species Act (CESA), the Clean Water Act (CWA), and the Migratory Bird Treaty Act (MBTA) which affords protection to migratory bird species including birds of prey. These regulations provide the legal protection for identified plant and animal species of concern and their habitat.

The 2013 General Plan EIR evaluated potential impacts to biological resources in Chapter 3.3 and determined the following:

- Impact 3.3-1: Implementation of the General Plan Update could result in direct and indirect loss of habitat and individuals of endangered, threatened, rare, proposed, and candidate plant and wildlife species, plant species identified by the California Native Plant Society with a rating of List 1A or 1B (i.e., rare, threatened, or endangered plants) as well as animal and plant species of concern and other non-listed special status species. This would be a less than significant impact with identified policies including Policy CON 1.1, CON 1.2, CON.
- Impact 3.3-2: Implementation of the General Plan Update has the potential to result in significant impacts to sensitive natural communities including riparian habitat, however the implementation of the policies and action measures of the General Plan, as well as adherence to state and federal regulations, would reduce these impacts to less than significant.
- Impact 3.3-3: Implementation of the General Plan Update has the potential to result in significant impacts to protected waters, however the implementation of the policies and action measures of the General Plan, as well as adherence to state and federal regulations, would reduce these impacts to less than significant.
- Impact 3.3-4: Implementation of the General Plan Update could interfere substantially with the movement of native resident or migratory fish or wildlife species. This would be a less than significant impact with incorporation of General Plan policies and actions items.
- Impact 3.3-5: Implementation of the General Plan Update would support the existing Tree Preservation and Protection Ordinance through its policies and will not conflict with the Ordinance or with the policies that the General Plan contains that pertain to protecting biological resources. Implementation of the policies and action measures in the General Plan would ensure consistency with established ordinances and therefore the Project's impact is less than significant.

- Impact 3.3-6: Implementation of the General Plan Update would not conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plans as there are none that have been adopted or are applicable to the General Plan. The General Plan would have a less than significant impact relative to this topic.

The 2013 General Plan EIR concluded that construction and maintenance activities associated with future development projects under the proposed General Plan could result in the direct and indirect loss or indirect disturbance of special-status wildlife or plant species or their habitats as well as wetlands and Waters of the United States that are known to occur, or have potential to occur, in the region.

These impacts are mitigated by General Plan Policies CON 1.1-1.14 which provide a framework for protecting, enhancing, rehabilitating, and avoiding sensitive habitat areas including waterways. These policies include requirements for discretionary projects to develop in an environmentally sustainable manner. Furthermore, actions required by the General Plan that mitigate the impacts include Action CON 1a and 1b which requires all development project proposals to submit a biological resources evaluation which determines whether significant adverse impacts will occur and to include mitigation measures as needed. These are further supported by additional Actions CON 1c and 1d, 1f, and 1g which require project review and mapping of sensitive habitats and conservation.

Furthermore, Policy CON 3.13 requires the City to continue to implement the City's Tree Preservation and Protection Ordinance and consistent with local policies to protect and preserve biological resources.

### **Santa Rosa Plain Conservation Strategy, Recovery Plan, and Reinitiation Plan**

The City of Cotati does not have a habitat conservation plan, but it is located within the boundary of the Santa Rosa Plain (SRP). The SRP is a unique environment that supports a mosaic of vernal pool, seasonal wetland, and grassland habitats, which provide a home to the threatened and endangered species. The Santa Rosa Plain Conservation Strategy (Conservation Strategy) was developed by the US Fish and Wildlife Service in 2005 to create a long-term conservation program sufficient to mitigate potential adverse effects on listed species due to future development on the Santa Rosa Plain. The conservation strategy provides specific actions necessary to mitigate potential adverse effects on listed species due to future development on the Plain.

The Recovery Plan for the Santa Rosa Plain was released by the United States Fish and Wildlife Service (USFWS) in June 2016 and provides a framework for the recovery of listed species. Subsequently, in 2020, the USFWS published the reinitiation of formal consultation on issuance of Section 404 of the Clean Water Act for the Santa Rosa Plain. The reinitiation of the Biological Opinion analyzes the impacts to critical habitat as it relates to development in the Santa Rosa Plain. As noted therein, development in the Santa Rosa Plain would result in the filling of wetlands and removal of upland habitat, resulting in the loss of critical habitat for CTS as well as Burke's Goldfield, Sebastopol Meadowfoam, and Sonoma Sunshine. To address these impacts, the Corps provides several minimization measures and best management practices for each species including updates to measures identified in the 2005 Conservation Strategy and 2007 Biological Opinion to reflect current

knowledge and more effectively minimize adverse impacts of development within the Santa Rosa Plain.

Though not a habitat conservation plan, the Santa Rosa Plain Conservation Strategy Plan, Recovery Plan, and Reinitiation Plan are intended to mitigate potential adverse impacts on listed plant and animal species within the Plan area. The Plans establish a long-term conservation program to mitigate potential adverse impacts associated with development in the Santa Rosa Plain, conserve and contribute to the recovery of the listed species and the conservation of sensitive habitat, protect public and private land use interests, and support issuance of an authorization for incidental take of CTS and that may occur in the course of carrying out a broad range of activities in the Santa Rosa Plain area, including development such as the proposed project.

### **Project Consistency with the 2013 General Plan EIR**

The Project site was originally the southwestern part of the South Sonoma Business Park Master Plan Project area. A portion of the South Sonoma Business Park Master Plan area has been developed with the Lowe's Home Improvement Store and the Cotati Cottages subdivision. The Project site is a vacant lot, that was previously graded and used for construction staging of building materials and vehicles during construction of the adjacent Cotati Cottages site. In 2016, a biological assessment was conducted by Monk & Associates. The assessment concluded that the Project site had complied with regulatory agency permits for its development. Further, the assessment found that the mitigation requirements for the Project site had been satisfied and therefore no further State, Federal, or Local agency requirements should be warranted for development of the Cotati Village Site. Subsequently, letters were prepared in 2019, 2021, and 2023, affirming that conclusions drawn in 2016 remain applicable, that site conditions had not changed, and, that no further regulatory agency permits were required for the subject Cotati Village Project as documented in **(Appendix C and C1)** except as required for the SR-116 frontage improvements and noted in the following analysis.

### **5.4(a-c) (Special-Status Species, Sensitive Natural Communities and Jurisdictional Waters) - No Substantial Change Relative to the General Plan EIR**

In accordance with Action CON 1a, a 2016 letter for a project previously proposed at the Project site provides that mitigation requirements at the Project site related to biological conditions of approval have been satisfied and no further State, Federal, or local agency requirements should be warranted for development of the Project site. These findings were reconfirmed in the 2023 site-specific Biological Conditions Assessment, prepared by Monk & Associates **(Appendix C)**. Monk & Associates biologists concluded the site is dominated by ruderal (weedy) plant material and scattered trees as a result of previous mass grading and stockpiling on the site. No naturalized habitat or resource agency-regulated areas exist onsite, including wetlands or waters of the U.S. or State. Following mass grading of the Project site in 2002 for a previously proposed project, no habitat for listed plants or California tiger salamander remains.

Additionally, the site was assessed for potential to support western burrowing owl **(Appendix D)**. Per the assessment, the site lacks suitable habitat for the western burrowing owl due to the absence of donor burrows necessary for nesting and habitation, and no evidence has shown that the Santa Rosa Plain supports a breeding population of the owl. Following referral of the Project to the California Department of Fish and Wildlife (CDFW) for initial comments, CDFW recommended that the Project proponent consult with the department on potential impacts to CESA-listed species based on CDFW's review aerial imagery and proximity to documented occurrences. As noted above, the Biological



Conditions Assessment and western burrowing owl assessment indicated that no special status species were found based on site-specific assessment, including field surveys. Nonetheless, **COA BIO-1** is established to address CDFW recommendations and would require the applicant to conduct pre-construction surveys for sensitive species on site including burrowing owl and bats, and to consult with CDFW prior to any ground disturbing activities.

On November 18, 2021, a formal delineation of waters of the U.S. on the Project site was conducted by Monk & Associates to verify the original delineation. The delineation found that all sample sites still showed imported fill and mixed soil properties dominated by upland plant communities. The site was re-examined by Monk and Associates on May 12, 2023. Based on prior and continued investigation of the site, it has been determined that no wetlands or other water features are present on the site.

However, the Project requires access and frontage improvements along SR-116. A separate delineation for the frontage improvements was completed by Monk and Associates on June 19, 2023. No Waters of the United States were identified in the delineation. However, the required frontage improvements and development of the emergency vehicle access along SR-116 will result in impacts to a 182-foot long/364 square-foot (.008 acres) roadside ditch, and a portion of a 1,275 square-foot (~0.029 acre) isolated wetland which are considered “waters of the State” and are regulated by the State and Regional Water Quality Control Board (**Appendix C-2**). In order to comply with the State permitting requirements and the City of Cotati General Plan Action CON 1a, **COA BIO-2** has been imposed to minimize and offset impacts to the regulated water and isolated wetland that will be impacted by the frontage improvements.

Additionally, the project site contains 39 trees which may provide nesting habitat for bird species protected by the federal Migratory Bird Treaty Act and California Fish and Game Code § 3513. The Project has the potential to impact nesting birds resulting in nest abandonment or direct mortality to chicks or eggs. As such **COA BIO-3** requires pre-construction nesting bird surveys and associated actions if nesting birds are present.

As conditioned, the Project will not result in a new significant impact or substantially increase the severity of a previously identified significant impact to biological resources relative to the 2013 General Plan EIR.

#### **5.4(d) (Wildlife Movement) – No Change Relative to the General Plan EIR**

The 2013 General Plan EIR determined that implementation of the General Plan could interfere with movement of native resident or migratory fish or wildlife species and those impacts would be less than significant. The Project Study Area is located in an area where there are patchworks of housing tracts and commercial development adjacent to semi-rural undeveloped parcels to the north and primarily large undeveloped parcels to the west. The Biological Conditions Assessment, prepared by Monk & Associates (**Appendix C**), concluded no naturalized habitat areas or wetlands remain as a result of prior mass grading of the site in 2002 (with the exception of the regulated waters and isolated wetland along the SR-116 frontage). The SR-116/West Cotati Avenue BRA also concluded that the frontage improvements would not adversely impact or interfere with wildlife movement corridors because the site is anthropogenic habitat that is surrounded by existing urban development.

The Project once constructed will be consistent with surrounding areas (a mix of housing tracts, commercial development, and undeveloped parcels) and will not prevent the movement of wildlife through a wildlife corridor. Therefore, the Project is not likely to substantially interfere with the

movement of any native species or native nursery site. Accordingly, the Project will not result in a new significant impact or substantially increase the severity of a previously identified significant impact to wildlife movement relative to the 2013 General Plan EIR.

#### **5.4(f) (Conflict with Policies, Ordinances, or Habitat Conservation Plan) – No Substantial Change Relative to the General Plan EIR**

Sonoma County does not have any California Regional Conservation Plans, as identified in the California Department of Fish and Wildlife's (CDFW) Natural Community Conservation Planning (NCCP) Map. The Santa Rosa Plain Conservation Strategy Plan (SRPCSP) and the Recovery Plan were reviewed to assess the project's potential to impact any protected plant or animal species. The SRPCSP mapping (Figure 3 dated 4.16.2007) shows that the Project site is in an area designated as "Future Development." The Project site is not located within a "Conservation Area" of the Santa Rosa Plain according to the Recovery Plan (Figure 1 dated 5.30.2015). Accordingly, the USFWS anticipated that this Project site would be developed when it prepared the Conservation Strategy.

The USFWS 2007 Programmatic Biological Opinion is based on the biological framework presented in the Conservation Strategy. Projects that require a Corps permit, that remain consistent with objectives stated in the Conservation Strategy, can be appended to the Programmatic Biological Opinion at the discretion of the USFWS. Projects that are appended to the Programmatic Biological Opinion will be provided individual take authorization for impacts to federally-listed species.

The site-specific biological resource assessment determined no naturalized habitats remain, mitigations had been satisfied, and no regulatory agency permitting would be needed for development. In the Santa Rosa Plain Conservation Strategy Plan, prepared by the U.S. Fish and Wildlife Service, the Project site is identified with a designation of "Already Developed (no potential for impact)". Therefore, the Project would have a less than significant impact relative to this topic.

The City of Cotati tree ordinance, Cotati Municipal Code Chapter 17.54 regulates the protection, preservation and maintenance of native trees, trees of historic or cultural significance, groves and stands of mature tree, and mature trees in general that are associated with proposals for development. In compliance with this code, an Arborist Report was prepared (**Appendix E**) and a tree removal permit is being processed as part of the proposed Project. Conditions of the Tree Removal Permit will include tree replacement and preservation requirements in compliance with Chapter 17.54. To ensure compliance, **COA BIO-4** requires that the applicant comply with the preservation and replacement requirements and conditions of the Tree Removal Permit. As Conditioned, the Project will not result in a new significant impact or substantially increase the severity of a previously identified significant impact to adopted policies, ordinances, or habitat conservation plans relative to the 2013 General Plan EIR.

#### **2013 General Plan EIR Mitigating Policies and Actions**

**Policy CON 1.6:** Avoid removal of large, mature trees that provide wildlife habitat or contribute to the visual quality of the environment to the greatest extent feasible through appropriate project design and building siting. If full avoidance is not possible, prioritize planting of replacement trees on-site over off-site locations.

**Status:** The Project site will result in the removal of two Valley Oak Trees. The project plans to retain the remaining trees, however, additional trees could be damaged during construction. The City of Cotati Municipal Code Chapter 17.54 regulates the protection, preservation and maintenance of native trees, trees of historic or cultural significance, groves and stands of mature tree, and mature trees in general that are associated with proposals for development. Project approvals include a Tree Removal Permit which is conditioned for compliance with Chapter 17.54. **COA BIO-4** requires implementation of the conditions of the Tree Removal Permit. As conditioned, the Project complies with this policy.

**Policy CON 1.7:** Consult with all resource agencies during the CEQA review process for proposed developments to help identify wetland and vernal pool habitat that has candidacy for restoration, conservation, and/or mitigation. Focus restoration and/or conservation efforts on areas that would maximize multiple beneficial uses for such habitat and provides opportunities for mitigation banking.

**Action CON 1a:** Require development project proposals, infrastructure projects, long-range planning projects, and other projects that may potentially impact special-status species and sensitive resources to submit a biological resources evaluation which determines whether significant adverse impacts will occur. Evaluations shall be carried out under the direction of the Community Development Department and consistent with applicable state and federal guidelines. Projects shall be designed to avoid or reduce impacts to the maximum extent feasible. Where adverse impacts cannot be feasibly reduced or avoided through project design, projects shall include the implementation of site-specific or project-specific effective mitigation strategies developed by a qualified professional in consultation with state or federal resource agencies with jurisdiction (if applicable) that may include, but are not limited to, the following strategies:

- a. Preservation of habitat and connectivity of adequate size, quality, and configuration to support the special-status species. Connectivity shall be determined based on the specifics of the species' needs.
- b. Project design measures, such as clustering of structures or locating project features to avoid known locations of special-status species and/or sensitive habitats.
- c. Provision of supplemental planting and maintenance of grasses, shrubs, and trees of similar quality and quantity to provide adequate vegetation cover to enhance water quality, minimize sedimentation and soil transport, and provide adequate shelter and food for wildlife.
- d. Protection for habitat and the known locations of special-status species through adequate buffering or other means.
- e. Provision of replacement habitat of like quantity and quality on- or off-site for special status species. Preference shall be given to the preservation of habitat as close to the area of impact as feasible, so long as that habitat is of comparable quality.

- f. Enhancement of existing special-status species habitat values through restoration and replanting of native plant species.
- g. Provision of temporary or permanent buffers of adequate size (based on the specifics of the special-status species) to avoid nest abandonment by nesting migratory birds and raptors associated with construction and site development activities.
- h. Incorporation of the provisions or demonstration of compliance with applicable recovery plans for federally listed species.
- i. Monitoring of construction activities by a qualified biologist to avoid impacts to on-site special status species.

**Status:** In 2016, Monk and Associates conducted a full regulatory permitting and mitigation implementation review and concluded that the Project site complied with regulatory agency permits. A letter/report was prepared by Monk and Associates on June 6, 2016 and was subsequently updated in 2019, 2021, and most recently on June 29, 2023 (**Appendix C**). The letters conclude that mitigation requirements at the Project site have been satisfied and no further State, Federal, or local agency requirements should be warranted. The letter also notes that prior regulatory compliance did not include the drainage ditch and isolated wetland that will be impacted by required frontage improvements. To ensure compliance policy and action, **COA BIO-1** and **BIO-2** requires preconstruction surveys and that the applicant coordinate with CDFW prior to grading and secure wetland credits at a 1:1 ratio for “waters of the State” that will be impacted by offsite frontage improvements. As conditioned, the project complies with this policy.

**Conclusion and Environmental Conditions of Approval:**

The Project is within the scope of development projected under the General Plan and would not result in any substantial new or more severe impacts to biological resources relative to what was identified in the 2013 General Plan EIR. The Project complies with the mitigating policies and actions in the 2013 General Plan and as such the Project will not result in a new significant impact or substantially increase the severity of a previously identified significant impact to biological resources relative to the 2013 General Plan EIR.

Furthermore, there are no circumstances peculiar to the Project site and there have been no substantial changes in environmental circumstances that would result in new or more severe significant environmental effects than were identified and evaluated in the 2013 General Plan EIR. The following environmental conditions of approval are required to implement the 2013 General Plan EIR mitigating policies and actions:

**BIO-1:** Prior to site preparation, grading, or construction, the applicant shall take the following actions:

1. If any work occurs between September 1 and January 31, a qualified biologist shall follow the California a Department of Fish and Game (now CDFW) 2012 Staff Report on Burrowing Owl Mitigation (CDFW 2012 Staff Report) habitat assessment and survey methodology prior to Project activities occurring. The habitat assessment and surveys shall encompass a

sufficient buffer zone to detect owls nearby that may be impacted. Time lapses between surveys or Project activities shall trigger subsequent surveys, as determined by a qualified biologist, including but not limited to a final survey within 24 hours prior to ground disturbance and before construction equipment mobilizes to the Project area. The qualified biologist shall have a minimum of two years of experience implementing the CDFW 2012 Staff Report survey methodology resulting in detections. Detected burrowing owls shall be avoided pursuant to the buffer zone prescribed in the CDFW 2012 Staff Report, unless otherwise approved in writing by CDFW, and any eviction plan shall be subject to CDFW review.

2. Prior to removal of trees, the biologist shall perform bat roost emergence surveys no more than 7 days prior to the start of activities outside of the hibernation period (November 1 to March 1). If bats are found, a bat exclusion plan shall be prepared and submitted to CDFW to include the following:
  - a. Bats shall be excluded between March 1 (once overnight low temperatures exceed 45 degrees Fahrenheit) and April 15, or between September 1 and October 15 to ensure no impact to maternity roosting occurs. Once bats have been fully excluded, the structure may be demolished or removed.
  - b. If a maternity roost is found, a replacement roost must be established either on-site or at a nearby off-site at a permanently protected location in consultation with CDFW.
  - c. Tree removal for trees greater than 16-inch dbh shall be performed using the three-step removal process. First the crown or upper 1/3 of the tree shall be removed and any limbs removed and left overnight. Next, the rest of the tree shall be felled and left overnight. On the third day, the biologist shall examine the felled tree to make sure any bats have escaped prior to chipping on-site or hauling to an off-site location for disposal.
3. The applicant shall consult with the California Department of Fish and Wildlife prior to the start of any ground-disturbing activities to confirm with CDFW that the Project would not result in impacts to CESA-listed species/special status species.

**BIO-2:** Prior to issuance of a demolition or grading permit, the applicant shall secure wetland mitigation credits for impacted waters of the State at a 1:1 ratio from an approved bank within the same conservation area or in proximity as feasible and provide evidence of procurement to the City. During all frontage work and construction activities occurring within 25 feet of wetlands as mapped by the "Draft Aquatic Resources Delineation Map for SR-116 and West Cotati Ave Project" prepared by Monk and Associates on August 23, 2023, the applicant/contractor shall install and maintain exclusion fencing precluding inadvertent access to wetlands to be preserved.

**BIO-3:** To prevent any potential effects to nesting birds, the following actions shall be taken:

1. If construction begins between February 1 and August 31, a pre-construction nesting bird (both passerine and raptor) survey of the habitats within 500 feet of all work areas shall be performed within 7 days of groundbreaking. If no nesting birds are observed, no further action is required, and grading must occur within one week of the survey to prevent "take" of individual birds that could begin nesting after the survey. A follow-up survey is required if a stoppage in work occurs for longer than 7 days between February 1 and July 1.

2. If active bird nests (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 or the nest has naturally failed or been predated, as determined by a qualified biologist. The radius of the required buffer zone can vary depending on the species, with the dimension of any required buffer zone to be determined by a qualified biologist.
3. To delineate the “no-work” buffer zone around a nesting tree, orange construction fencing must be placed at the specified radius from the base of the tree within which no construction related activity or machinery shall intrude.

**BIO-4:** The applicant and all contractors shall implement the tree preservation and protection conditions of the Tree Removal Permit and comply with all regulations and replacement requirements in Municipal Code Chapter 17.54 for any trees that are intentionally or accidentally removed or damaged during project construction.

**5.5. CULTURAL RESOURCES**

| <b>Would The Project:</b>                                                                                      | <b>New<br/>Significant<br/>Impact<br/>Relative to<br/>General<br/>Plan EIR</b> | <b>More<br/>Severe<br/>Impact<br/>Relative to<br/>General<br/>Plan EIR</b> | <b>No<br/>Substantial<br/>Change<br/>Relative to<br/>General<br/>Plan EIR</b> | <b>No Change<br/>Relative to<br/>General<br/>Plan EIR</b> |
|----------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------|----------------------------------------------------------------------------|-------------------------------------------------------------------------------|-----------------------------------------------------------|
| a) Cause a substantial adverse change in the significance of a historical resource pursuant to § 15064.5?      | <input type="checkbox"/>                                                       | <input type="checkbox"/>                                                   | <input checked="" type="checkbox"/>                                           | <input type="checkbox"/>                                  |
| b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to § 15064.5? | <input type="checkbox"/>                                                       | <input type="checkbox"/>                                                   | <input checked="" type="checkbox"/>                                           | <input type="checkbox"/>                                  |
| c) Disturb any human remains, including those interred outside of dedicated cemeteries?                        | <input type="checkbox"/>                                                       | <input type="checkbox"/>                                                   | <input checked="" type="checkbox"/>                                           | <input type="checkbox"/>                                  |

Source: Cotati General Plan and 2013 General Plan EIR adopted and certified on March 24, 2015; Public Works/Engineering Conditions of Approval prepared on September 27, 2023; and Archaeological Resource Management Report for the Cotati Village Community, Highway 116 at Alder Avenue, prepared by Archaeological Resource Service on July 8, 2022; and Results of an Archaeological Study for the Gravenstein Highway (SR-116)/West Cotati Avenue Realignment Project prepared by Evans & De Shazo on September 28, 2023.

**2013 General Plan EIR Findings:**

The 2013 General Plan EIR evaluated potential impacts to cultural resources in Chapter 3.4 and determined the following:

- Within the Cotati Planning Area, 36 resources have been recorded of which 7 are prehistoric Native American archaeological sites, and 2 are historic-period archeological sites, and 27 are built environment resources. 31 of these resources are within City limits.
- Impact 3.4-1: Implementation of the General Plan Update could result in the potential disturbance of cultural resources and human remains. This would be a potentially significant impact and is reduced to less than significant through policies CON 4.1, 4.3, 4.4, 4.5, and 4.6.
- Impact 3.4-2: Implementation of the General Plan Update could result in the disturbance of human remains or the discovery of human remains during construction activities. The potential impact would be reduced to less than significant through procedures of the Public Resources Code Section 5097 and implementation of General Plan actions CON 4c.

**Project Consistency with the 2013 General Plan EIR**

Consistent with General Plan Action CON 4b, an Archaeological Resource Management Report was prepared by Archaeological Resource Service on July 8, 2022. The Report included both a records search and surface examination on the Project site.

**5.5(a-c) (Historic, Archaeological Resources and Discovery of Human Remains) - No Substantial Change Relative to the General Plan EIR**

As documented in the Archaeological Resource Management Report prepared by Archaeological Resource Service in 2022, no artifacts or potentially significant cultural features were observed during the surface inspection. The entire property was examined in a pedestrian survey. Beginning at the eastern end of the property, the team walked a series of relatively parallel east-west transects spaced about five meters apart. The transects were modified to avoid trees and other obstructions, but generally covered the entire property where the ground could be observed.

The property has been graded and modified in the past. A large stock pile of disturbed soil dominates the center of the area, a result of past grading by a previous owner. Most of the property appears to have been previously cleared of vegetation by scraping surface material into the large stock pile. This has effectively removed any evidence of surface sites that may have existed, but would not affect the visibility of more substantial deposits or features.

The property does not contain any permanent water source or any identifiable places that would potentially have attracted Native American settlement. The property was undoubtedly within the hunting and gathering range of local Native Americans, but no remaining evidence of Native American use has been observed.

Further, an Archaeological Study in accordance with CEQA regulations was completed for the SR/116 West Cotati Avenue Realignment project and included the area where frontage improvements will be required. The methods used to complete the study include a NWIC/CHRIS records search; a review of historical maps, aerial photographs, and other documents to determine past land use activities within the Project Area and the potential/sensitivity for buried historic-period archaeological, as well as researching for any important historical persons associated with the Project Area; a review of geologic, soils, geoarchaeological, and other information to assess the potential/sensitivity for buried precontact period archaeological resources; a Sacred Lands Inventory and Tribal outreach; outreach to the Cotati Historical Society; and a pedestrian field survey of the SR-116/West Cotati Avenue project area. No CRHR-listed or eligible historical resources or unique archaeological resources were identified within the SR-116/West Cotati Avenue project area. One isolated historic-period artifact (a horseshoe; age unknown) and a eucalyptus tree windrow (pre-1942) were identified but neither meets the criteria to be considered historically significant and the desktop buried archaeological site sensitivity analysis found that the SR-116/West Cotati Avenue project area has a low potential for buried precontact and historic period archaeological resources.

Therefore, no known significant or potentially significant cultural resources will be impacted by development and no evidence of cultural deposits from the prehistoric or historic eras was observed on site. There are no indications that the site was occupied or heavily utilized by Native populations. Regardless, in the event that prehistoric artifacts are encountered during project development, **COA CUL-1** will ensure that actions described by mitigating General Plan Action CON 4c are implemented. As conditioned, the Project implements policies of the General Plan for treatment of cultural resources and will not result in a new significant impact or substantially increase the severity of a previously identified significant impact to cultural resources relative to the 2013 General Plan EIR.



### **2013 General Plan EIR Mitigating Policies and Actions**

**Action CON 4b:** Require a cultural and archaeological survey prior to approval of any development project where a potential or known historical, archaeological, or other cultural resource is located or which would require excavation in an area that is sensitive for cultural or archaeological resources. If significant cultural or archaeological resources, including historic and prehistoric resources, are identified, the project shall be required to implement appropriate measures, such as avoidance, capping of the resource site, or documentation and conservation, to reduce adverse impacts to the resource to a less than significant level.

**Status:** Archaeological Resource Service conducted an archaeological inventory and prepared an Archaeological Resource Management Report for the proposed Project in July 2022 and the location of required frontage improvements was analyzed by Evans and DeShazo in a report prepared on September 28, 2023. As such, the Project complies with this action.

**Action CON 4c:** Require all development, infrastructure, and other ground-disturbing projects to comply with the following conditions in the event of an inadvertent discovery of cultural resources or human remains:

- a. If construction or grading activities result in the discovery of significant historic or prehistoric archaeological artifacts or unique paleontological resources, all work within 100 feet of the discovery shall cease, the Community Development Department shall be notified, the resources shall be examined by a qualified archaeologist, paleontologist, or historian for appropriate protection and preservation measures; and work may only resume when appropriate protections are in place and have been approved by the Community Development Department.
- b. If human remains are discovered during any ground disturbing activity, work shall stop until the Community Development Department and the County Coroner have been contacted; if the human remains are determined to be of Native American origin, the Native American Heritage Commission (NAHC) and the most likely descendants have been consulted; and work may only resume when appropriate measures have been taken and approved by the Community Development Department.

**Status: COA CUL-1** requires implementation of the actions described in Action CON 4c to address potential discovery of archeological resources and human remains during construction. As conditioned, the Project complies with this action.

### **Conclusion and Environmental Conditions of Approval:**

The Project is within the scope of development projected under the General Plan and, as conditioned, will not result in any substantial new or more severe impacts to cultural resources relative to what was identified in the 2013 General Plan EIR. Furthermore, there are no circumstances peculiar to the Project site and there have been no substantial changes in environmental circumstances that would result in new or more severe significant environmental effects than were identified and evaluated in the 2013 General Plan EIR. The following environmental condition of approval are required to implement the 2013 General Plan EIR mitigating policies and actions:

**CUL-1:** In the event that cultural resources or human remains are inadvertently discovered during ground disturbing activities, the following conditions shall apply:

- a. If construction or grading activities result in the discovery of significant historic or prehistoric archaeological artifacts or unique paleontological resources, all work within 100 feet of the discovery shall cease, the Community Development Department shall be notified, the resources shall be examined by a qualified archaeologist, paleontologist, or historian for appropriate protection and preservation measures; and work may only resume when appropriate protections are in place and have been approved by the Community Development Department.
- b. If human remains are discovered during any ground disturbing activity, work shall stop until the Community Development Department and the County Coroner have been contacted; if the human remains are determined to be of Native American origin, the Native American Heritage Commission (NAHC) and the most likely descendants have been consulted; and work may only resume when appropriate measures have been taken and approved by the Community Development Department.
  - If the skeletal remains are found to be prehistoric, Native American and not modern, then the coroner must call the Native American Heritage Commission in Sacramento that will designate the "Most Likely Descendant" (or MLD) of the discovered remains. The MLD will be responsible for recommending the disposition and treatment of the remains (before construction is resumed). Although the likelihood of encountering human skeletal remains in the project area seems slight, it is important to have a procedure for alternate tasks that can be put into effect quickly in the event that human remains are discovered. This allows for work to continue elsewhere on the project area (where appropriate given the size of the property and location of the discovery) while the remains are properly investigated.
- c. If any prehistoric artifactual materials such as modified obsidian flakes or formed tools or concentrations of natural obsidian nodules are observed during any phase of grading or future construction on the property, all work in the vicinity of the find shall be stopped until the area of the discovery can be evaluated by an archaeologist. Depending on the extent and cultural composition of the discovered materials, subsequent excavation monitored by an archaeologist may be required, who shall be ready to record, recover and/or protect significant artifactual materials from further damage.

**5.6. ENERGY**

| <b>Would The Project:</b>                                                                                                                                                           | <b>New Significant Impact Relative to General Plan EIR</b> | <b>More Severe Impact Relative to General Plan EIR</b> | <b>No Substantial Change Relative to General Plan EIR</b> | <b>No Change Relative to General Plan EIR</b> |
|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------|--------------------------------------------------------|-----------------------------------------------------------|-----------------------------------------------|
| a) Result in a potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy resources, during project construction or operation? | <input type="checkbox"/>                                   | <input type="checkbox"/>                               | <input checked="" type="checkbox"/>                       | <input type="checkbox"/>                      |
| b) Conflict with or obstruct a state or local plan for renewable energy or energy efficiency?                                                                                       | <input type="checkbox"/>                                   | <input type="checkbox"/>                               | <input type="checkbox"/>                                  | <input checked="" type="checkbox"/>           |

Source: Cotati General Plan and 2013 General Plan EIR adopted and certified on March 24, 2015; BAAQMD 2017 Bay Area Clean Air Plan; Climate Action 2020 and Beyond: Sonoma County Regional Climate Action Plan, prepared by Sonoma County Regional Climate Protection Authority, July 2016; BAAQMD 2017 CEQA Guidelines; and City of Cotati Municipal Code.

**2013 General Plan EIR Findings:**

Energy resources include fuels, renewable resources, and production of electricity which requires conversion of these resources into energy. Energy production and energy use result in depletion of non-renewable energy resources such as oil, coal, and natural gas, the use of which results in pollutant emissions that contribute to global climate change. Sustainable use of energy resources is facilitated through conservation of non-renewable resources and development of alternative or renewable energy resources such as solar, wind, and geothermal.

The 2013 General Plan EIR analyzed the impacts to energy resources in Chapter 3.6 – Greenhouse Gasses and Climate Change. The policies and implementing actions relating to energy conservation are included in Chapter 5: Conservation of the General Plan and addressed under Goal 3 which promotes conservation of energy and other natural resources. The 2013 General Plan EIR specifically identifies the following energy-specific General Plan Policies CON 2.10, CON 3.1 – CON 3.10, LU 1.5, and Actions CON 3a – 3d which would result in a less than significant impact to Green House Gas Emissions and Climate Change and are applicable to this section.

**Sonoma County Climate Action Plan 2020**

In 2005, the ten local governments within Sonoma County pledged to reduce GHG emissions community-wide to 25 percent below 1990 levels by 2015 (Cotati adopted 30% by 2015, Resolution 05-66). The Regional Climate Protection Authority (RCPA) was created in 2009 to help each jurisdiction reach its goal. Climate Action 2020 is a collaborative effort led by the RCPA and includes nine cities, the County of Sonoma, and several partner entities to take further actions to reduce GHG emissions community-wide and respond to the threats of climate change.

As presented in the Climate Action Plan 2020, Section 5.2: Cotati, the City of Cotati is focused on infill development and “green” priorities for new building.<sup>5</sup> Energy efficiency is a requirement of City of Cotati’s General Plan as provided in General Plan Objective Con 3A, including policies and actions which “achieve a high level of energy efficiency in new buildings and in significant remodels,” which is set forth in Municipal Code Chapter 14.04.130 and establishes CalGreen Tier 1 as mandatory for new residential and non-residential structures.

### **Cotati Municipal Code**

The Project will construct new dwelling units and commercial uses that are subject to Title 24 of the California Building Code and must meet the requirements for CalGreen Tier 1. In order to secure a building permit, the Project must comply with the uniformly applied standards of the City’s Municipal Code Section 14.04.090 California Energy Code and Section 17.51.030 Citywide Energy Conservation Standards and which requires that the new structures be designed and constructed to achieve a minimum of fifteen percent greater energy efficiency than otherwise required by the California Code of Regulations, Title 24, and to implement the city’s sustainable building program adopted by council resolution.

### **Project Consistency with the 2013 General Plan**

#### **5.6(a) (Energy Consumption) – No Substantial Change Relative to the General Plan EIR**

The Project proposes new residential and commercial uses which will be served by Pacific Gas and Electric and Sonoma Clean Power.

The California Green Building Standards Code, otherwise known as the CALGreen Code (CCR Title 24, Part 11), is a portion of the California Building Standards Code (CBSC). The purpose of the CALGreen Code is to improve public health, safety, and general welfare by enhancing the design and construction of buildings through the use of building concepts having a reduced negative impact or positive environmental impact and encouraging sustainable construction practices. The provisions of the code apply to the planning, design, operation, construction, use, and occupancy of every newly constructed building or structure throughout California. Requirements of the CALGreen Code include, but are not limited to, the following measures:

- Installation of Electric Vehicle (EV) charging infrastructure in residential and non-residential structures;
- Maximum fixture water use rates;
- Compliance with the California Department of Water Resources’ Model Water Efficient Landscape Ordinance (MWELO), or a local ordinance, whichever is more stringent;
- Diversion of 65 percent of construction and demolition waste from landfills;
- Mandatory use of low-pollutant emitting interior finish materials such as paints, carpet, vinyl flooring, and particle board; and
- For single-family and some low-rise residential development developed after January 1, 2020, mandatory on-site solar energy systems capable of producing 100 percent of the electricity demand created by the residence(s).

The 2022 Building Energy Efficiency Standards went into effect on January 1, 2023 and establishes new requirements related to heat pumps, requires that new single-family homes be electric-ready, and

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<sup>5</sup> Sonoma County Regional Climate Protection Authority. Climate Action Plan 2020 and Beyond. July, 2016.

expands solar and storage requirements. It is estimated that over a 30-year period, the 2022 energy code will reduce greenhouse gas (GHG) emissions by 10 million metric tons.<sup>6</sup>

Further, the City has adopted CALGreen Tier 1 standards and as such, they are uniformly applied to all construction projects. The application of these standards to the Project will prevent wasteful, inefficient, or unnecessary consumption of energy resources. Additionally, the BMPs required by the BAAQMD and implemented as **COA AQ-1** limit the use of energy for construction. As conditioned, the Project will not result in a new significant impact or substantially increase the severity of a previously identified significant impact related to energy consumption.

#### **5.6(b) (Conflict with State or Local Plans) – No Change Relative to the General Plan EIR**

Pursuant to the Sonoma County Climate Action Plan 2020, Section 5.2: Cotati, the City of Cotati is focused on infill development and “green” priorities for new building. The Project is proposed within Cotati’s planning area within the existing city limits and will comply with the uniformly applied energy conservation standards of CALGreen Tier 1 at a minimum. Additionally, the Project proposes all electric appliances and will meet CALGreen Tier 2 requirements for installation of EV infrastructure. As such, the Project would not conflict with state or local plans for renewable energy or energy efficiency. Therefore, the Project will not result in a new significant impact or substantially increase the severity of a previously identified significant impact.

#### **2013 General Plan EIR Mitigating Policies and Actions**

**Action CON 3a:** Continue to review development projects to ensure that all new public and private development complies with CALGreen Tier 1 standards as well as the energy efficiency standards established by the General Plan and Land Use Code.

**Status:** The proposed Project is subject to the uniformly applied development standards in the Municipal Code Section 17.51.030 (Citywide energy conservation standard), CALGreen Tier 1 and the California Code of Regulations, Title 24, at a minimum. As such, it complies with this action and would not result in a new significant impact or substantially increase the severity of a previously identified significant impact.

#### **Conclusion:**

The Project is within the scope of development projected under the General Plan and would not result in any substantial new or more severe impacts to energy relative to what was identified in the 2013 General Plan EIR. Furthermore, there are no circumstances peculiar to the Project site and there have been no substantial changes in environmental circumstances that would result in new or more severe significant environmental effects than were identified and evaluated in the 2013 General Plan EIR. **COA AQ-1** will implement requirements of the 2013 General Plan EIR and the General Plan.

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<sup>6</sup> State of California, Energy Commission, 2022 Building Energy Efficiency Standard Summary, August 2021.

**5.7. GEOLOGY AND SOILS**

| <b>Would The Project:</b>                                                                                                                                                                                                                                                      | <b>New<br/>Significant<br/>Impact<br/>Relative to<br/>General<br/>Plan EIR</b> | <b>More<br/>Severe<br/>Impact<br/>Relative to<br/>General<br/>Plan EIR</b> | <b>No<br/>Substantial<br/>Change<br/>Relative to<br/>General<br/>Plan EIR</b> | <b>No Change<br/>Relative to<br/>General<br/>Plan EIR</b> |
|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------|----------------------------------------------------------------------------|-------------------------------------------------------------------------------|-----------------------------------------------------------|
| a) Directly or indirectly cause 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 Publication 42. | <input type="checkbox"/>                                                       | <input type="checkbox"/>                                                   | <input type="checkbox"/>                                                      | <input checked="" type="checkbox"/>                       |
| II. Strong seismic ground shaking?                                                                                                                                                                                                                                             | <input type="checkbox"/>                                                       | <input type="checkbox"/>                                                   | <input checked="" type="checkbox"/>                                           | <input type="checkbox"/>                                  |
| III. Seismic-related ground failure, including liquefaction?                                                                                                                                                                                                                   | <input type="checkbox"/>                                                       | <input type="checkbox"/>                                                   | <input checked="" type="checkbox"/>                                           | <input type="checkbox"/>                                  |
| IV. Landslides?                                                                                                                                                                                                                                                                | <input type="checkbox"/>                                                       | <input type="checkbox"/>                                                   | <input type="checkbox"/>                                                      | <input checked="" type="checkbox"/>                       |
| b) Result in substantial soil erosion or the loss of topsoil?                                                                                                                                                                                                                  | <input type="checkbox"/>                                                       | <input type="checkbox"/>                                                   | <input checked="" type="checkbox"/>                                           | <input type="checkbox"/>                                  |
| c) 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?                                              | <input type="checkbox"/>                                                       | <input type="checkbox"/>                                                   | <input checked="" type="checkbox"/>                                           | <input type="checkbox"/>                                  |
| d) Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial direct or indirect risks to life or property?                                                                                                            | <input type="checkbox"/>                                                       | <input type="checkbox"/>                                                   | <input checked="" type="checkbox"/>                                           | <input type="checkbox"/>                                  |
| e) Have soils incapable of adequately supporting the use of septic tanks or alternative waste water disposal systems where sewers are not available for the disposal of waste water?                                                                                           | <input type="checkbox"/>                                                       | <input type="checkbox"/>                                                   | <input type="checkbox"/>                                                      | <input checked="" type="checkbox"/>                       |

f) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?

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Source: Cotati General Plan and 2013 General Plan EIR adopted and certified on March 24, 2015; Geotechnical Investigation Report South Sonoma Business Park prepared by Kleinfelder, Inc June 29, 2000; Revised Table A prepared by Pacific Miller Engineering Group on August 24, 2007, Pavement Design Criteria for Cotati Village Development Letter prepared by Miller Pacific Engineering Group on December 16, 2021 and Miller Pacific Engineering Follow-Up Letter prepared on November 3, 2023; and Public Works/Engineering Conditions of Approval prepared on September 27, 2023.

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### 2013 General Plan EIR Findings

The City of Cotati is in a geologically active area of the San Andreas Fault system and the potential for ground shaking from seismic events is a risk throughout the region. Active faults are located four miles or more to the east, north, and west, but no active faults traverse the City.

The 2013 General Plan EIR evaluated the potential impacts related to geology and soils in Chapter 3.5 and determined the following.

- Impact 3.5-1: Implementation of the General Plan Update would result in the construction of projects that may expose people or structures to seismic ground shaking from the numerous faults located in the region. No Alquist-Priolo Fault Zones are located within the Cotati Planning Area. The General Plan includes policies and actions that require evaluation and engineering of projects to reduce the impacts of development under the General Plan from seismic shaking to less than significant.
- Impact 3.5-2: Implementation of the General Plan Update would allow ground disturbing activities that could result in soil erosion and topsoil loss. The Regional Water Quality Control Board requires that project-specific Storm Water Pollution Prevention Plan (SWPPP) to be prepared for all development projects. Application of best management practices required would reduce this impact to less than significant.
- Impact 3.5-3: Implementation of the General Plan Update would result in development that could expose people and structures to adverse effects from ground instability and failure from landslides, lateral spreading, subsidence, liquefaction, or collapse. With General Plan policies and implementing actions applied to development projects that require study and design to mitigate these risks, the impacts would be less than significant.
- Impact 3.5-4: There is expansive soil located within the City of Cotati, and implementation of the proposed project (General Plan Update) could result in development on expansive soils. With General Plan policies that require design-level geotechnical investigations for new development, the risk of impacts from expansive soils would be less than significant.
- Impact 3.5-5: Implementation of the General Plan Update would not result in a conflict between soil capacity and septic systems because sewerage and wastewater treatment capacity is sufficient to accommodate all development under the General Plan without the use of septic and none will be utilized. Therefore, this impact is less than significant.

The 2013 General Plan EIR found that the implementation of the 2013 General Plan could have significant impacts on Geology and Soils but determined that those impacts were mitigated to less than significant through the implementation of Policies CSF 1.8, SA 2.1- 2.11 and Actions SA 2a-2k.

### **Project Consistency with the 2013 General Plan EIR**

#### **5.7(a i) (Seismic faults) – No Change Relative to the General Plan EIR**

The General Plan EIR determined that impacts from fault rupture, strong ground shaking, seismic-related ground failure, and landslides would be less than significant. The Project site is not located within an Earthquake Fault Zone, as defined by the Alquist-Priolo Earthquake Fault Zoning Act, and no known active or potentially active faults exist on the site. Strong to very strong ground shaking could occur at the site during a large earthquake on one of the nearby faults. However, the risk of fault offset at the site from a known active fault and future faulting in areas where no faults previously existed is very low. The Project is subject to construction standards established for seismic safety within the latest California Building Code, which would minimize the impact of ground shaking on new development. As such the project will not result in a new significant impact or substantially increase the severity of a previously identified significant impact relative to the 2013 General Plan EIR.

#### **5.7(a ii,iii) (Ground Shaking, Liquefaction) – No Substantial Change Relative to the General Plan EIR**

The General Plan shows areas of moderate liquefaction potential adjacent to portions of SR-116 per Figure 7.1-2 in the General Plan Background Report, however, more detailed analysis of the area found soils would not be susceptible to liquefaction during ground shaking. A Geotechnical Investigation (**Appendix G**) was conducted that examined geologic conditions and provided recommendations for the South Sonoma Business Park project area, including the Project site, as part of the certified South Sonoma Business Park EIR (SCH 2000052045). During borings conducted as part of the geotechnical investigation, the clayey soils found were not considered to be liquefiable during strong ground shaking.

The Project would implement the recommendations of the geotechnical analyses and would be consistent with General Plan Policies SA 2.4, SA 2.11 and General Plan Actions SA 2a and SA 2e that address geologic and seismic hazard mitigations in project design, which are confirmed in the building permit review process, and implemented through **COA GEO-1**. As conditioned and through the uniformly applied standards of the California Building Code, the Project will not result in a new significant impact or substantially increase the severity of a previously identified significant impact relative to the 2013 General Plan EIR.

#### **5.7(a iv) (Landslides) – No Change Relative to the General Plan EIR**

The Project site is a relatively flat, open field with two existing stockpiles. The site elevations range from 107 feet to 97 feet above sea level. Because steep slopes are not located on the site, there is no significant impact related to the risk of a landslide. As such the project will not result in a new significant impact or substantially increase the severity of a previously identified significant impact relative to the 2013 General Plan EIR.

#### **5.7(b) (Erosion) – No Substantial Change Relative to the General Plan EIR**



The 2013 General Plan EIR concluded that impacts from soil erosion would be less than significant with General Plan Policies and Actions mitigating potential impacts. The Project site is previously disturbed from past grading and staging activities and would be redeveloped by removing existing stockpiles and introducing new buildings, driveways, parking, and landscaping. As a project that will disturb more than 10,000 square feet of impervious surfaces, it is subject to implementation of stormwater management facilities to treat site runoff under applicable provisions of the City's MS4 permit. Best management practices for soil erosion and sediment control are required to be applied during construction. In compliance with General Plan Policy CON 1.12, **COA HYD-1** is required which will ensure Best Management Practices are implemented during construction. Additionally, Chapter 14.36 of the Cotati Municipal Code which requires, amongst other things, an erosion control plan prepared by a Civil Engineer or other qualified professional that outlines appropriate measures to minimize soil erosion and sedimentation and that complies with design and construction standards contained in the City's Municipal Code. Preliminary designs are in compliance and through the standard review process, the final plans will be reviewed by the City Engineer and subject to Project Conditions of approval as provided by Public Works/Engineering on September 27, 2023. The Public Works/Engineering Conditions include requirements for a Stormwater Pollution and Prevention Plan (SWPPP) as well as a Stormwater Control Plan and a separate Rain Event Action Plan (REAP) to be used during construction.

As conditioned, pursuant to General Plan Policy CON 1.12, the Project is consistent with the findings of the 2013 General Plan EIR and the Project will not result in a new significant impact or substantially increase the severity of a previously identified significant impact to erosion relative to the 2013 General Plan EIR.

#### **5.7(c-d) (Geologic Stability and Expansive Soils) – No Substantial Change Relative to the General Plan EIR**

Per the 2013 General Plan EIR, each project will be evaluated for conformance with the California Building Code, City's General Plan, Land Use Code, and other applicable regulations, in regards to geologic stability and expansive soils. In accordance with Municipal Code Chapter 14.36, as well as General Plan Policy SA 2.11, geotechnical analyses were conducted to evaluate geotechnical conditions and provide associated recommendations for development at the site. A Geotechnical Investigation (**Appendix G**) was conducted that examined geologic conditions and provided recommendations for the South Sonoma Business Park project area, including the Project site, as part of the certified South Sonoma Business Park EIR (SCH 2000052045). A Geotechnical Pavement Design Report with additional geotechnical recommendations and design criteria was prepared in 2007 and re-confirmed by memo on November 3, 2023 by Miller Pacific Engineering Group (**Appendix H**). The reports establish recommendations to be implemented for construction of the Project. Review of construction level plans and geotechnical recommendations will be conducted as part of the Building Permit review process to confirm consistency of final plans with Building Code's uniformly applied standards. In compliance with General Plan Policy SA 2.1, Action SA 2a and Action SA 2e, **COA GEO-1** is imposed to ensure recommendations from the geotechnical reports are incorporated into the project design, construction documents, and improvement plans, or as otherwise conditioned by the City Engineer and/or Chief Building Official.

As conditioned, pursuant to General Plan Policy SA 2.1, Action SA 2a and Action SA 2e, the Project is consistent with the findings of the 2013 General Plan EIR and the Project would not result in a new significant impact or substantially increase the severity of a previously identified significant impact to

geologic stability relative to the 2013 General Plan EIR.

#### **5.7I (Septic Tanks) – No Change Relative to the General Plan EIR**

Implementation of the Project would not result in a conflict between soil capacity and septic systems because sewerage and wastewater treatment capacity is sufficient to accommodate all development under the General Plan without the use of septic. The Project site is zoned and planned for residential and commercial uses in the General Plan. The Project and proposes to connect to the City's sewer system and will not use septic systems. As such, the Project is consistent with the findings of the 2013 General Plan EIR and the Project would not result in a new significant impact or substantially increase the severity of a previously identified significant impact to septic tanks relative to the 2013 General Plan EIR.

#### **5.7(f) (Paleontological Resources) – No Substantial Change Relative to the General Plan EIR**

The potential to uncover undiscovered paleontological resources was considered in the 2013 General Plan EIR, in which Action CON 4c is identified, which requires work to be suspended within 100 feet of any discovered potentially unique paleontological resources and for the City to be contacted to coordinate further investigation. In compliance with Action CON 4c, **COA CUL-1** is required. **COA CUL-1** requires specific protocol to be followed if cultural or paleontological resources are encountered during ground disturbing activities. This requirement is also a condition required by Public Works/Engineering Conditions of Approval per the memo provided on September 27, 2023.

As conditioned and pursuant to Action CON 4c, the Project complies with the General Plan and will not result in a new significant impact or substantially increase the severity of a previously identified significant impact to paleontological resources relative to the 2013 General Plan EIR.

#### **2013 General Plan EIR Mitigating Policies and Actions**

**Policy SA 2.4:** Development in areas subject to liquefaction, such as along East and West Cotati Avenues and Gravenstein Highway shall be reviewed by qualified soils engineers and geologists prior to development in order to ensure the safety and stability of all construction. (See Figure 7.1-2 in the General Plan Background Report).

**Status:** Portions of the site located along Gravenstein Highway (SR-116) are subject to liquefaction per Figure 7.1-2 in the General Plan Background Report. In accordance with Municipal Code Chapter 14.36, as well as General Plan Policy SA 2.10, geotechnical analyses were prepared that establish recommendations for construction. Confirmation that geotechnical design recommendations meeting current standards have been incorporated into construction plans and documents are required through **COA GEO-1**. As conditioned, the project complies with this policy.

**Policy SA 2.10:** An erosion and sediment control plan prepared by a civil engineer or other professional who is qualified to prepare such a plan, shall be submitted as part of a grading permit application. The erosion and sediment control plan shall delineate measures to appropriately and effectively minimize soil erosion and sedimentation and shall comply with the design standards and construction site Control measures contained In Chapter 14.36 of the Municipal Code.

**Status:** Development of the Project will require site preparation and grading activities that will potentially result in soil erosion or the loss of topsoil if not properly controlled. A preliminary soil and

erosion control plan has been submitted by the applicant and **COA HYD-1** requires the applicant submit a Stormwater Control Plan which includes a sediment control plan in compliance with Chapter 14.36. As conditioned, the Project complies with this Policy.

**Policy SA 2.11:** Prior to the development of any new structures and any addition greater than 500 square feet in areas of moderate to high potential for expansive soils as identified in Figure 7.1-5 of the General Plan Background Report, a site-specific soils study shall be prepared. All structures and building foundations located within areas containing expansive soils shall be designed and engineered to comply with the most current version of the California Building Standards Code.

**Action SA 2a:** Require a geotechnical analysis for construction in areas with potential geological hazards and require that recommendations from the geotechnical analysis are incorporated into the project's design and engineering.

**Action SA 2e:** Require the submission of geologic and soils reports for all new developments. The geologic risk areas that are determined from these studies shall have standards established and recommendations shall be incorporated into development.

**Status:** As noted above, a Geotechnical Investigation (**Appendix G**) was conducted that examined geologic conditions and provided recommendations for the South Sonoma Business Park project area, including the Project site, as part of the certified South Sonoma Business Park EIR (SCH 2000052045). A Geotechnical Pavement Design Report with additional geotechnical recommendations and design criteria was prepared in 2007 and re-confirmed by memo on November 3, 2023 by Miller Pacific Engineering Group (**Appendix H**). **COA GEO-1** requires the incorporation of the recommendations from the Geotechnical Investigation and subsequent documents into the final plans prior to submission of the building permit application. Further, Public Works/Engineering Conditions of Approval, includes requirements for grading improvements, erosion control, and geotechnical engineering. As conditioned, the project complies with this policy and associated actions.

### **Conclusion and Environmental Conditions of Approval:**

The Project is within the scope of development projected under the General Plan and would not result in any substantial new or more severe impacts to geology and soils relative to what was identified in the 2013 General Plan EIR. The project, as conditioned and through the application of uniformly applied standards, complies with the applicable policies and actions in the 2013 General Plan and would not result in a new significant impact or substantially increase the severity of a previously identified significant impact to geology and soils relative to the 2013 General Plan EIR.

Furthermore, there are no circumstances peculiar to the Project site and there have been no substantial changes in environmental circumstances that would result in new or more severe significant environmental effects than were identified and evaluated in the 2013 General Plan EIR. The following environmental condition of approval are required to implement the 2013 General Plan EIR mitigating policies and actions:

**GEO-1:** The Project shall implement recommendations from the geotechnical reports associated with the site, including the Geotechnical Investigation Report (June 29, 2000) prepared by Kleinfelder (**Appendix G**); Pavement Design Criteria for Cotati Village Development (August 24, 2007) and Pavement Recommendation Letter (December 16, 2021), prepared by Miller Pacific Engineering Group

**(Appendix H);** Update to Table A (April 26, 2007) prepared by Miller Pacific Engineering Group on November 3, 2023 **(Appendix H);**

At the time of permit application submittal, the applicant shall include a letter, together with the geotechnical analyses, from the Project's geotechnical engineer certifying that all recommendations in the Project's geotechnical analyses meet current geotechnical design standards and that all applicable recommendations have been incorporated into the construction plans. Where the geotechnical engineer recommends technical changes to the recommendations in any of the geotechnical analyses, such changes shall be clearly identified in the letter.

All recommendations shall be incorporated into the project design, construction documents and improvement plans, or as otherwise determined by the City Engineer and/or Chief Building Official. The Project's geotechnical engineer shall inspect the construction work and shall certify to the City, prior to issuance of a certificate of occupancy, that the improvements have been constructed in accordance with the geotechnical analyses.

**5.8. GREENHOUSE GAS EMISSIONS**

| <b>Would The Project:</b>                                                                                                        | <b>New Significant Impact Relative to General Plan EIR</b> | <b>More Severe Impact Relative to General Plan EIR</b> | <b>No Substantial Change Relative to General Plan EIR</b> | <b>No Change Relative to General Plan EIR</b> |
|----------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------|--------------------------------------------------------|-----------------------------------------------------------|-----------------------------------------------|
| a) Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?      | <input type="checkbox"/>                                   | <input type="checkbox"/>                               | <input checked="" type="checkbox"/>                       | <input type="checkbox"/>                      |
| b) Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases? | <input type="checkbox"/>                                   | <input type="checkbox"/>                               | <input checked="" type="checkbox"/>                       | <input type="checkbox"/>                      |

Source: Cotati General Plan and 2013 General Plan EIR adopted and certified on March 24, 2015; BAAQMD CEQA Guidelines, April 2022; and Air Quality and Greenhouse Gas Assessment by Illingworth and Rodkin on November 17, 2022 and update memo on November 3, 2023.

**2013 General Plan EIR Findings**

The 2013 General Plan EIR evaluated potential impacts to air quality and determined that with implementation of General Plan Policies and Actions that mitigate potential impacts, impacts to air quality would be less than significant. The following impacts to air quality were considered under the 2013 General Plan EIR:

- Impact 3.6-1: General Plan implementation could generate GHGs, either directly or indirectly, that may have a significant effect on the environment. Through the implementation of mitigating General Plan Policies CON 2.6 – CON 2.12, CON 3.1 – CON 3.6, CON 3.8 – CON 3.12, CI 1.2, CI 1.19 – CI 1.21, CI 2.1 – CI 2.3, CI 2.7 – CI 2.10, CI 2.21, CI 3.1 – CI 3.4, LU 1.4, LU 1.5, LU 2.2, LU 2.5, LU 2.10, LU 3.8, OS 1.1 – OS 1.6, OS 1.10, OS 1.11 and Actions CON 2e, CON 2f, CON 2g, CON 3a – CON 3d, CI 1q, CI 2a, CI 2i – CI 2k, CI 3a, CI 3b, LU 2b, and OS 1a – OS 1e, implementation of the General Plan would have a less than significant impact.
- Impact 3.6-2: Implementation of the General Plan would not an applicable plan, policy, or regulation adopted for the purpose of reducing the emissions of greenhouse gases. The General Plan is consistent with the CCAP and AB 32 and as new projects are required to fully implement the City’s Green Building Standards. Compliance with the City’s Green Building Standards would reduce GHG emissions from future development to the greatest extent feasible and implementation of the General Plan would have a less than significant impact.

A number of regulations currently exist related to GHG emissions, predominantly AB 32, Executive Order S-3-05, and Senate Bill (SB) 32. AB 32 sets forth a statewide GHG emissions reduction target of 1990 levels by 2020. Executive Order S-3-05 sets forth a transitional reduction target of 2000 levels by 2010, the same target as AB 32 of 1990 levels by 2020, and further builds upon the AB 32 target by requiring a reduction to 80 percent below 1990 levels by 2050. SB 32 also builds upon AB 32 and sets

forth a transitional reduction target of 40 percent below 1990 levels by 2030. To implement statewide GHG emissions reduction targets, local jurisdictions are encouraged to prepare and adopt area-specific GHG reduction plans and/or thresholds of significance for GHG emissions.

**Bay Area Management District 2022 Greenhouse Gas Thresholds**

On April 20, 2022, the BAAQMD Air District Board of Directors adopted the proposed CEQA Thresholds for Evaluating the Significance of Climate Impacts from Land Use Projects. Consistent with CEQA Guidelines Section 15064 (Determining the Significance of the Environmental Effects Caused by a Project), the thresholds are intended to assist public agencies in determining whether projects would result in a cumulatively considerable contribution to global climate change. The adopted thresholds are intended to evaluate projects based on their effect on efforts to meet the State’s long-term climate goals. As determined by the California Supreme Court in *Center for Biological Diversity v. Department of Fish & Wildlife*, a project would be considered to have a less than significant air quality impact under CEQA so long as it contributes its fair share toward achieving long-term climate goals. As such, new land use development projects are required to either (A) incorporate design elements including replacing natural gas with electric power, eliminating inefficient or wasteful energy usage, reducing project-generated VMT to the recommended 15-percent reduction below existing, and providing sufficient electric vehicle (EV) charging infrastructure to support the shift to EVs or (B) must comply with a qualified local GHG reduction strategy.

The BAAQMD uses a “fair share” approach for determining whether an individual project would have an effect on the environment. The “fair share” approach requires that projects are incorporating design elements that will reduce emissions and thus contribute toward achieving long-term climate goals to reduce emissions. These are stated as:

**Table 5.8.1: Climate Impact Thresholds of Significance (Project Level)**

| <b>Thresholds of Significance for Land Use Projects (Must Include A or B)</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |
|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <p>A. Projects must include, at a minimum, the following project design elements:</p> <ol style="list-style-type: none"> <li>1. Buildings                             <ol style="list-style-type: none"> <li>a. The project will not include natural gas appliances or natural gas plumbing (in both residential and nonresidential development).</li> <li>b. The project will not result in any wasteful, inefficient, or unnecessary energy use as determined by the analysis required under CEQA Section 21100(b)(3) and Section 15126.2(b) of the State CEQA Guidelines.</li> </ol> </li> <li>2. Transportation                             <ol style="list-style-type: none"> <li>a. The project will achieve a reduction in project-generated vehicle miles traveled (VMT) below the regional average consistent with the current version of the California Climate Change Scoping Plan (currently 15 percent) or meet a locally adopted Senate Bill 743 VMT target that reflects the recommendations provided in the Governor’s Office of Planning and Research’s Technical Advisory: Evaluating Transportation Impacts in CEQA:                                     <ol style="list-style-type: none"> <li>i. Residential projects: 15 percent below the existing VMT per capita</li> </ol> </li> </ol> </li> </ol> |

b. The project will achieve compliance with off-street electric vehicle requirements in the most recently adopted version of CALGreen Tier 2.

B. Projects must be consistent with a local GHG reduction strategy that meets the criteria under State CEQA Guidelines Section 15183.5(b).

Source: BAAQMD, 2022 CEQA Guidelines Thresholds of Significance, April 20, 2022

**Sonoma County Climate Action Plan 2020**

As presented in the Sonoma County Climate Action Plan 2020, the City of Cotati’s GHG inventory in 2010 resulted in the emission of 52,060 metric tons of CO2e per year (MT CO2e/yr) and a per capita emission level of 7.2 MT CO2e/yr. A backcast effort identified 1990 emission levels at 51,480 MT CO2e/yr and a per capita emission level of 9.0 MT CO2e/yr. **Table 5.8.2** presented below provides the forecast emission levels for the City of Cotati.

**Table 5.8.2: GHG Emission Forecasts**

|                      | <b>2020 Forecast</b> | <b>2040 Forecast</b> | <b>2050 Forecast</b> |
|----------------------|----------------------|----------------------|----------------------|
| Total Emissions      | 61,350               | 68,980               | 70,900               |
| Per Capita Emissions | 7.9                  | 7.8                  | 7.5                  |

Source: Sonoma County Climate Action Plan 2020 Table 5.2-3 Cotati Community.

The City of Cotati will achieve GHG reduction targets through a combination of state, regional and local measures. At the state level, fuel efficiency standards, Title 24 building standards, low carbon fuel standard, and RPS are estimated to achieve a GHG reduction of 13,710 MTCO2e by 2020. Regional efforts are projected to achieve a GHG reduction of 4,070 MTCO2e through activities carried out by the Regional Climate Protection Authority, Sonoma Water , County of Sonoma Energy Independence Office, Sonoma County Transportation Authority, and Sonoma Clean Power. Locally, the City of Cotati is expected to realize a GHG reduction of 1,550 MTCO2e through implementation of Measure 11-L1 (Senate Bill SB X7-7 – Water Conservation Act of 2009), Measure 2-L4 (Solar in Existing Non-Residential Buildings), and Measure 2-L1 (Solar in New Residential Development).

On March 27, 2018, the Cotati City Council adopted Resolution 2018-15 reaffirming its intent to reduce GHG emissions as part of a coordinated effort through the Sonoma County Regional Climate Protection Authority.

**Project Consistency with 2013 General Plan EIR**

**5.8(a) (Greenhouse Gas Generation) – No Substantial Change Relative to the General Plan EIR**

Construction GHG emissions are short-term and will cease once construction is complete. As stated in Section 5.3 Air Quality of this document, **COA AQ-1 and AQ-2** are imposed on the project and are consistent with the BAAQMD and 2013 General Plan Policies and as conditioned and the Project would not result in a new significant impact or substantially increase the severity of a previously identified significant impact relative to the 2013 General Plan EIR.

As discussed above in Section 5.6 Energy, the Project is subject to the California Building Code and CalGreen Energy Code. The City has adopted Tier 1 voluntary measures of CalGreen which are

required for all new construction. As determined in the Energy section, the Project would not result in any wasteful, inefficient, or unnecessary energy.

As described above, BAAQMD requires the implementation of specific project design elements in order to be considered below the threshold of significance. The project's incorporation of these design elements are as follows:

1. The Project will not include natural gas appliances or natural gas.
2. Through the implementation of COA AQ-1 and AQ-2 and the application of the uniformly applied standards of CALGreen Tier 1 Building Standards as adopted by the City of Cotati, the project will be energy efficient and will not result in any wasteful or unnecessary energy usage.
3. A Traffic Impact Analysis conducted by W-Trans on June 15, 2023 concluded that the project will have a VMT rate (14.2) below the threshold of significance (15.5).
4. The Project will provide EV parking spaces as required by Cotati Municipal Code 14.04.130 to meet the CalGreen Tier 2 requirements for including EV charging infrastructure.

As designed, conditioned, and through the application of the uniformly applied standards in the City of Cotati Building Code the project is below the threshold of significance for land use projects as established by BAAQMD. As conditioned, the Project will not result in a new significant impact or substantially increase the severity of a previously identified significant impact to greenhouse gas emissions relative to the 2013 General Plan EIR.

#### **5.8(b) (Conflict with Plans) – No Substantial Change Relative to the General Plan EIR**

The Project will construct residential units and commercial floor area on a site that is planned for such uses under the General Plan. The proposed Project is consistent with applicable local plans, policies, and regulation related to GHG emissions and does not conflict with the stipulations of AB 32, the applicable air quality plan, or any other State or regional plan, policy, or regulation of an agency for the purpose of reducing greenhouse gas emissions.

The Project is consistent with applicable local plans, policies, and BAAQMD regulation related to GHG emissions and as designed and as conditioned by **COA AQ-1** and **COA AQ-2**, and does not conflict with an applicable air quality plan, or any other State or regional plan, policy, or regulation of an agency for the purpose of reducing greenhouse gas emissions. As conditioned, the Project will not result in a new significant impact or substantially increase the severity of a previously identified significant impact relative to the 2013 General Plan EIR.

#### **2013 General Plan EIR Mitigating Policies and Actions**

**Policy CON 3.1:** Continue to require all new public and privately constructed buildings to meet and comply with CALGreen Tier 1 standards.

**Action CON 3a:** Continue to review development projects to ensure that all new public and privately development complies with CALGreen Tier 1 standards as well as the energy efficiency standards established by the General Plan and Land Use Code.

**Status:** The Project is subject to the uniformly applied standards of CALGreen Tier 1 which will be reviewed and confirmed prior to issuance of a building permit. As such, the Project is consistent with this policy.



**Policy CON 3.3:** Promote the use of alternative energy sources in new development.

**Status:** The uniformly applied standards of the California Building Code requires that all new construction includes solar panels. As such, the Project is consistent with this policy.

**Policy CON 3.6:** Ensure that street layout and design minimizes the use of pavement to the greatest extent feasible in order to reduce cooling energy needs.

**Status:** The Project does not propose any additional paving other than that which is necessary for roads, sidewalks, common areas, and parking. As such, the proposed Project is consistent with this policy.

**Policy CON 3.10:** Ensure that the layout and design of new development and significant remodels encourages the use of transportation modes other than automobiles and trucks.

**Policy LU 2.5:** Locate medium and higher density housing within easy walking or bicycling distance of public facilities, services, transit, and major employers.

**Status:** The Project proposes the development of higher density housing and includes the construction of a Class I Multiuse Path at the SR-116 frontage and bicycle parking within the site as well as an internal network of bike and pedestrian pathways. An existing bus stop is located at the corner of Alder Ave and SR-116 as well as at the intersection of Redwood Dr. and SR-116. As such, the project is consistent with Policies CON 3.10 and LU 2.5.

**Policy OS 1.10:** Require residential development, with the exception of rural and low density residential, to be contiguous to existing urban development.

**Status:** The Project is located on a site that has been planned for urban development. Existing urban development includes the Cotati Commons residential development to the north, retail uses to the west, as well as other commercial uses on the south side of SR-116.

**Action CON 2e:** Continue to review new development, significant remodels, and infrastructure projects for consistency with the Sonoma County Community Climate Action Plan and Greenhouse Gas Reduction and Implementation Plan (GRIP).

**Status:** The Proposed Project is subject to Measure 11-L1 (Senate Bill SB X7-7 – Water Conservation Act of 2009) and Measure 2-L1 (Solar in New Residential Development) which are identified to reduce the City of Cotati's greenhouse gas emissions in the Climate Action Plan. As the Project shall comply with water conservation and solar energy installation requirements, the Project is consistent with Policy OS 1.10 and Action CON 2e.

As conditioned, the proposed Project is consistent with the applicable mitigating policies and actions of the 2013 General Plan and will not result in a new significant impact or substantially increase the severity of a previously identified significant impact relative to the 2013 General Plan EIR.

**Conclusion and Environmental Conditions of Approval:**

The Project is within the scope of development projected under the General Plan and as conditioned will not result in any substantial new or more severe impacts to Greenhouse Gas Emissions relative to what was identified in the 2013 General Plan EIR. Furthermore, there are no circumstances peculiar

to the Project site and there have been no substantial changes in environmental circumstances that would result in new or more severe significant environmental effects than were identified and evaluated in the 2013 General Plan EIR. **COA AQ-1** and **AQ-2** will implement the 2013 General Plan EIR mitigating policies and actions.

**5.9. HAZARDS/HAZARDOUS MATERIALS**

| <b>Would The Project:</b>                                                                                                                                                                                                                                                           | <b>New<br/>Significant<br/>Impact<br/>Relative to<br/>General<br/>Plan EIR</b> | <b>More<br/>Severe<br/>Impact<br/>Relative to<br/>General<br/>Plan EIR</b> | <b>No<br/>Substantial<br/>Change<br/>Relative to<br/>General<br/>Plan EIR</b> | <b>No Change<br/>Relative to<br/>General<br/>Plan EIR</b> |
|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------|----------------------------------------------------------------------------|-------------------------------------------------------------------------------|-----------------------------------------------------------|
| a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?                                                                                                                                             | <input type="checkbox"/>                                                       | <input type="checkbox"/>                                                   | <input checked="" type="checkbox"/>                                           | <input type="checkbox"/>                                  |
| 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?                                                                                     | <input type="checkbox"/>                                                       | <input type="checkbox"/>                                                   | <input checked="" type="checkbox"/>                                           | <input type="checkbox"/>                                  |
| c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?                                                                                                                     | <input type="checkbox"/>                                                       | <input type="checkbox"/>                                                   | <input checked="" type="checkbox"/>                                           | <input type="checkbox"/>                                  |
| d) Be located on a site that is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would create a significant hazard to the public or the environment?                                                          | <input type="checkbox"/>                                                       | <input type="checkbox"/>                                                   | <input type="checkbox"/>                                                      | <input checked="" type="checkbox"/>                       |
| 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 of public use airport, would the project result in a safety hazard or excessive noise for people residing or working in the project area? | <input type="checkbox"/>                                                       | <input type="checkbox"/>                                                   | <input type="checkbox"/>                                                      | <input checked="" type="checkbox"/>                       |
| f) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?                                                                                                                                                           | <input type="checkbox"/>                                                       | <input type="checkbox"/>                                                   | <input type="checkbox"/>                                                      | <input checked="" type="checkbox"/>                       |

g) Expose people or structures, either directly or indirectly, to a significant risk of loss, injury or death involving wildland fires?



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Source: Cotati General Plan and 2013 General Plan EIR adopted and certified on March 24, 2015; Health and Safety Code Section 25501(n)(1); Sonoma County Multijurisdictional Hazard Mitigation Plan Update 2021, prepared by Tetra Tech Consultants for Permit Sonoma, October 2021; Phase I Environmental Site Assessment prepared by Property Solutions Inc, 2011; Draft Stormwater Control Plan prepared by MFKessler on October 14, 2022 and revised on December 18, 2023; and Phase I Environmental Site Assessment West Cotati Avenue Alignment Project, Cotati, CA prepared by Harris and Lee Environmental Science, LLC on July 12, 2023; GeoTracker, managed by the State Water Resources Control Board, accessed September 2023; and EnviroStor, managed by the Department of Toxic Substances Control, accessed September 2023; Memorandum from Rancho Adobe Fire Protection District prepared on August 15, 2023 and reaffirmed on September 11, 2023; Public Works/Engineering Conditions of Approval prepared on September 27, 2023, and City of Cotati Municipal Code.

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### 2013 General Plan EIR Findings

The 2013 General Plan EIR evaluated potential impacts related to hazards and hazardous materials and determined that with implementation of General Plan Policies and Actions that mitigate potential impacts, impacts would be less than significant. The following impacts related to hazards and hazardous materials were considered under the 2013 General Plan EIR:

- Impact 3.7-1: The General Plan has the potential to create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials, or through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment. Through the implementation of mitigating General Plan Policies CSF 3.7, CSF 3.8, SA 1.1 – SA 1.7 and Actions CSF 3d, SA 1a – SA 1i, implementation of the General Plan would have a less than significant impact.
- Impact 3.7-2: The General Plan has the potential to emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school. Through compliance with all existing regulations and hazard mitigation plans as well as the implementation of mitigating General Policies CSF 3.7, CSF 3.8, SA 1.1 – SA 1.7 and Actions CSF 3d, SA 1a – SA 1i, implementation of the General Plan would have a less than significant impact
- Impact 3.7-3: The General Plan has the potential to have projects located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5. Through Compliance with state and federal regulations and the implementation of mitigating General Plan Policies CSF 3.7, CSF 3.8, SA 1.5, SA 1.7, SA 1.9 and Actions CSF 3d, implementation of the General Plan would have a less than significant impact.
- Impact 3.7-4: The General Plan is not located within an airport land use plan, two miles of a public airport or public use airport, or within the vicinity of a private airstrip, and would not result in a safety hazard for people residing or working in the project area. The City of Cotati does not have any airport facilities located within the city limits, sphere of influence, of urban growth boundary. The City of Cotati does not lie within the Runway Protection Zone, Inner/Outer Safety Zones, Inner Turning Zone, Sideline Safety Zone, or Traffic Pattern Zone for

this airport. According to the National Transportation Safety Board Aviation Accident Database, there have been no accidents within the City of Cotati between January of 1950 to January 2014. Therefore, implementation of the General Plan would have a less than significant impact.

- Impact 3.7-5: The General Plan does not have the potential to impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan. Through the implementation of mitigating General Plan Policies SA 1.1 – SA 1.6 and Actions SA 1a – SA 1i, implementation of the General Plan would have a less than significant impact.
- Impact 3.7-6: The General Plan does not have the potential to 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. Through the implementation of mitigating General Plan Policies CSF 2.28 – 2.32, CSF 2.36, SA 1.1 – SA 1.7 and Actions CSF 2o, CSF 2p, SA 1a, and SA 1d, implementation of the General Plan would have a less than significant impact.

### **Sonoma County Hazard Mitigation Plan**

On September 28, 2021, the City Council of the City of Cotati adopted the Sonoma County Multijurisdictional Hazard Mitigation Plan to guide pre- and post-disaster mitigation of identified hazards. The plan includes actions to mitigate current risk from hazards and changes in hazard impacts resulting from climate change. Through the County-wide plan, the City will coordinate strategies for hazard mitigation with other planning programs under its jurisdiction, as well as promote and support the mitigation strategies of all County partners.

### **Project Consistency with the 2013 General Plan EIR**

#### **5.9(a-b) (Routine Transport, Use, Disposal, or Release of Hazardous Materials) – No Substantial Change Relative to the General Plan EIR**

The 2013 General Plan EIR concluded that implementation of the General Plan would result in less than a significant impact relative to the use, storage, and transport of hazardous materials, that accidental release could constitute a hazard to the public or the environment.

The Project would not include routine transport and management of hazardous materials in ongoing operations. Development consists primarily of new residential units with no hazardous materials management associated with the use. The Project proposes commercial ground floor space. No specific uses have been identified for the spaces; however, based on the design and location, the spaces would most likely be oriented to resident-serving and light commercial uses (e.g., retail, restaurant, offices, and commercial services) as opposed to uses that may be more industrial in nature. Where a proposed future business may involve use, storage, handling, or transportation of hazardous materials, such business is subject to City review prior to issuance of a business license and would be required to comply with all existing federal, state, and local safety regulations governing hazardous materials.

Construction activities of the subject Project may result in the temporary presence of potentially hazardous materials including, but not limited to, fuels and lubricants, paints, solvents, insulation, electrical wiring, and other construction related materials onsite. Although potentially hazardous

materials may be present onsite during construction, the Project is required to comply with all existing federal, state, and local safety regulations governing the transportation, use, handling, storage, and disposal of potentially hazardous materials.

Additionally, applicable regulations include the preparation of a Storm Water Pollution Prevention Plan (SWPPP) approved by the Regional Water Quality Control Board prior to construction. **COA HYD-1** requires that the applicant receive approval of the SWPPP prior to commencing site preparation, grading or construction. Additionally, Public Works/Engineering Project Conditions of Approval include requirements that Notice of Intent be submitted to the North Coast Regional Water Quality Control Board for a General Construction Activity Stormwater Permit. Additionally Public Works/Engineering requires that the project comply with the condition that if hazardous waste is encountered during the construction of the project all work shall be stopped immediately and the Sonoma County Environmental Health Department, the Fire District the Police Department, and the City Inspector notified. Work shall not proceed until clearance has been issued by all of these agencies. Compliance with standard Public Works and Engineering conditions of approval ensures that the project consistency with General Plan polices related to hazardous materials.

Accordingly, impacts of hazards to the public or the environment through the routine transport, use, or disposal of hazardous materials from the proposed Project would not exceed those analyzed in the 2013 General Plan EIR. As conditioned, the Project will not result in a new significant impact or substantially increase the severity of a previously identified significant impact to routine transport, use, disposal, or release of hazardous materials relative to the 2013 General Plan EIR.

**5.9(c) (Emit Hazardous Materials within ¼ Mile of an School Sites) – No Change Relative to the General Plan EIR**

The 2013 General Plan EIR concluded that the implementation of the General Plan would result in a less than significant impact due to the release and exposure of hazardous material onto school sites.

The nearest school to the Project site, Thomas Page Academy, is located approximately 0.25 miles southwest. However, there are no activities associated with the proposed Project that would pose a threat to nearby schools from the release or handling of hazardous materials. Through the implementation of applicable state and local regulations, the Project will not result in accidental exposure related to the handling of hazardous materials or result in any increased risk of exposure to existing schools. Therefore, the Project will not result in a new significant impact or substantially increase the severity of a previously identified significant impact relative to the 2013 General Plan EIR.

**5.9(d) (Existing Hazardous Materials Sites) – No Change Relative to the General Plan EIR**

The 2013 General Plan EIR found six sites that were on a list of hazards materials sites, however the cases were in various stages of clean up and the Project site is not listed as a site that has or had an open case. A review of available records, databases (EnviroStor and GeoTracker) and reports indicate the Project is not located on a hazardous materials sites. The nearest voluntary cleanup site under EnviroStor is the Cotati Rod and Gun Club, located approximately 1 mile west of the Project site. The Project site is not identified as a Leaking Underground Storage Tank (LUST) Cleanup Site or Cleanup Program Site under Geotracker. Two sites with records of prior hazardous materials cleanup in Geotracker have been identified in the vicinity, both on SR-116 west of the Alder Avenue intersection. However, cleanup has been completed and the cases have been closed: the LUST cleanup listed at 8155 Gravenstein Highway for H-G Equipment, Inc (T0609700032) was closed in 1998 and the Cleanup

Program Site for Minatta Transportation Co.(T0609793444) was closed in 1999. Additionally, a Phase I Environmental Site Assessment evaluated the site for potential hazardous materials contamination and found no evidence of recognized environmental conditions<sup>7</sup> in connection to the property **(Appendix I)**.

Further, A Phase I Environmental Site Assessment was conducted by Harris and Lee Environmental Sciences, LLC and a report prepared on July 12, 2023. The ESA included an evaluation of the portion of the site where frontage improvements are required. Due to long term road use on SR-116, aerially deposited lead (ADL) may be present on the areas of the site subject to frontage improvements. The construction of which will include grading and trenching as well as repaving. During this work, soils that potentially contain ADLs and petroleum hydrocarbons may be disturbed. In order to ensure that no hazardous materials are released into the environment during the construction of the Project, **COA HAZ-1** requires a Lead Compliance Plan (LCP), a Soil Management Plan (SMP), and a Health and Safety Plan (HASP) be prepared in compliance with Caltrans guidelines prior to construction. The plan shall include sampling and analyzing soil for lead and petroleum hydrocarbons, appropriate disposal of any hazardous materials, and health and safety protections for workers handling contaminated soils.

As conditioned, the Project will not result in a new significant impact or substantially increase the severity of a previously identified significant impact relative to the 2013 General Plan EIR.

#### **5.9(e) (Public Airport Land Use Plans) – No Change Relative to the General Plan EIR**

The General Plan is not located within an airport land use plan, two miles of a public airport or public use airport, or within the vicinity of a private airstrip, and would not result in a safety hazard for people residing or working in the project area. As such, the Project will not result in a new significant impact or substantially increase the severity of a previously identified significant impact relative to the 2013 General Plan EIR.

#### **5.9(f-g) (Emergency Response and Wildland Fire) – No Change Relative to the General Plan EIR**

The Project is within the projected development under the General Plan and does not interfere with emergency response and evacuation plans. The Rancho Adobe Fire District (RAFD) has reviewed the proposed site plan and did not indicate issues with emergency response and access in connection to site design. The project design includes emergency vehicle access and will undergo final review and permitting by the RAFD to confirm compliance with uniformly applied emergency vehicle access requirements prior to issuance of a building permit. The Project site is located outside of local and State fire hazard severity zones and through the application of uniformly applied standards would not expose people or structures to significant wildfire risks.

#### **2013 General Plan EIR Mitigating Policies and Actions**

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<sup>7</sup> Recognized Environmental Conditions - the presence or likely presence of any hazardous substances or petroleum products on a property under conditions that indicate an existing release, a past release, or a material threat of a release of any hazardous substances or petroleum products into structures on the property or into the ground, ground water, or surface water of the property. The term includes hazardous substances or petroleum products even under conditions in compliance with laws (Phase I Environmental Assessment prepared by Property Solutions, Inc),

**Policy CSF 3.7:** Continue to coordinate with Sonoma County to require all businesses and residents to comply with the local and State requirements regarding the proper disposal of toxic and hazardous materials and waste.

**Status:** The construction phase of the Project may involve use and handling of hazardous materials as part of construction. In compliance with Policy CSF 3.7, Through the application of uniform standards applied during the building permitting process, the project must comply with all local, State, and federal regulatory standards applicable to management of hazardous materials associated with the Project and to obtain any necessary approvals from Sonoma County. As conditioned, the Project complies with Policy CSF 3.7.

**Conclusion and Environmental Conditions of Approval:**

The uniformly applied laws for the handling of hazardous materials as well as the Project conditions ensure that the Project is consistent with federal, state, and local regulations for the treatment of hazardous materials as identified in the 2013 General Plan EIR. The Project is within the scope of development projected under the General Plan and will not result in any substantial new or more severe impacts related to hazards and hazardous materials relative to what was identified in the 2013 General Plan EIR. Furthermore, there are no circumstances peculiar to the Project site and there have been no substantial changes in environmental circumstances that would result in new or more severe significant environmental effects than were identified and evaluated in the 2013 General Plan EIR. The following environmental condition of approval are required to implement the 2013 General Plan EIR mitigating policies and actions:

**HAZ-1:** Prior to construction, the Applicant shall prepare a Lead Compliance Plan and a Soil Management Plan in compliance with current Caltrans guidelines, and a worker Health and Safety Plan. The plans shall address:

- Sampling and analysis of soils prior to earth-moving work
- transportation and disposal of any contaminated soil in compliance with state and federal law
- worker health and safety during the handling of potentially hazardous soils



**5.10. HYDROLOGY AND WATER QUALITY**

| <b>Would The Project:</b>                                                                                                                                                                                              | <b>New Significant Impact Relative to General Plan EIR</b> | <b>More Severe Impact Relative to General Plan EIR</b> | <b>No Substantial Change Relative to General Plan EIR</b> | <b>No Change Relative to General Plan EIR</b> |
|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------|--------------------------------------------------------|-----------------------------------------------------------|-----------------------------------------------|
| a) Violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or ground water quality?                                                                             | <input type="checkbox"/>                                   | <input type="checkbox"/>                               | <input checked="" type="checkbox"/>                       | <input type="checkbox"/>                      |
| b) Substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the project may impede sustainable groundwater management of the basin?                                  | <input type="checkbox"/>                                   | <input type="checkbox"/>                               | <input checked="" type="checkbox"/>                       | <input type="checkbox"/>                      |
| c) Substantially alter the existing drainage pattern on the site or area, including through the alteration of the course of a stream or river or through the addition of impervious surfaces, in a manner which would: | <input type="checkbox"/>                                   | <input type="checkbox"/>                               | <input checked="" type="checkbox"/>                       | <input type="checkbox"/>                      |
| i. result in substantial erosion or siltation on- or off-site;                                                                                                                                                         | <input type="checkbox"/>                                   | <input type="checkbox"/>                               | <input checked="" type="checkbox"/>                       | <input type="checkbox"/>                      |
| ii. substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or offsite;                                                                                             | <input type="checkbox"/>                                   | <input type="checkbox"/>                               | <input checked="" type="checkbox"/>                       | <input type="checkbox"/>                      |
| iii. 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; or                             | <input type="checkbox"/>                                   | <input type="checkbox"/>                               | <input checked="" type="checkbox"/>                       | <input type="checkbox"/>                      |
| iv. impede or redirect flood flows?                                                                                                                                                                                    | <input type="checkbox"/>                                   | <input type="checkbox"/>                               | <input checked="" type="checkbox"/>                       | <input type="checkbox"/>                      |
| d) In flood hazard, tsunami, or seiche zones, risk release of pollutants due to project inundation?                                                                                                                    | <input type="checkbox"/>                                   | <input type="checkbox"/>                               | <input type="checkbox"/>                                  | <input checked="" type="checkbox"/>           |
| e) Conflict with or obstruct implementation of a water quality control                                                                                                                                                 | <input type="checkbox"/>                                   | <input type="checkbox"/>                               | <input checked="" type="checkbox"/>                       | <input type="checkbox"/>                      |

plan or sustainable groundwater management plan?

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Source: Cotati General Plan and 2013 General Plan EIR adopted and certified on March 24, 2015; Groundwater Sustainability Plan for the Santa Rosa Plain Subbasin prepared by Sonoma Water and approved on January 26, 2023; Public Works/Engineering Conditions of Approval prepared on September 27, 2023; and Preliminary Hydrology Study for Cotati Village Community prepared by MF Kessler in December, 2023; and Stormwater Control Plan for Cotati Village Community prepared by Ali Monshizadeh on October 14, 2022 and revised on December 18, 2023.

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### **2013 General Plan EIR Findings**

The 2013 General Plan EIR evaluated the potential impacts related to hydrology and water quality in Chapter 3.8 and determined the following.

- Impact 3.8.1 – Implementation of the General Plan could result in a violation of water quality standards or waste discharge requirements. Through the implementation of the mitigating Policies CON 1.8 – CON 1.14 and Actions CON 1f – CON 1k, and the requirements of the NPDES Phase 1 MS4 permit and the LID Manual requirements, implementation of the General Plan would have a less than significant impact.
- Impact 3.8.2 – Implementation of the General Plan could contribute to the depletion of groundwater supplies or interfere substantially with groundwater recharge. Through the implementation of the mitigating General Plan Policies CSF 2.1- CSF 2.15 and Actions CSF 2a - CSF 2g , combined with the City continuing to obtain surface water from the Russian River and reducing the consumption of groundwater, implementation of the General Plan would have a less than significant impact.
- Impact 3.8.3 – Implementation of the General Plan could alter the existing drainage pattern in a manner which would result in substantial erosion, siltation, flooding, or polluted runoff. Through the implementation of the mitigating General Plan Policies CON 1.1 , CON 1.2, CON 1.7 – CON 1.14, SA 3.1 – 3.13, Actions CON 1f – CON 1k, SA 3a – 3h, and compliance with state and local regulations, implementation of the General Plan would have a less than significant impact.
- Impact 3.8.4 – Implementation of the General Plan could otherwise substantially degrade water quality. Through the implementation of the mitigating General Plan Policies CON 1.8 – CON 1.14, Actions CON 1f – CON 1k, and compliance with state and local regulations, implementation of the General Plan would have a less than significant impact.
- Impact 3.8.5 – General Plan implementation could place housing and structures 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. Through the implementation of the mitigating General Plan Policies SA 3.1 – SA 3.13, Actions SA 3a – 3h, and compliance with state and local regulations, implementation of the General Plan would have a less than significant impact.
- Impact 3.8.6 – Implementation of the General Plan Update would not expose people or structures to a significant risk of loss, injury, or death involving flooding as a result of failure

of a levee or dam, seiche, tsunami, or mudflow. There are no levees or dams upriver from the City of Cotati and it is not located within the vicinity of a body of water that could be subject to a seiche or tsunami. The relatively level slopes and soil types throughout the City of Cotati result in a very low potential for mudflow. Therefore, implementation of the General Plan would result in a less than significant impact.

The 2013 General Plan EIR found that with the implementation of mitigating General plan Policies CON 1.1, CON 1.2, CON 1.7 – CON 1.14, CSF 2.1-2.15, SA 3.1- SA 3.13 and Actions CON 1f-1k, CSF 2a-2g, SA 3a-3h as well as through the application of applicable state and local regulation, impacts to hydrology and water quality were less than significant.

### **Stormwater Regulation**

The State Water Resources Control Board (SWRCB) is responsible for implementing the Clean Water Act (CWA) and has issued a statewide General Permit for construction, which acts to minimize pollutant runoff to surface waters and groundwater. The City of Cotati is mostly located within the North Coast Hydrologic Region, which manages the Russian River watershed, and a portion of the southern part of the city drains to San Pablo Bay by the Petaluma River and is managed as a part of the San Francisco Bay Hydrologic Region. Within the city, there are two hydrologic subareas, the Upper Laguna de Santa Rosa Subarea (Russian River) and the Petaluma River Subarea (San Pablo). Cotati has joined with other permittees in the Santa Rosa Plain under a Phase 1 NPDES permit (Water Quality Order No. R1-2009-0050) (NPDES No. CA0025054) which imposes requirements on municipalities to mitigate for stormwater quality and quantity and provides the Santa Rosa Storm Water Low Impact Development Technical Design Manual (LID Manual) as guidance.

### **Project Consistency with the 2013 General Plan EIR**

#### **5.10(a) (Discharge) – No Substantial Change Relative to the General Plan EIR**

The Project's construction activities and the installation of new impervious areas have the potential to result in increased runoff that could contain sediment and other pollutants that could degrade water quality if not properly controlled. Sources of potential pollution associated with construction include fuel, grease, oil and other fluids, concrete material, sediment, and litter. These pollutants have the potential to degrade water quality if not properly managed. However, as concluded in the 2013 General Plan EIR, the NPDES requirements, including the preparation and implementation of a Storm Water Pollution Prevention Plan (SWPPP) and compliance with the RWQCB Order No. R1-2009-0045, Waste Discharge Requirements minimize the impacts from future development. The purpose of the SWPPP is to identify potential sediment sources and other pollutants and prescribe BMPs to ensure that potential adverse erosion, siltation, and contamination impacts would not occur during construction activities.

The proposed Project is required to conform to Chapter 13.68 of the Cotati Municipal Code, which regulates storm water discharge and Chapter 14.36 of the Municipal Code, which contains grading and erosion control requirements. A preliminary Stormwater Control Plan that includes BMPs and Low Impact Design Strategies was prepared for the Project (Appendix K).

To comply with the 2013 General Plan EIR Policy CON 1.12 and Policy SA 3.13, **COA HYD-1** requires that the applicant have a SWPPP approved by the City's Engineer prior to commencing site demolition or construction. Public Works/Engineering Conditions of Approval also require that the SWPPP be approved by the North Coast Regional Water Quality Control Board (NCRWQCB), that Project design

and construction meet the most recent edition of City of Cotati, Phase I MS4 permit and the City of Santa Rosa Low Impact Development (LID) Technical Design Manual, and that prior to approval of the improvement plans, the applicant shall submit a Final Storm Water Low Impact Development Plan (FSWLID) subject to review and approval by the City Engineer. The FSWLID is required to include post-construction storm water treatment and peak reduction measures and address maintenance of private and/or public storm water facilities. The FSWLID is required to be approved by the City Engineer prior to issuance of the grading permit.

As conditioned, the Project will not result in a new significant impact or substantially increase the severity of a previously identified significant impacts to stormwater discharge relative to the 2013 General Plan EIR.

#### **5.10(b) (Groundwater) – No Substantial Change Relative to the General Plan EIR**

Buildout of the Cotati General Plan would result in the introduction of new impervious surfaces that could potentially reduce rainwater infiltration and groundwater recharge. However, the General Plan EIR determined that impacts would be minimal in urban areas since the net change in impervious surfaces would be negligible. The 2013 General Plan EIR further determined that development anticipated under the General Plan would result in less than significant impact due to the depletion of ground water supplies or interference with groundwater recharge. The City has established maximum groundwater extraction volume policies that reduce the drawdown of groundwater and is not expanding use of groundwater supplies.

The State of California adopted the Sustainable Groundwater Management Act (SGMA) in 2014 which called for the creation of local Groundwater Sustainability Agencies (GSA) to develop and implement Groundwater Sustainability Plans for the long-term management of groundwater resources. The Santa Rosa Plain GSA was formed through a joint powers authority (JPA) between the cities of Cotati, Rohnert Park, Santa Rosa, and Sebastopol, Town of Windsor, County of Sonoma, Sonoma Water, Gold Ridge Resource Conservation District, and Sonoma Resource Conservation District (Sonoma RCD) and has a participation agreement with mutual water companies and CPUC-regulated water corporations that allows for participation in the GSA. The Groundwater Sustainability Plan (GSP) for the Santa Rosa Plain Subbasin was approved by the California Department of Water Resources (DWR) on January 26, 2023. It establishes a standard for sustainability of groundwater management and use and determines how the basin will achieve this standard by 2042.

The Project proposes to rely exclusively on municipal water supplies and does not propose the extraction or use of groundwater. Furthermore, the Project is required to comply with guidance from the Bay Area Stormwater Management Agencies Association (BASMAA) Post-Construction Manual, including low impact development strategies and best management practices in site design to mimic pre-project site hydrology as required by COA HYD-2. As conditioned, the Project will not result in a new significant impact or substantially increase the severity of a previously identified significant impact relative to the 2013 General Plan EIR.

#### **5.10(c i-iv) (Drainage Pattern) – No Change Relative to the General Plan EIR**

The 2013 General Plan EIR determined that impacts due to increase in impervious surfaces and alteration of drainage conditions, as they relate to erosion, runoff, and drainage flow would be less than significant with General Plan policies and mitigation. Implementation of General Plan policies, Municipal Code, and applicable provisions of the City's MS4 permit were identified as measures that

would reduce impacts to less than significant levels. The Project will comply with these requirements and is subject to **COA HYD-1**. The site design would also implement best practices for low impact development to mimic pre-project site hydrology through **COA HYD-2**. The Public Works/Engineering conditions require City Engineer approvals of stormwater management, on-site drain facilities, grading, and any drainage improvements.

The City is served by an existing storm drain system, and the City Engineering Division confirms infrastructure capacity for new developments. As new development has the potential to incrementally increase the use of storm drains, the City has established development impact fees levied on new developments to contribute to any needed new or expanded infrastructure. Payment of development impact fees, as well as review of final drainage plans for compliance with uniformly applied standards, is a requirement in the building permit process. Development impacts fees are used to maintain and build out the city's storm drain system as planned. The Project includes a preliminary plan for onsite infiltration and connection to the storm drain system. To ensure compliance with the 2013 General Plan EIR Policy CON 1.12, SA 3.2, and SA 3.3, **COA HYD-2** requires the applicant to submit final drainage plans for final review and approval of construction plans to the City Engineer prior to issuance of the building permit. The plans shall include onsite storm drain infrastructure with connections to the existing storm drain system and shall pay any required development impact fees. As conditioned, and through the application of uniformly applied standards, the Project will not result in a new significant impact or substantially increase the severity of a previously identified significant impact relative to the 2013 General Plan EIR.

#### **5.10(d) (Pollutants in Flood Hazard, Tsunami, or Seiche Zones) – No Change Relative to the General Plan EIR**

The City of Cotati is subject to flooding of the Laguna de Santa Rosa and Cotati creeks and implementation of the General Plan could result in the flooding of development in these areas. As shown in Figure 3.8-1: Watersheds of the 2013 General Plan EIR, the Project site is not located near any streams or rivers that could be directly impacted by the proposed Project. As shown in Figure 3.8-2: Flood Hazard Map of the 2013 General Plan EIR, the Project site is located within the 500-year floodplain, a low to moderate flood hazard area; therefore, the Project would not place housing within a flood hazard area. Therefore, the Project will not result in a new significant impact or substantially increase the severity of a previously identified significant impact relative to the 2013 General Plan EIR.

#### **5.10(e) (Conflict with Water Quality Control Plan or Sustainable Groundwater Management Plan) – No Change Relative to the General Plan EIR**

The 2013 General Plan EIR determined that new development would be required to adhere to pertinent local, state, and federal agency requirements, and that with mitigation measure SA 3.2 and compliance with water quality regulation including NPDES requirements, potential impacts to water quality would be reduced to less than significant levels.

The Project would meet this requirement through compliance with procedures under Chapters 13.68 and 14.36 of the Municipal Code. **COA HYD-1** and **HYD-2** requires implementation of pertinent local, state, and federal agency requirements, including the Cotati Municipal Code, and ensures the Project would not conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan. Therefore, the Project will not result in a new significant impact or substantially increase the severity of a previously identified significant impact relative to the 2013 General Plan EIR.

### **2013 General Plan EIR Mitigating Policies and Actions**

**Policy CON 1.12:** Require discretionary projects, as well as new flood control and stormwater conveyance projects, to integrate best management practices (BMPs) and natural features to the greatest extent feasible, while ensuring that these features adequately convey and control stormwater to protect human health, safety, and welfare.

**Status:** The Project is subject to the regulations of the Regional Water Quality Control Board and as a project that is larger than one acre is required to prepare a Storm Water Pollution Prevention Plan (SWPPP), comply with the RWQCB Order No. R1-2009-0045 Waste Discharge Requirements, implement BMPs, and comply with the City's Municipal Code Chapter 13.68 which regulates storm water discharge, as well as Chapter 14.36, which regulates erosion and sediment control. A preliminary storm water control plan has been prepared and **COA HYD-1** requires submittal of final plans and acceptance by the City Engineer to ensure incorporation of regulations into Project construction and operation. As conditioned, the Project is consistent with this policy.

**Policy CON 1.13:** Prioritize the use of natural features such as bioswales, vegetation, retention ponds, and other measures to remove surface water pollutants prior to discharge into surface waters.

**Status:** The Project is designed to include a series of bioswales and bioretention areas that will remove surface water pollutants prior to entering into storm drains and as such complies with Policy CON 1.13.

**Policy SA 3.2:** Require all development projects to demonstrate how storm water runoff will be detained or retained on-site and/or conveyed to the nearest drainage facility as part of the development review process. Project applicants shall demonstrate that project implementation would comply with all applicable provisions of the City's MS4 permit and companion documents, which collectively define the design storm event for water detention and retention features.

**Policy SA 3.3:** Ensure that construction activities will not result in adverse impacts to existing flood control and drainage structures.

**Status:** The proposed Project includes the use of bioretention facilities that will treat stormwater on site and storm drain lines that connect to the existing storm drain system. As new development has the potential to incrementally increase the use of storm drains, the City has established development impact fees levied on new developments to contribute to any needed new or expanded infrastructure. The City Engineering Division reviews preliminary plans as well as final construction plans to assess infrastructure capacity for new developments and application of best practices for low impact development to manage runoff. The implementation of **COA HYD-2** ensures that the Project complies with Policies SA 3.2 and SA 3.3.

**Policy SA 3.12:** Require all new developments in the city to be designed to minimize vegetation removal, soil compaction, and site coverage.

**Status:** In order to develop the vacant site, removal of vegetation and soil compaction is required. The site is dominated by ruderal vegetation and scattered trees. The landscaping plan includes the preservation of six heritage oak trees within the central portion of the Project site as well preservation

of existing street trees located along Alder Avenue. Compaction and treatment of expansive soils would be conducted in accordance with the recommendations of the Project geotechnical report, as required by **COA GEO-1**, to treat soil to the extent required to accommodate the proposed development. The Project would be required to implement low impact development strategies per the Santa Rosa Storm Water Low Impact Development Technical Design Manual. As conditioned the project complies with this policy.

**Policy SA 3.13:** Ensure that adequate drainage and erosion controls are provided during construction of all new developments.

**Status:** Best management practices for soil erosion and sediment control are required to be applied during construction. Compliance with these uniformly applied development standards ensure that potential adverse effects of erosion during redevelopment are avoided. The Project is subject to Municipal Code Chapter 14.36, Erosion and Sediment Control Plan, which requires preparation and implementation of a final erosion and sediment control plan. **COA HYD-1** requires that the applicant submit final plans to the City Engineer for approval prior to issuance of the building permit. As conditioned, the Project complies with Policy SA 3.2

**Action SA 3g:** As part of the development review process, require developers to prepare hydrological studies for all new developments as required by the City Engineer. Studies shall encompass the project site as well as the entire drainage area.

**Status:** A hydrology study, dated July 2023, prepared by MFKessler is provided for the project, encompassing the Project site and drainage area as required by SA 3g. The City Engineer has conducted an initial review of the proposed plans and provided a memo that includes conditions of approval. Through the application of uniform regulations, the final construction plan set, and hydrological analysis are required to be submitted for review and approval by the City Engineer prior to permit issuance in order to confirm compliance with requirements of Chapters 13.68 and 14.36 of the Municipal Code and the Regional Water Quality Control Board. Therefore, the project complies with this policy.

### **Conclusion and Environmental Conditions of Approval:**

The Project is within the scope of development projected under the General Plan and as conditioned, complies with the mitigating policies and actions in the 2013 General Plan EIR. As conditioned, the Project would not result in any substantial new or more severe impacts to hydrology and water quality relative to what was identified in the 2013 General Plan EIR. Furthermore, there are no circumstances peculiar to the Project site and there have been no substantial changes in environmental circumstances that would result in new or more severe significant environmental effects than were identified and evaluated in the 2013 General Plan EIR. The following environmental conditions of approval are required to implement the 2013 General Plan EIR mitigating policies:

**HYD-1:** The applicant shall submit a Storm Water Prevention and Pollution Plan (SWPPP) and erosion and sediment control plan for approval by the City Engineer prior to the issuance of a building permit. The SWPPP shall include Best Management Practices for construction activities as well as accounting for any BMPs required for operational activities. The SWPPP shall incorporate the requirements of all applicable federal, state, and local regulations. Submitted plans shall also demonstrate compliance

with City of Cotati Municipal Code Chapter 13.68 Storm Water Ordinance and Chapter 14.36 Erosion and Sediment Control.

**HYD-2:** The applicant shall submit final drainage plans including a final Stormwater Low Impact Development and Stormwater Mitigation Plan for review and approval by the City Engineer prior to issuance of the building permit.



**5.11. LAND USE AND PLANNING**

| Would The Project:                                                                                                                                                                     | New Significant Impact Relative to General Plan EIR | More Severe Impact Relative to General Plan EIR | No Substantial Change Relative to General Plan EIR | No Change Relative to General Plan EIR |
|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------|-------------------------------------------------|----------------------------------------------------|----------------------------------------|
| a) Physically divide an established community?                                                                                                                                         | <input type="checkbox"/>                            | <input type="checkbox"/>                        | <input type="checkbox"/>                           | <input checked="" type="checkbox"/>    |
| b) Cause a significant environmental impact due to a conflict with any land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect? | <input type="checkbox"/>                            | <input type="checkbox"/>                        | <input type="checkbox"/>                           | <input checked="" type="checkbox"/>    |

Sources: Cotati General Plan and 2013 General Plan EIR adopted and certified on March 24, 2015.

**2013 General Plan EIR Findings**

The 2013 General Plan EIR evaluated potential impacts to Land Use in Chapter 3.9 and determined the following:

- Impact 3.9-1: General Plan implementation has the potential to physically divide an established community. The proposed General Plan does not include any new areas designated for urbanization or new roadways, infrastructure, or other features that would divide existing communities and would result in a less than significant impact.
- Impact 3.9-2: General Plan implementation has the potential to conflict with an applicable land use plan, policy, or regulation of an agency with jurisdiction over the project adopted to avoid or mitigate an environmental effect. Implementation of the General Plan could result in potential adverse environmental impacts, including traffic, noise, water quality, biological resources, drainage and water quality, air quality, hazards, geology/soils, and cultural resources. Through compliance with local, state, and federal regulations as well as the mitigating policies and actions evaluated in the 2013 General Plan EIR, implementation of the General Plan would have a less than significant impact.

**Project Consistency with the 2013 General Plan EIR**

**5.11(a) (Physically Divide Community) – No Change Relative to the General Plan EIR**

The Project proposes development on a privately-owned, vacant parcel. The site is surrounded by existing roads on the south and west, the Cotati Cottages residential development to the north, a vacant parcel to the east (currently proposed for mixed use development), and other residential and commercial development to the northeast. The Project would introduce new residences and access in a manner anticipated by the General Plan and consistent with the site’s zoning. As such, the Project would not physically divide a community. Additionally, the project will introduce a new internal access

that can be connected to future development. Therefore, the Project would not substantially increase the severity of the less than significant impacts nor would it result in new significant impacts related to physical division of an established community that were not identified in the 2013 General Plan EIR.

#### **5.11(b) (Conflict with Land Use) – No Change Relative to the General Plan EIR**

The Project is consistent with the General Plan land use designation and allowable density and FAR for the site. Through the environmental review process and design review process, the Project is found to be consistent with the General Plan policies and zoning code standards applicable to the proposed development. Implementation of the Project would be subject to compliance with conditions of approval imposed on the Project as a standard part of the entitlements process to ensure compliance and implementation of General Plan policies, regulations, and development standards, from the subsequent permitting and construction process. Therefore, the Project would not substantially increase the severity of the less than significant impacts nor would it result in new significant impacts that were not identified in the 2013 General Plan EIR.

#### **2013 General Plan EIR Mitigating Policies and Actions**

There are no applicable 2013 General Plan EIR mitigation measures related to Land Use.

#### **Conclusion**

The Project is within the scope of development projected under the General Plan. As conditioned through the review process, the Project is consistent with the General Plan and complies with the City's zoning code and would not physically divide a community. As conditioned, the Project would not substantially increase the severity of the less than significant impacts nor would it result in new significant impacts that were not identified in the 2013 General Plan EIR. Furthermore, there are no circumstances peculiar to the Project site and there have been no substantial changes in environmental circumstances that would result in new or more severe significant environmental effects than were identified and evaluated in the 2013 General Plan EIR. No Conditions of Approval are required beyond compliance with uniformly applied development standards and applicable local and state regulations.

**5.12. MINERAL RESOURCES**

| Would The Project:                                                                                                                                                    | New Significant Impact Relative to General Plan EIR | More Severe Impact Relative to General Plan EIR | No Substantial Change Relative to General Plan EIR | No Change Relative to General Plan EIR |
|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------|-------------------------------------------------|----------------------------------------------------|----------------------------------------|
| 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?                                | <input type="checkbox"/>                            | <input type="checkbox"/>                        | <input type="checkbox"/>                           | <input checked="" type="checkbox"/>    |
| 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? | <input type="checkbox"/>                            | <input type="checkbox"/>                        | <input type="checkbox"/>                           | <input checked="" type="checkbox"/>    |

Sources: Cotati General Plan and 2013 General Plan EIR adopted and certified on March 24, 2015.

**2013 General Plan EIR Findings**

The California Department of Conservation Surface Mining and Reclamation Act of 1975 (§ 2710), also known as SMARA, provides a comprehensive surface mining and reclamation policy that permits the continued mining of minerals, as well as the protection and subsequent beneficial use of the mined and reclaimed land. The 2013 EIR did not identify any known significant mineral resources of value to the region and residents of the state within the city.

**Project Consistency with the 2013 General Plan EIR**

**5.12(a-b) (Mineral Resources) – No Change Relative to the General Plan EIR**

The site does not contain known significant mineral resources of value.<sup>8</sup> As such, the Project will not impact mineral resources and the Project will not result in a new significant impact or substantially increase the severity of a previously identified significant impact relative to the 2013 General Plan EIR.

**2013 General Plan EIR Mitigating Policies and Actions**

There are no applicable General Plan EIR mitigation measures to this Project.

**Conclusion**

The Project is within the scope of development projected under the General Plan and would not result in any substantial new or more severe impacts to land use and planning relative to what was identified in the 2013 General Plan EIR. Furthermore, there are no circumstances peculiar to the Project site and there have been no substantial changes in environmental circumstances that would result in new or

<sup>8</sup> California Department of Conservation, Division of Mne Reclamation. Mines Online. <https://maps.conservation.ca.gov/mol/index.html> Accessed: June 14, 2023.

more severe significant environmental effects than were identified and evaluated in the 2013 General Plan EIR. No Conditions of Approval are required beyond compliance with uniformly applied development standards and applicable local and state regulations.

**5.13. NOISE**

| <b>Would The Project:</b>                                                                                                                                                                                                                                                                                 | <b>New Significant Impact Relative to General Plan EIR</b> | <b>More Severe Impact Relative to General Plan EIR</b> | <b>No Substantial Change Relative to General Plan EIR</b> | <b>No Change Relative to General Plan EIR</b> |
|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------|--------------------------------------------------------|-----------------------------------------------------------|-----------------------------------------------|
| a) Generation of a substantial temporary or permanent increase in ambient noise levels in the vicinity of the project in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?                                                         | <input type="checkbox"/>                                   | <input type="checkbox"/>                               | <input checked="" type="checkbox"/>                       | <input type="checkbox"/>                      |
| b) Generation of excessive groundborne vibration or groundborne noise levels?                                                                                                                                                                                                                             | <input type="checkbox"/>                                   | <input type="checkbox"/>                               | <input checked="" type="checkbox"/>                       | <input type="checkbox"/>                      |
| c) For a project located within the vicinity of a private airstrip or 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? | <input type="checkbox"/>                                   | <input type="checkbox"/>                               | <input type="checkbox"/>                                  | <input checked="" type="checkbox"/>           |

Source: Cotati General Plan and 2013 General Plan EIR adopted and certified on March 24, 2015; Cotati Village Community Noise and Vibration Analysis; and City of Cotati Municipal Code; Cotati Village Community Noise and Vibration Assessment prepared by Illingworth and Rodkin on November 14, 2022; and Update to Noise and Vibration Assessment Memo from Illingworth and Rodkin on November 3, 2023; and Public Works/Engineering Conditions of Approval prepared on September 27, 2023:

**2013 General Plan EIR Findings**

The City of Cotati 2013 General Plan EIR identifies the City's existing noise and vibration sources and levels, standards of measurement and thresholds, and potential impacts resulting from implementation of the General Plan. The 2013 General Plan EIR concludes that, with implementation of General Plan policies, impacts to ambient noise levels in the City due to traffic noise sources as well as cumulative stationary noise sources and increased traffic noise would be significant and unavoidable.

The 2013 General Plan EIR evaluated potential impacts to Noise in Chapter 3.10 and determined the following:

- Impact 3.10-1: General Plan implementation has the potential increase ambient noise levels due to traffic noise sources. While implementation of the Policies N 1.1 – N 1.3, N1.6 – N 1.14 and Actions N 1a – N 1g of the General Plan will reduce noise and land use compatibility impacts

from vehicular traffic noise sources and would ensure that new development is designed to include noise-attenuating features, some traffic noise impacts cannot be mitigated to a less-than-significant level due to the proximity of sensitive receivers to major roadways, and because noise attenuation may not be feasible in all circumstances. Therefore, implementation of the General Plan could potentially result in a significant increase in ambient noise levels and would result in a significant and unavoidable impact.

- Impact 3.10-2: General Plan implementation has the potential increase ambient noise levels due to railroad noise sources. This is considered a less than significant impact. Through the implementation of the mitigating General Plan Policies N 1.1 – N 1.3, N 1.8, N 1.11, and Actions N 1a – N 1c, and 1g, implementation of the General Plan would have a less than significant impact.
- Impact 3.10-3: General Plan implementation has the potential increase ambient noise levels due to stationary noise sources. Through the implementation of the mitigating General Plan Policies N 1.1, N 1.2, N 1.3, N 1.4, N 1.5, N 1.7, N 1.8, N 1.9, N 1.11, N 1.13, and Actions N 1a – N 1c, and 1g, implementation of the General Plan would have a less than significant impact.
- Impact 3.10-4: General Plan implementation has the potential increase ambient noise levels due to construction noise sources. Through the implementation of the mitigating General Plan Policies N 1.5, N 1.12, and Actions N 1c, N 1d, N 1e, and N 1h, implementation of the General Plan would have a less than significant impact.
- Impact 3.10-5: General Plan implementation has the potential to cause increased perceptible groundborne vibration levels during construction. Through the implementation of the mitigating General Plan Policies N 1.5, N 1.12, N 1.15, and Actions N 1c and N 1h, implementation of the General Plan would have a less than significant impact.
- Impact 3.10-7: Under cumulative conditions, the General Plan would accommodate development that would result in increased traffic noise and an increase in stationary noise sources. The General Plan includes mitigating Policies N 1.1- N 1.14, and Actions N 1a – N1h that are intended to reduce noise associated with both stationary sources and traffic. While these policies will reduce noise impacts, some traffic noise impacts cannot be mitigated to a less-than-significant level due to the proximity of sensitive receivers to major roadways, and because noise attenuation may not be feasible in all circumstances. As a result, this is a significant and unavoidable cumulative impact.
- The City of Cotati adopted the Findings of Fact and Statement of Overriding Considerations on March 24, 2015, including for the significant and unavoidable impacts identified for Noise (Impact 3.10-1 and 3.10-7). The City findings determined that subsequent development under the General Plan would result in an increase in noise. While consistency with policies and actions would help reduce exposure of sensitive receptors to noise levels, it may not be feasible to mitigate the impact to less than significant levels in all instances, particularly where existing development is located near proposed development. Additionally, some traffic noise impacts

cannot be mitigated to less than significant levels due to proximity of sensitive receptors to major roadways and noise attenuation may not be feasible in all circumstances. The City findings determined that despite the significant and unavoidable impact to noise, no other project alternative would meet the City's objective to realize the development potential of undeveloped lands for residential, office, and commercial uses necessary for housing opportunity and job growth.

### **Project Consistency with the 2013 General Plan EIR**

#### **5.13(a) (Increase in Ambient Noise) – No Substantial Change Relative to the General Plan FEIR**

The existing noise environment at the site consists primarily of noise from vehicular traffic on SR-116, with distant noise from Highway 101 contributing to background sound levels. Other sources of noise include commercial, agricultural, and residential noise in the vicinity. The General Plan provides that “specified land use may be permitted only after detailed analysis of noise reduction requirements is made and needed noise insulation features are included in the design.” The City of Cotati Municipal Code Section 17.30.050 further states that the maximum allowable noise levels for residential outdoor and interior spaces are 65 dBA  $L_{dn}$  and 45 dBA  $L_{dn}$ , respectively.

A Noise and Vibration Assessment was prepared for the proposed Project (**Appendix L**). One long-term noise measurement analysis used a point taken at a location 100 feet from the centerline of SR-116 (LT-1), representing the approximate location of the southern facades for proposed building facing SR-116. Average daytime noise levels ranged from 62 to 68 dBA  $Leq$ , the average hourly nighttime noise levels ranged from 53 to 66 dBA  $Leq$ , and overall average Day/Night noise Level ( $L_{dn}$ ) is 68-69 dBA. A second long-term noise measurement analysis used a point taken approximately 570 feet north of the SR-116 centerline (LT-2), at a residential lot close to the northern property line of the Project site. Average daytime noise levels ranged from 49 to 61 dBA  $Leq$ , average hourly nighttime noise levels ranged from 46 to 58 dBA  $Leq$ , and overall average Day/Night noise Level ( $L_{dn}$ ) is 58-59 dBA. The future noise environment, like the existing environment, would primary be due to roadway traffic. The noise assessment estimates the increase in traffic volume along SR-116, not related to the project will result in a projected increase in noise conditions by 3 dBA, or a resulting 72 dBA  $L_{dn}$  at the facades of buildings closest to SR-116.

As detailed in the Noise and Vibration Assessment, and established by General Plan Policy N1.7, a substantial permanent noise increase would occur if the noise level increase resulting from the Project is 1.5 dBA where existing traffic noise levels are greater than 65 dBA  $L_{dn}$ , 3 dBA  $L_{dn}$  where existing traffic noise levels are between 60 and 65 dBA  $L_{dn}$ , and 5 dBA  $L_{dn}$  where existing traffic noise levels are less than 60 dBA  $L_{dn}$  as established by the Cotati General Plan.

The Project proposes a central common open space where the noise level is projected to be between 63 and 64 dBA  $L_{dn}$  under future conditions. This exterior noise level is considered to be “normally acceptable” for multifamily residential land uses, and no further noise reduction measures are required.

For interior noise level in residential buildings, the interior noise levels from normal construction are typically 20-25 dBA below exterior noise levels with windows closed, or 15 dBA below when windows are partially open. For building frontages facing the SR-116 frontage, final project design

would need to incorporate features to reduce the 72 dBA Ldn noise level to an interior standard of 45 dBA Ldn. Design recommendations are identified in environmental condition of approval **COA NOI-1** and include features such as mechanical ventilation systems to supply fresh air to the units with windows closed and exterior wall assembly and window/door sound ratings that would attenuate noise.

As determined in the Noise and Vibration Assessment, the commercial interiors could be exposed to an Ldn level of 72 dBA, and following CalGreen building code standards, exterior sound transmission control must be incorporated in the design of these buildings using either the prescriptive (section 5.507.4.1) or performance (section 5.507.4.2) analysis methods. A performance method was identified in the Noise and Vibration Assessment and guidance provided therein is incorporated in **COA NOI-1**.

The occupation and use of the project would generate noise typical of residential developments and commercial tenant spaces. Noises such as voices of residents, home maintenance activities, and barking dogs are typical of residential uses. Heating Ventilation and Air Conditioning (HVAC) and other mechanical equipment associated with the development would contribute to the noise environment. Per the Noise and Vibration Assessment, based on noise measurements of similar projects with outdoor HVAC units, the equipment may produce constant sound levels of 47 to 50 dBA Leq at 50 feet. Considering the distance of adjacent existing residential uses, noise from equipment operation would not exceed the standards for outdoor ambient noise levels. Noise associated with the new residential and commercial use of the site is not expected to increase noise levels in surrounding areas by four or more dBA.

Development would not result in an increase in Project-generated traffic that would substantially increase noise. Based on the projections of the traffic report, project traffic would result in a less than 1 dBA increase in noise levels on the Gravenstein Highway. Under existing conditions, Project traffic on Alder Avenue would result in a 3 dBA or less increase in noise levels. Therefore, the Project would not result in significant noise impacts.

As conditioned, the Project will not substantially increase the severity of the significance of impacts nor would it result in new significant impacts relative to the 2013 General Plan EIR.

#### **5.13(b) (Groundborne Vibration) – No Substantial Change Relative to the General Plan EIR**

The Project would not result in long-term and excessive groundborne vibration and groundborne noise once operational. The City of Cotati 2013 General Plan EIR determined that construction activities from buildout of the General Plan could result in periods of significant ambient noise levels and groundborne vibration. As outlined below, General Plan action items relevant to the proposed Project include Actions N 1c and N 1h. Action N 1 requires an acoustical study for all new discretionary projects and Action N 1h contains suggested “best practices” for control of construction noise. In compliance with these action items identified in the 2013 General Plan EIR, a Noise and Vibration Analysis was prepared for the Project (**Appendix L**).

Construction activities would include site preparation work such as grading and the installation of utilities, foundation work, and new building framing and may generate groundborne vibrations. Construction techniques that generate the highest vibration levels, such as impact or vibratory pile driving, are not expected. The closest construction activities to residences may occur at the northern portion of the site at approximately 50 feet from residences. A standard vibration limit of 0.5 in/sec,



PPV, used by the California Department of Transportation, is applied to consider structural damage for buildings designed to modern engineering standards; 0.2 in/sec, PPV is used for buildings found to be structurally sound but where structural damage is a major concern. As shown in **Table 5.3.1**, vibration source levels for typical construction equipment would not exceed these vibration limits at distances of 40 to 60 feet. As such, construction vibration levels would be well below limits at the closest residential structures.

**Table 5.13.1: Vibration Source Levels for Construction Equipment**

| Source                          | PPV at 40 ft. (in/sec) | PPV at 60 ft. (in/sec) |
|---------------------------------|------------------------|------------------------|
| Clam shovel drop                | 0.100                  | 0.054                  |
| Hydromill (slurry wall) in soil | 0.004                  | 0.008                  |
| Hydromill (slurry wall) in rock | 0.008                  | 0.017                  |
| Vibratory Roller                | 0.104                  | 0.056                  |
| Hoe Ram                         | 0.044                  | 0.024                  |
| Large bulldozer                 | 0.044                  | 0.024                  |
| Caisson drilling                | 0.044                  | 0.024                  |
| Loaded trucks                   | 0.038                  | 0.020                  |
| Jackhammer                      | 0.017                  | 0.009                  |
| Small bulldozer                 | 0.004                  | 0.004                  |

Source: Noise and Vibration Assessment, prepared by Illingworth and Rodkin, Inc, November 14, 2022.

Construction would result in a temporary increase in noise levels at adjacent residential receivers. Construction activities are typically carried out in stages with variations in noise levels by stage and within stages as different mixes of equipment are used. Typical noise levels at 50 feet were calculated during construction of housing to range from approximately 65 to 88 dBA, as shown in **Table 5.13.2**.

**Table 5.13.2: Typical Ranges of Leq Construction Noise Levels at 50 Feet, dBA**

| Construction Stage | Domestic Housing |    | Public Works Roads & Highways, Sewers, and Trenches |    |
|--------------------|------------------|----|-----------------------------------------------------|----|
|                    | I                | II | I                                                   | II |
| Ground Clearing    | 83               | 83 | 84                                                  | 84 |
| Evacuation         | 88               | 75 | 88                                                  | 78 |
| Foundations        | 81               | 81 | 88                                                  | 88 |
| Erection           | 81               | 65 | 79                                                  | 78 |
| Finishing          | 88               | 72 | 84                                                  | 84 |

I - All pertinent equipment present at site, II - Minimum required equipment present at site.

Source: Noise and Vibration Assessment, prepared by Illingworth and Rodkin, Inc, November 14, 2022

Per the Noise and Vibration Assessment, the nearest noise sensitive uses will be 40 to 60 feet from close-in on- and off-site work and home construction. Average noise levels produced by work at this distance would range from 80 to 90 dBA. Construction activities at this distance would range from 73 to 90 dBA, with an average level of 82 dBA. Home building activities at this distance would range from 63 to 90 dBA with an average level of 77 dBA. These noise levels drop off at a rate of about 6 dBA per doubling of distance between the noise source and receptor. Most noise levels produced during site

construction activities would occur at distances of 300 feet or more from adjacent noise sensitive uses and would produce average noise levels of 66 dBA or less during grading, site preparation, and road construction activities and 61 dBA or less during structural building activities.

Construction is not expected to expose adjacent existing residences to construction-related noise exceeding 60 dBA Leq for a period of greater than one year, based on the construction schedule (site work estimated at about 50 days and building construction estimated at about 250 days), noise levels at varying distances, and a degree of noise attenuation once intervening structures are built. The Project would also be required to follow standard "best practice" controls from Action N1h as contained in Policy N 1.15 of the General Plan. Environmental condition of approval **COA NOI-2** requires consistency with the General Plan policy and action as well as applicable noise standards outlined in Section 17.30.050 of the Municipal Code. As conditioned, the Project will not substantially increase the severity of the significance of impacts nor would it result in new significant impacts to groundborne vibration and noise relative to the 2013 General Plan EIR.

### **5.13I (Airfield Noise) – No Change Relative to the General Plan EIR**

The proposed Project is not located within the vicinity of a private airstrip or an airport land use plan, nor is it within two miles of a public airport or public use airport. Therefore, the Project will not result in a new significant impact or substantially increase the severity of a previously identified significant impact to airfield noise relative to the 2013 General Plan EIR.

### **2013 General Plan EIR Mitigating Policies and Actions**

**Policy N 1.2:** Require development and infrastructure projects to be consistent with the Land Use Compatibility for Community Noise Environments standards indicated in General Plan Table N-1 (EIR Table 3.10-9) to ensure acceptable noise levels at existing and future uses.

**Policy N 1.3:** Require development to mitigate excessive noise through best practices, including building location and orientation, building design features, placement of noise-generating equipment away from sensitive receptors, shielding of noise-generating equipment, placement of noise-tolerant features between noise sources and sensitive receptors, and use of noise-minimizing materials such as rubberized asphalt.

**Policy N 1.8:** Ensure that new development does not expose indoor sleeping areas to indoor noise levels in excess of 45 dBA Ldn.

**Status:** The Noise and Vibration Assessment for the Project (**Appendix L**) determined that with incorporation of sound attenuation measures as imposed by **COA NOI-1**, the Project can be constructed to meet noise level standards. As conditioned this Project complies with these policies.

**Action N 1c:** Require an acoustical study for all new discretionary projects, including development and transportation, with potential noise impacts. The study shall include mitigation measures necessary to ensure compliance with this Noise Element and relevant noise standards in the Land Use Code.

**Status:** Illingworth & Rodkin, Inc prepared a Noise and Vibration Assessment for the proposed Project (**Appendix L**) on November 14, 2022. The study addressed the existing and future noise

environment with respect to the requirements of the City of Cotati General Plan and Cotati Municipal Code and proposed noise attenuation measures, which are imposed as Conditions of Approval. As such, the Project complies with this action.

**Action N 1h:** During the environmental review process, determine if proposed construction will constitute a significant impact on nearby residents and require mitigation measures in addition to the standard “best practice” controls. Suggested “best practices” for control of construction noise:

- Construction period shall be less than twelve months.
- Noise-generating construction activities, including truck traffic coming to and from the construction site for any purpose, shall be limited to between the hours of 7:00 am and 7:00 pm on weekdays and 9:00 am and 5:00 pm on Saturdays (if allowed through specific project conditions of approval). No construction shall occur on Sundays or holidays.
- All equipment driven by internal combustion engines shall be equipped with mufflers, which are in good condition and appropriate for the equipment.
- The construction contractor shall utilize “quiet” models of air compressors and other stationary noise sources where technology exists.
- At all times during project grading and construction, stationary noise-generating equipment shall be located as far as practicable from sensitive receptors and placed so that emitted noise is directed away from residences.
- Unnecessary idling of internal combustion engines shall be prohibited.
- Construction staging areas shall be established at locations that will create the greatest distance between the construction-related noise sources and noise-sensitive receptors nearest the project site during all project construction.
- The required construction-related noise mitigation plan shall also specify that haul truck deliveries are subject to the same hours specified for construction equipment.
- Neighbors located adjacent to the construction site shall be notified of the construction schedule in writing.
- The construction contractor shall designate a “noise disturbance coordinator” who will be responsible for responding to any local complaints about construction noise. The disturbance coordinator would determine the cause of the noise complaint (e.g., starting too early, bad muffler, etc.) and institute reasonable measures as warranted to correct the problem. A telephone number for the disturbance coordinator shall be conspicuously posted at the construction site.

**Status:** Construction activities associated with the Project have the potential to result in temporary noise and vibration levels that would impact adjacent homes periodically over the course of the construction period and **COA NOI-2** is required for consistency with this policy which includes the standard noise attenuation conditions including conformance with Chapter 17.30.050 of the Municipal Code, which establishes allowable hours of operation for construction activities. As conditioned, there would be no additional construction-related noise and vibration impacts beyond those analyzed in the 2013 General Plan EIR and the Project is consistent with this policy.

**Conclusion and Environmental Conditions of Approval:**

The Project is within the scope of development projected under the General Plan and as conditioned complies with the 2013 General Plan and would not result in any substantial new or more severe impacts to noise relative to what was identified in the 2013 General Plan EIR. Furthermore, there are no circumstances peculiar to the Project site and there have been no substantial changes in environmental circumstances that would result in new or more severe significant environmental effects than were identified and evaluated in the 2013 General Plan EIR. The following environmental conditions of approval are required to implement the 2013 General Plan EIR mitigating policies and actions:

**NOI-1:** Prior to issuance of the building permit, the applicant shall submit final design plans that incorporate and certify the inclusion of noise attenuation measures as identified in the Noise and Vibration Analysis prepared by Illingworth and Rodkin (**Appendix L**), consistent with General Plan and Building Code Standards, including the following:

1. Apartments located in Buildings A,B, and C which are adjacent to and/or with a clear view of traffic on SR-116, shall be equipped with a mechanical ventilation system(s) to supply fresh air via an acoustically rated straight air transfer duct such as the Fresh 80, 90 or 100-dB units by Fresh Ventilation or an equivalent unit or other system deemed satisfactory by the local building official, to provide adequate fresh air to the residences with closed windows.
2. The apartments in Buildings A, B, and C, which are adjacent to and/or with a clear view of traffic on SR-116, shall have exterior wall assemblies, windows and doors designed to maintain interior noise levels at or below 45 dBA Ldn with closed exterior doors and windows.
3. Exterior sound transmission control shall be incorporated in the design of commercial spaces in buildings A and C using either the prescriptive (section 5.507.4.1) or performance (section 5.507.4.2) analysis methods. Under the performance method, wall, window, and roof-ceiling assemblies adjacent to Highway 116 shall be constructed to provide an interior noise environment attributable to exterior sources that does not exceed an hourly equivalent noise level (Leq-1Hr) of 50 dBA in occupied areas during any hour of operation.

**NOI-2:** The Project shall implement best management practices to minimize construction-related noise impacts as set forth in Action N1h of the General Plan, as listed below, and shall meet all applicable noise standards as set forth in Section 17.30.050 of the Cotati Municipal Code:

1. Noise-generating construction activities, including truck traffic coming to and from the construction site for any purpose, shall be limited to between the hours of 7:00 am and 7:00 pm on weekdays and 9:00 am and 5:00 pm on Saturdays. No construction shall occur on Sundays or holidays.
2. All equipment driven by internal combustion engines shall be equipped with mufflers, which are in good condition and appropriate for the equipment.
3. The construction contractor shall utilize "quiet" models of air compressors and other stationary noise sources where technology exists.
4. At all times during project grading and construction, stationary noise-generating equipment shall be located as far as practicable from sensitive receptors and placed so that emitted noise is directed away from residences.
5. Unnecessary idling of internal combustion engines shall be prohibited.

6. Construction staging areas shall be established at locations that will create the greatest distance between the construction-related noise sources and noise-sensitive receptors nearest the project site during all project construction.
7. Neighbors located adjacent to the construction site shall be notified of the construction schedule in writing.
8. The construction contractor shall designate a “noise disturbance coordinator” who will be responsible for responding to any local complaints about construction noise. The disturbance coordinator would determine the cause of the noise complaint (e.g., starting too early, bad muffler, etc.) and institute reasonable measures as warranted to correct the problem. A telephone number for the disturbance coordinator shall be conspicuously posted at the construction site.

**5.14. POPULATION AND HOUSING**

| <b>Would The Project:</b>                                                                                                                                                                                           | <b>New Significant Impact Relative to General Plan EIR</b> | <b>More Severe Impact Relative to General Plan EIR</b> | <b>No Substantial Change Relative to General Plan EIR</b> | <b>No Change Relative to General Plan EIR</b> |
|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------|--------------------------------------------------------|-----------------------------------------------------------|-----------------------------------------------|
| a) Induce substantial unplanned 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)? | <input type="checkbox"/>                                   | <input type="checkbox"/>                               | <input type="checkbox"/>                                  | <input checked="" type="checkbox"/>           |
| b) Displace substantial numbers of existing people or housing, necessitating the construction of replacement housing elsewhere?                                                                                     | <input type="checkbox"/>                                   | <input type="checkbox"/>                               | <input type="checkbox"/>                                  | <input checked="" type="checkbox"/>           |

Sources: Cotati General Plan and 2013 General Plan EIR adopted and certified on March 24, 2015; and City of Cotati Housing Element Update 2023-2031 certified on June 2, 2023.

**2013 General Plan EIR Findings**

The 2013 General Plan EIR evaluated potential impacts to Population and Housing in Chapter 3.9 and determined the following:

- Impact 3.9--5: General Plan implementation has the potential to induce substantial population growth. Through implementation of General Plan policies and actions intended to guide growth to appropriate areas and limit land uses allowed under the proposed General Plan, population and housing growth associated with the proposed General Plan would result a less than significant impact.
- Impact 3.9--6: General Plan implementation does not have the potential to displace substantial numbers of people or existing housing. The General Plan could result in development that would remove residences, but the development allowed under the General Plan would result in an increase in the total number of residences and provide housing opportunities for persons that may be displaced as a result of development. This provision of replacement “housing opportunities” is essentially a self-mitigating aspect and implementation of the General Plan and would have a less than significant.

The City of Cotati 2013 General Plan EIR determined that the 2030 General Plan would accommodate approximately 2,140 new residential units within the City Limits and the Sphere of Influence through 2035. This new growth would increase the Planning Area’s population by approximately 5,243 residents. The population in Cotati in 2013 was estimated at 7,310 in the 2013 General Plan EIR. The proposed General Plan is intended to accommodate the City’s fair

share of statewide housing needs, which are allocated by the Association of Bay Area Governments.

The 2013 General Plan EIR determined that with implementation of General Plan policies and actions intended to guide growth to appropriate areas and provide services necessary to accommodate growth, the land uses allowed under the proposed General Plan, the infrastructure anticipated to accommodate proposed land uses, and the goal and policy framework would not induce growth that would exceed adopted thresholds but did not specify any mitigating policies. Additionally, the 2013 General Plan EIR determined that while the proposed General Plan may result in development that would remove residences, development allowed under the General Plan would result in an increase in the total number of residences and provide housing opportunities for persons that may be displaced as a result of development. This provision of replacement “housing opportunities” was found to be self-mitigating aspect as a result of implementation of the proposed General Plan and impacts from population and housing were found to be less than significant.

### **Project Consistency with the 2013 General Plan EIR**

#### **5.14(a) (Induced Substantial Growth) – No Change Relative to the General Plan EIR**

The City of Cotati has an existing population of approximately 7,584 residents<sup>9</sup> which is only slightly more than the population in 2010 (7,2650 and the City has not reached the growth planned in the 2013 General Plan (an additional 5,243 residents). The Project would result in the construction of 177 rental units. The estimated population increase would be approximately 481 persons,<sup>10</sup> which is within the planned growth in the 2013 General Plan EIR.

The Project site is located within City limits and would connect to the existing water and sewer lines. As such, the Project site is served by existing services and infrastructure and will not require the extension or construction of new utilities to provide adequate service. There are no other elements of the Project that would induce growth at levels beyond what has been anticipated by the City of Cotati 2013 General Plan EIR. The project will not substantially increase the severity of the significance of impacts nor would it result in new significant impacts relative to the 2013 General Plan EIR.

#### **5.14(b) (Displacement) – No Change Relative to the General Plan EIR**

The Project site is located within the City limits and currently contains no residences. As such, the proposed Project would not displace a substantial number of people or existing housing that would require the construction of replacement housing elsewhere. Therefore, Project impacts related to the displacement of housing or people would not exceed those analyzed in the City of Cotati 2013 General Plan EIR and the Project will not substantially increase the severity of the significance of impacts nor would it result in new significant impacts relative to the 2013 General Plan EIR.

### **2013 General Plan EIR Mitigating Policies and Actions**

There are no applicable 2013 General Plan EIR mitigation measures related to Population and Housing.

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<sup>9</sup> City of Cotati, Housing Element 2023-2031, certified on November 18, 2022.

<sup>10</sup> Based on the City's Housing Element 2023-2031 estimate of 2.72 persons per household in Cotati.

**Conclusion and Environmental Conditions of Approval:**

The Project is within the scope of development projected under the General Plan and would not result in any substantial new or more severe impacts to land use and planning relative to what was identified in the 2013 General Plan EIR. Furthermore, there are no circumstances peculiar to the Project site and there have been no substantial changes in environmental circumstances that would result in new or more severe significant environmental effects than were identified and evaluated in the 2013 General Plan EIR. No Conditions of Approval are required beyond compliance with uniformly applied development standards and applicable local and state regulations.



**5.15. PUBLIC SERVICES**

| <b>Would The Project:</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      | <b>New Significant Impact Relative to General Plan EIR</b>                                                                                               | <b>More Severe Impact Relative to General Plan EIR</b>                                                                   | <b>No Substantial Change Relative to General Plan EIR</b>                                                                | <b>No Change Relative to General Plan EIR</b>                                                                                                                                                                   |
|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <p>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:</p> <p>a) Fire protection?</p> <p>b) Police protection?</p> <p>c) Schools?</p> <p>d) Parks?</p> <p>e) Other public facilities?</p> | <input type="checkbox"/><br><br><input type="checkbox"/><br><br><input type="checkbox"/><br><br><input type="checkbox"/><br><br><input type="checkbox"/> | <input type="checkbox"/><br><br><input type="checkbox"/><br><br><input type="checkbox"/><br><br><input type="checkbox"/> | <input type="checkbox"/><br><br><input type="checkbox"/><br><br><input type="checkbox"/><br><br><input type="checkbox"/> | <input checked="" type="checkbox"/><br><br><input checked="" type="checkbox"/><br><br><input checked="" type="checkbox"/><br><br><input checked="" type="checkbox"/><br><br><input checked="" type="checkbox"/> |

Sources: Cotati General Plan and 2013 General Plan EIR adopted and certified on March 24, 2015; and Memorandum from Rancho Adobe Fire Protection District prepared on August 15, 2023 and reaffirmed on September 11, 2023.

**2013 General Plan EIR Findings**

The 2013 General Plan EIR evaluated potential impacts to Public Services in Chapter 3.11 and determined the following:

- Impact 3.11-1: General Plan implementation has the potential to result in adverse physical impacts associated with governmental facilities and the provision of public services. Through the implementation of mitigating policies CSF 1.1 – CSF 1.3, CSF 2.28 – CSF 2.36, CSF 4.7, CSF 4.8, OS 2.1 – OS 2.6, LU 3.12, LU 3.14, LU 3.15, and LU 4.1 and mitigating actions CSF 1a, CSF 1b, CSF 2o – CSF 2s, CSF 4d, CSF 4e, OS 2a – OS 2c, implementation of the General Plan would have a less than significant impact.
- Impact 3.11-2: Implementation of the General Plan has the potential to result in adverse physical impacts associated with the deterioration of existing parks and recreation facilities or the construction of new parks and recreation facilities. Through the implementation of mitigating General Plan policies OS 2.1 – OS 2.6 and mitigating actions OS 2a – OS 2c, implementation of the General Plan would have a less than significant impact.

The 2013 General Plan EIR determined that development accommodated under the 2013 General Plan would result in additional residents and businesses in the City, including new residential, industrial, office, and commercial uses and accommodate approximately 1,541 new residential dwelling units. The new growth was expected to increase the City's population by approximately 3,775 residents while development within the City limits and the Sphere of Influence of influence could add 2,140 new residential units or 5,243 new residents. This would result in increased demand for public services, including fire protection, law enforcement, schools, parks, libraries, and other public and governmental services. The 2013 General Plan includes policies and actions to ensure that public services are provided at acceptable levels and to ensure that development and growth does not outpace the provision of public services. The 2013 General Plan EIR concluded that the implementation of the mitigating policies CSF 1.1 – CSF 1.3, CSF 2.28 – CSF 2.36, CSF 4.7, CSF 4.8, OS 2.1 – OS 2.6, LU 3.12, LU 3.14, LU 3.15, and LU 4.1 and mitigating actions CSF 1a, CSF 1b, CSF 2o – CSF 2s, CSF 4d, CSF 4e, OS 2a, OS 2b, and OS 2c would result in a less than significant impact.

### **Project Consistency with the 2013 General Plan EIR**

#### **5.15(a) (Fire) – No Change Relative to the General Plan EIR**

The Project site is served by the Rancho Adobe Fire Protection District (RAFD). The District was formed in 1993 through the combining of two smaller districts, the Cotati Fire Protection District and the Penngrove Fire Protection District. The RAFD provides services to the Penngrove, Cotati, and unincorporated areas of Petaluma. RAFD covers an emergency response area of roughly 86 square miles and serves approximately 28,000 people. Service is provided by three stations located at 1 East Cotati Avenue; 11000 Main Street in Penngrove and 99 Liberty Road in Petaluma. Currently, there are 13 full-time Firefighters, Engineers and Captains; three Battalion Chiefs; 24 part-time Firefighters; one part-time Fire Chief; and one Administrative Manager.

The RAFD has automatic aid agreements with neighboring districts, including the California Department of Forestry and Fire Protection (CAL FIRE) and the City of Rohnert Park. CAL FIRE provides automatic aid for emergency incidents in the west portions of the District and to State Responsibility Area fires. CAL FIRE provides fire response to anywhere in the District at the District's request. Under the automatic aid agreement between RAFD and the City of Rohnert Park, the City of Rohnert Park responds to structure fires, water-flow alarm-sounding, vegetation fires, and vehicle collision calls in the RAFD service area, including locations in Cotati.

The Project proposes to install new water mains on site that will be sized according to City standards that would connect to existing water mains on Alder Avenue and SR-116. The system is required to comply with the standards of the California Fire Code (CFC) as referenced in the City of Cotati Municipal Code 14.04.110. The Project proposes nine new fire hydrants on site. The final location of hydrants would be subject to review and approval by RAFD. Project plans have been reviewed by the RAFD and noted that final review and approval is contingent on the implementation of conditions applied to all projects.

As a standard condition of project approval, the applicant will be required to pay all applicable development impact fees, including fire suppression facilities impact fees. These funds will be sufficient to offset any cumulative increase in demands for fire protection services. Through the implementation of uniformly applied standards, the Project will not result in a new significant impact

or substantially increase the severity of a previously identified significant impact relative to the 2013 General Plan EIR.

#### **5.15(b,d,e) (Police, Parks, Other) – No Change Relative to the General Plan EIR**

The Project is not anticipated to induce substantial growth in the area, either directly or indirectly. However, the increase in residents will incrementally increase the demand for public services including police and parks. New demands on police services and recreational facilities have been previously anticipated as part of General Plan buildout. As a standard condition of Project approval, the applicant will be required to pay all development impact fees applicable to a mixed-use development project, including recreation facilities impact fees. These funds will be sufficient to offset any increase in demand for public services. As such, the Project will not result in a new significant impact or substantially increase the severity of a previously identified significant impact relative to the 2013 General Plan EIR.

#### **5.15(b,d,e) (Schools) – No Change Relative to the General Plan EIR**

The proposed Project involves the construction of 177 dwelling units, which could increase student enrollment within the Cotati-Rohnert Park Unified School District (CRPUSD). The CRPUSD includes eight elementary schools, two middle schools, and two high schools. As of August 31, 2017, total enrollment within the CRPUSD was 5,844 students.<sup>11</sup> The CRPUSD has a capacity to serve approximately 8,227 students;<sup>12</sup> therefore the school district can accommodate up to 2,383 more students.

The City of Cotati levies School Impact Fees on new development as allowed by Senate Bill 50 (SB 50). It is outlined in California Government Code Section 65996 that development fees authorized by SB 50 are considered, “full and complete school facilities mitigation.” While the Project may introduce new students, the payment of requisite school impact fees will offset any potential impacts related to school facilities. Fees will be leveraged as student enrollment reaches capacity to expand facilities as necessary. As such, the CRPUSD has the capacity to serve the increase in student enrollment from the proposed Project and will not result in a new significant impact or substantially increase the severity of a previously identified significant impact relative to the 2013 General Plan EIR.

#### **2013 General Plan EIR Mitigating Policies and Actions**

**Action CSF 2q:** As part of the development review process, consult with the Police Department in order to ensure that the project design facilitates adequate police response time and public safety and that the project addresses its impacts on police services.

**Status:** In accordance with City processing procedures, the application was routed to the Police Department for input. The Police Department reviewed the site plans and found them adequate for police protection purposes. Prior to certificate of occupancy, the City will assess and require payment of a police services impact fee. As such, the Project complies with Action CSF 2q and will not result in

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11 Cotati-Rohnert Park Unified School District, Month Enrollment as of August 31, 2017, presented to Board of Trustees on September 15, 2017.

12 Developer Fee Justification Study for Cotati-Rohnert Park Unified School District, prepared by SchoolWorks, Inc., <https://www.crpud.org/developerfees>, March 2016.

a new significant impact or substantially increase the severity of a previously identified significant impact relative to the 2013 General Plan EIR.

**Conclusion**

The Project is within the scope of development projected under the General Plan and would not result in any substantial new or more severe impacts to public services relative to what was identified in the 2013 General Plan EIR. Furthermore, there are no circumstances peculiar to the Project site and there have been no substantial changes in environmental circumstances that would result in new or more severe significant environmental effects than were identified and evaluated in the 2013 General Plan EIR. No Conditions of Approval are required beyond compliance with uniformly applied development standards and applicable local and state regulations.

**5.16. RECREATION**

| <b>Would The Project:</b>                                                                                                                                                                                      | <b>New Significant Impact Relative to General Plan EIR</b> | <b>More Severe Impact Relative to General Plan EIR</b> | <b>No Substantial Change Relative to General Plan EIR</b> | <b>No Change Relative to General Plan EIR</b> |
|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------|--------------------------------------------------------|-----------------------------------------------------------|-----------------------------------------------|
| a) 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? | <input type="checkbox"/>                                   | <input type="checkbox"/>                               | <input checked="" type="checkbox"/>                       | <input type="checkbox"/>                      |
| b) Does the project include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment?                        | <input type="checkbox"/>                                   | <input type="checkbox"/>                               | <input checked="" type="checkbox"/>                       | <input type="checkbox"/>                      |

Sources: Cotati General Plan and 2013 General Plan EIR adopted and certified on March 24, 2015. California State Parks Community FactFinder Report pulled from State of California Department of Parks and Recreation website on January 10, 2024.

**2013 General Plan EIR Findings**

The 2013 General Plan EIR evaluated potential impacts to Recreation in Chapter 3.11 and determined the following:

- Impact 3.11-2: General Plan implementation has the potential to result in adverse physical impacts associated with the deterioration of existing parks and recreation facilities or the construction of new parks and recreation facilities. Through the implementation of mitigating General Plan Policies OS 2.1 – OS 2.6 and Actions OS 2a – OS 2c, implementation of the General Plan would have a less than significant impact.

**Project Consistency with the 2013 General Plan EIR**

**5.16(a-b) (Deterioration of Recreational Facilities, Additional Recreation Facilities) – No Substantial Change Relative to the General Plan EIR**

Cotati contains a total of 15 parks. One of these parks, Helen Putnam Park (8.3 acres), is located approximately 1.25 miles southeast of the Project site. Additionally, Sonoma County Regional Park District (EBRPD) manages approximately 15,500 acres of open space and preserves providing regional amenities to Cotati residents.

The Project could increase the City’s population by as many as 481 individuals that would use the surrounding parks and recreational facilities. As noted in population and housing, this increase is accounted for in the 2013 General Plan. Mitigating General Plan Action OS-2a requires that new

development maintain a minimum of one acre of park land per 200 residents. According to the California State Parks Community FactFinder Report<sup>13</sup> for the Project site, there are 0.45 acres per 1,000 residents. Therefore, to comply with Action OS-2a, **COA REC-1** is established to require the dedication of parkland at a ratio of one acre per 200 residents or pay an equivalent in-lieu fee. As conditioned, the Project will not cause substantial or accelerated physical deterioration of recreational facilities and will not result in a new significant impact or substantially increase the severity of a previously identified significant impact relative to the 2013 General Plan EIR.

### **2013 General Plan EIR Mitigating Policies and Actions**

**Action OS-2a:** Update the Municipal Code to establish minimum parks and open space standards for new development. At a minimum, the standards shall seek to maintain one acre of park land per 200 residents. Additional measures may include requirements to establish assessment or tax districts to fund park maintenance, open space requirements, and provisions for in-lieu fees in instances where it is not feasible or appropriate for new development to provide park land on-site.

**Status:** The Project will result in an increase in the number of residents and the site is located in an area where there is a ratio of 0.45 acres parkland per 1,000 residents. Therefore, **COA REC-1** requires that the applicant dedicate parkland at a ratio of one acre per 200 people or pay an equivalent in-lieu fee. As conditioned this Project complies with Action OS-2a and will not result in a new significant impact or substantially increase the severity of a previously identified significant impact relative to the 2013 General Plan EIR.

### **Conclusion and Environmental Conditions of Approval**

The Project is within the scope of development projected under the General Plan and would not result in any substantial new or more severe impacts to recreation relative to what was identified in the 2013 General Plan EIR. Furthermore, there are no circumstances peculiar to the Project site and there have been no substantial changes in environmental circumstances that would result in new or more severe significant environmental effects than were identified and evaluated in the 2013 General Plan EIR. The following environmental conditions of approval are required to implement the 2013 General Plan EIR mitigating policies and actions:

**REC-1:** Prior to issuance of the building permit, the applicant shall dedicate one acre of parkland per 200 residents or pay an in-lieu fee as determined by the Community Development Director.

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<sup>13</sup> California State Parks, Community FactFinder Report for Coordinates: 38.3323, -122.7165. Generated on January 10, 2024.

**5.17. TRANSPORTATION**

| <b>Would The Project:</b>                                                                                                                                        | <b>New Significant Impact Relative to General Plan EIR</b> | <b>More Severe Impact Relative to General Plan EIR</b> | <b>No Substantial Change Relative to General Plan EIR</b> | <b>No Change Relative to General Plan EIR</b> |
|------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------|--------------------------------------------------------|-----------------------------------------------------------|-----------------------------------------------|
| a) Conflict with a program plan, ordinance, or policy addressing the circulation system, including transit, roadway, bicycle, and pedestrian facilities?         | <input type="checkbox"/>                                   | <input type="checkbox"/>                               | <input checked="" type="checkbox"/>                       | <input type="checkbox"/>                      |
| b) Conflict or be inconsistent with CEQA Guidelines section 15064.3 subdivision (b)?                                                                             | <input type="checkbox"/>                                   | <input type="checkbox"/>                               | <input checked="" type="checkbox"/>                       | <input type="checkbox"/>                      |
| c) Substantially increase hazards due to a geometric design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)? | <input type="checkbox"/>                                   | <input type="checkbox"/>                               | <input checked="" type="checkbox"/>                       | <input type="checkbox"/>                      |
| d) Result in inadequate emergency access?                                                                                                                        | <input type="checkbox"/>                                   | <input type="checkbox"/>                               | <input type="checkbox"/>                                  | <input checked="" type="checkbox"/>           |

Sources: Cotati General Plan and 2013 General Plan EIR adopted and certified on March 24, 2015; Technical Advisory on Evaluating Transportation Impact in CEQA, prepared by the California Office of Planning and Research, December 2018; Cotati Bicycle and Pedestrian Master Plan, prepared by Sonoma County Transportation Authority for the City of Cotati, adopted December 2008, updated April 22, 2014; Guidelines for Analysis of Vehicle Miles Traveled, adopted by City of Cotati September 22, 2020; Memorandum from Rancho Adobe Fire Protection District prepared on August 15, 2023 and reaffirmed on September 11, 2023; and Traffic Impact Study for the Cotati Village Project, prepared by W-Trans, June 15, 2023 and Addendum No. 2 to the Transportation Impact Study for the Cotati Village Project by W-Trans on October 31, 2023.

**2013 General Plan EIR Summary**

The City of Cotati 2013 General Plan EIR identifies the City’s circulation network, including the roadway network, pedestrian and bicycle facilities, transit service, park and ride lots, rail service, and truck routes. The 2013 General Plan EIR concludes that, with implementation of General Plan policies, impacts to traffic operations in the City due to funding uncertainty, traffic operations on SR-116, and traffic operations on US 101 freeway facilities would be significant and unavoidable. The following impacts to transportation and circulation were considered under the 2013 General Plan EIR:

- Impact 3.12-1: Implementation of the proposed General Plan would result in acceptable traffic operation at the study intersections and roadway segments controlled by the City of Cotati, though the ability to fully fund all identified improvements is uncertain. Implementation of mitigating General Plan Policies CI 1.1, CI 1.2, CI 1.3, CI 1.5, CI 1.7, CI 1.20, CI 3.2, CI 3.3, CI 3.4, and Actions CI 1a, CI 1b, CI 1e- CI 1g, CI 1o- CI 1r, and CI 3b are not sufficient to reduce the

impacts and implementation of the General Plan would result in a significant and unavoidable impact.

- Impact 3.12-2: General Plan buildout as well as regional growth would require improvements on Gravenstein Highway, a Caltrans facility. Because the City does not control the funding or timing of these improvements, the City cannot determine that the improvements will be made in time to accommodate regional and local growth. Implementation of mitigating General Plan Policies CI 1.1, CI 1.2, CI 1.3, CI 1.5, CI 1.7, CI 1.20, CI 3.2, CI 3.3, CI 3.4, CI 4.1, CI 4.3, - CI 4.7 and Actions CI 1a, CI 1b, CI 1e- CI 1g, CI 1o- CI 1r, CI 3b, and CU 4a would not sufficiently mitigate the lack of a regional fee program, or Ir Identified source of funding. As such, implementation of the General Plan would result in a significant and unavoidable impact and no further mitigation is available.
- Impact 3.12-3: General Plan implementation would contribute to unacceptable operation on US 101 freeway facilities. The Metropolitan Transportation Commission, County of Sonoma, City of Cotati, and 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. Implementation of the mitigating General Plan Policies CI 3.2 – CI 3.4, CI 4.1, CI 4.4, CI 4.6, CI 4.7, LU 2.5, LU 2.10, LU 3.8, and Actions CI 3b and CI 4a would not reduce the impacts to less than significant levels and implementation of the General Plan would result in significant and unavoidable impacts.
- Impact 3.12-4: The proposed General Plan would not conflict with an applicable congestion management program. As of the writing of the 2013 General Plan EIR, there was no congestion management program for Sonoma County or the City of Cotati. As such, implementation of the General Plan would have no impact.
- Impact 3.12-5: The proposed General Plan would not result in a change in air traffic patterns. The City has no existing or planned airport facilities and is not located near any airports, approach, or departure zones. As such, the General Plan would have no impact.
- Impact 3.12-6: Implementation of the proposed General Plan would not substantially increase hazards due to a design feature. Development and infrastructure projects in Cotati would be required to comply with the General Plan, Land Use Code, and applicable state and local regulations. Through the implementation of the mitigating General Plan Policies CI 1.8, CI 1.9, CI 1.18, and CI 1.24 and Actions CI 1j, CI 1l, CI 1m, CI 1r, and CI 2f, implementation of the General Plan would result in a less than significant impact.
- Impact 3.12-7: Emergency Access. Through the implementation of the mitigating General Plan Policies CI 1.10, CI 1.14, CI 1.16 and Actions CI 1r, implementation of the General Plan would not impede emergency access and would result in a less than significant impact.
- Impact 3.12-8: The proposed General Plan would accommodate increased demand for public transit and supports a shift in trips from automobile to transit modes. Through the implementation of the mitigating General Plan Policies CI 1.6, CI 2.14 – CI 2.22, and CI 3.2 and



Actions CI 2i – CI 2k, implementation of the General Plan would have a less than significant impact.

- Impact 3.12-9: The proposed General Plan is consistent with adopted bicycle and pedestrian plans and supports enhancements that emphasize bicycle and pedestrian circulation. Through the implementation of the mitigating General Plan Policies CI 1.2, CI 1.6, CI 1.9, CI 1.11, CI 1.12, CI 1.17, CI 1.19, CI 1.20, CI 1.21, CI 2.1-CI 2.13, CI 2.23, and CI 2.24, and Actions CI 1a, CI 1m, CI 1n, CI 1p – CI 1r, CI 2a – CI 2d, CI 2f – CI 2h, and CI 2l – CI 2o, implementation of the General Plan would have a less than significant impact.
- The City of Cotati adopted the Findings of Fact and Statement of Overriding Considerations on March 24, 2015, including for the significant and unavoidable impacts identified for Transportation and Circulation (Impacts 3.12-1, 3.12-2, and 3.12-3). The City findings determined that despite the significant and unavoidable impact to transportation and circulation, no other project alternative would meet the City's objective to realize the development potential of undeveloped lands for residential, office, and commercial uses necessary for housing opportunity and job growth.

### **Level of Service to Vehicle Miles Traveled (SB 743)**

Level of service (LOS) has historically been used as a standard measure of traffic service. Pursuant to SB 743, as of July 1, 2020, lead agencies are required to evaluate transportation impacts of a project using a Vehicle Miles Traveled (VMT) metric, which focuses on balancing the needs of congestion management with statewide goals related to infill development, promotion of public health through increased active transportation facilitated by closer proximity to alternative travel modes and reduces greenhouse gas emissions.

In December 2018, the California Governor's Office of Planning and Research (OPR) published the Technical Advisory on Evaluating Transportation Impacts in CEQA, which provides recommendations for evaluating a project's transportation impact using a VMT metric, thresholds of significance, and mitigation measures. Pursuant to Government Code Section 15064.3(b), lead agencies have discretion to select the most appropriate methodology for evaluating a project's VMT impacts.

On September 22, 2020, the City of Cotati adopted VMT guidelines for analysis of vehicle miles traveled. The guidelines identify criteria, situations, and thresholds to determine VMT impacts and their significance. The 202 VMT guidelines identified that the City of Cotati maintained a residential VMT per capita of 19.42. Based on data from the February 2022 update of the SCTA model, the City of Cotati has a baseline average residential VMT of 18.3 miles per capita. Applying the City guidelines, a residential project generating a VMT that is 15 percent or more below this value, or 15.5 miles per capita or less, would have a less-than-significant VMT impact. The SCTA model includes traffic analysis zones (TAZ) covering geographic areas throughout Sonoma County that are used to determine the baseline VMT. Projects which are within a half mile of an existing major transit stop or a stop along an existing high-quality transit corridor are determined not to have significant VMT impacts.

### ***Public Transit***

Bus service in Cotati is provided by Sonoma County Transit, Golden Gate Transit, and Paratransit. Sonoma County Transit is the primary transit provider in Cotati; it provides regularly-scheduled fixed-

route service to major activity centers and transit hubs within the City limits. Golden Gate Transit Routes 74, 80, and 101 serve Cotati with stops located at either the Hub or the St. Josephs Park and Ride. Paratransit, also known as dial-a-ride or door-to-door service, is available for those that are unable to independently use the transit system due to a physical or mental disability.

Bus stops in proximity to the site are located approximately 150 feet west of the Alder Avenue and SR-116 intersection, at the southern edge of the Alder Avenue and SR-116 intersection, and along SR-116 approximately 600 feet and 820 feet east of the site.

### ***Rail Service***

Sonoma-Marin Area Rail Transit (SMART) offers passenger rail service in Sonoma and Marin counties. SMART's initial 43 miles of rail corridor includes 10 stations, from the Sonoma County Airport to Downtown San Rafael, and includes a station in Cotati. The full project will provide 70 miles of passenger rail service and a bicycle-pedestrian pathway.

Rail freight operation on the SMART rail corridor is overseen by the North Coast Railroad Authority. Freight service currently operates between Lombard (located in Napa County where the North Coast Railroad Authority interfaces with the national rail system) and Petaluma. Several round-trip freight trains per week are expected to pass through Cotati as freight service expands.

The Cotati SMART station is located approximately 1.7 miles from the site.

### ***Bike and Pedestrian Facilities***

Existing and planned bicycle and pedestrian facilities in Cotati are shown in the Cotati Bicycle and Pedestrian Master Plan, adopted in December 2008 and updated April 2014. The Plan identifies two Pedestrian Districts in Cotati (areas of high activity where pedestrian improvements should be prioritized) including downtown/Old Redwood Highway between SR-116 and Henry Street, and the area immediately surrounding Thomas Page Elementary School. Bicycle circulation in Cotati is supported by an existing network of multi-use paths, on-street bike lanes, and bicycle routes. Notable facilities include a segment of the Laguna de Santa Rosa bike path between Commerce Boulevard (in Rohnert Park) and the southern City limits (with a gap just south of East Cotati Avenue), and on-street bicycle lanes within the City limits on West Sierra Avenue and East Cotati Avenue. The plan goals include establishing and maintaining continuous clearly identifiable bicycle routes and facilities on Old Redwood Highway, East Cotati Avenue, SR-116, and West Sierra Avenue. The plan also calls for walkways and sidewalks along arterial and collector streets.

### ***Sonoma County Comprehensive Transportation Plan***

Moving Forward 2040, Sonoma County's Comprehensive Transportation Plan (CTP), is a 25-year plan that serves as the vision for transportation throughout Sonoma County, with goals for the transportation system and the well-being of the communities. Moving Forward 2040 establishes five goals: maintain the existing public transportation system; relieve traffic congestion; meet targets to reduce greenhouse gas emissions in the transportation sector; increase safety and emphasize health aspects of transportation planning strategies; and reduce travel time and cost and increase mobility in communities of concern. Major roadway projects identified in Moving Forward 2040 relative to Cotati include: updating the US 101 and Railroad Avenue Interchange; widening and rehabilitation of SR-116 between Sebastopol and Cotati; constructing sidewalks along west Cotati Avenue; US 101/SR-

116 north bound on-ramp improvements; US 101/West Sierra Avenue south bound off-ramp improvements; and Old Redwood Highway pavement rehabilitation from La Plaza to SR-116.

**Project Consistency with the 2013 General Plan EIR**

**5.17(a) (Conflicts with Plans, Policies, Ordinances) – No Substantial Change Relative to the General Plan FEIR**

The Traffic Impact Study (TIS) was completed by W-Trans on June 15, 2023 and updated on October 31, 2023. The study analyzes 177 multi-family housing units and 30,000 square feet of commercial space. The Project’s site plan proposes 4,700 square feet of commercial square space and the same number of residential units. As such, the traffic study estimates significantly more commercial traffic than the Project as currently proposed.

The proposed Project includes the creation of a new road, Batchelor Lane that will parallel SR-116 through the development and connect with the existing Alder Avenue. An emergency vehicle access (EVA) road is proposed from SR-116 on the eastern boundary of the site and turns at the northern property line to make a connection to Batchelor Lane. The EVA matches the proposed new alignment of West Cotati Avenue and SR-116, which is planned to be a signalized intersection at full buildout and is consistent with the City’s General Plan Policy 1.19 which requires effective linkages to the surrounding circulation system.

The Project incorporates 331 parking spaces including 312 to serve the residential units, 19 for commercial space, and 22 to serve the Cotati Cottages to the north, which complies with the number of spaces required in the City’s Land Use Code Section 17.36.050 Number of Parking Spaces Required.

Additionally, General Plan Circulation Element Policy CI 1.3 calls for a minimum level of service (LOS) standard of LOS D at intersections. The TIS analyzed traffic operations along the project frontages on SR116 and Alder Avenue, as well as the intersections of SR-116 at Alder Avenue, West Cotati Avenue, and a proposed future north-south street to be constructed west of Locust Avenue to determine the level of service under the existing conditions, existing conditions plus project conditions, baseline (existing plus approved projects), baseline plus project, future, and future plus project conditions at weekday morning peak hour and weekday afternoon peak hour. The analysis is based on the original description that included approximately 30,000 square feet of commercial space. The Addendum provided by W-Trans on October 31, 2023 explains that the reduction in the commercial space would result in a reduction of 853 trips per day including 35 fewer trips during the morning peak hour and 74 fewer during the evening peak hour. Therefore, the Level of Service (LOS) analysis in the TIS represents a conservative analysis of the impacts from the Project. The results of the LOS analysis are summarized in Table 5.17.1, Table 5.17.2, and Table 5.17.3 below.

**Table 5.17.1 Existing and Existing plus Project Peak Hour Intersection Levels of Service**

|                                                               | Existing |     |         |     | Existing + Project |     |         |     |
|---------------------------------------------------------------|----------|-----|---------|-----|--------------------|-----|---------|-----|
|                                                               | AM Peak  |     | PM Peak |     | AM Peak            |     | PM Peak |     |
|                                                               | Delay    | LOS | Delay   | LOS | Delay              | LOS | Delay   | LOS |
| 1. SR-116/Alder Ave<br><i>Southbound (Alder Ave) Approach</i> | 1.2      | A   | 1.5     | A   | 1.3                | A   | 1.8     | A   |
|                                                               | 26.3     | D   | 24.8    | C   | 23.3               | C   | 21.8    | C   |
| 2. SR-116/W Cotati Ave                                        | 0.4      | A   | 0.8     | A   | 0.4                | A   | 0.8     | A   |
|                                                               | 16.8     | C   | 16.7    | C   | 16.4               | C   | 15.9    | C   |

|                                                                                                                                                                                                                                                             |  |  |  |  |  |  |  |  |
|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--|--|--|--|--|--|--|--|
| <i>Northbound (W Cotati Ave) Approach</i>                                                                                                                                                                                                                   |  |  |  |  |  |  |  |  |
| Notes: Delay is measured in average seconds per vehicle; LOS = Level of Service; Results for minor approaches to two-way stop-controlled intersections are indicated in italics.<br>Source: Transportation Impact Study, prepared by W-Trans, June 15, 2023 |  |  |  |  |  |  |  |  |

**Table 5.17.2 Baseline and Baseline plus Project Peak Hour Intersection Levels of Service**

|                                                                                                                                                                                                                                                                                                                                                      | Baseline    |          |             |          | Baseline + Project |          |             |          |
|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------|----------|-------------|----------|--------------------|----------|-------------|----------|
|                                                                                                                                                                                                                                                                                                                                                      | AM Peak     |          | PM Peak     |          | AM Peak            |          | PM Peak     |          |
|                                                                                                                                                                                                                                                                                                                                                      | Delay       | LOS      | Delay       | LOS      | Delay              | LOS      | Delay       | LOS      |
| 1. SR-116/Alder Ave                                                                                                                                                                                                                                                                                                                                  | 1.2         | A        | 1.5         | A        | 2.7                | A        | 4.7         | A        |
| <i>Southbound (Alder Ave) Approach</i>                                                                                                                                                                                                                                                                                                               | <i>26.3</i> | <i>D</i> | <i>24.8</i> | <i>C</i> | <i>36.0</i>        | <i>E</i> | <i>43.8</i> | <i>E</i> |
| <i>With LT and RT Lanes</i>                                                                                                                                                                                                                                                                                                                          | <i>n/a</i>  |          | <i>n/a</i>  |          | <i>28.5</i>        | <i>D</i> | <i>30.8</i> | <i>D</i> |
| 2. SR-116/W Cotati Ave                                                                                                                                                                                                                                                                                                                               | 0.4         | A        | 0.8         | A        | 0.4                | A        | 0.8         | A        |
| <i>Northbound (W Cotati Ave) Approach</i>                                                                                                                                                                                                                                                                                                            | <i>16.8</i> | <i>C</i> | <i>16.7</i> | <i>C</i> | <i>17.2</i>        | <i>C</i> | <i>17.3</i> | <i>C</i> |
| Notes: Delay is measured in average seconds per vehicle; LOS = Level of Service; Results for minor approaches to two-way stop-controlled intersections are indicated in <i>italics</i> , shaded cells indicated conditions with recommended improvements (as conditioned)<br>Source: Transportation Impact Study, prepared by W-Trans, June 15, 2023 |             |          |             |          |                    |          |             |          |

**Table 5.17.3 Future and Future plus Project Peak Hour Intersection Levels of Service**

|                                                                                                                                                            | Future  |     |         |     | Future + Project |     |         |     |
|------------------------------------------------------------------------------------------------------------------------------------------------------------|---------|-----|---------|-----|------------------|-----|---------|-----|
|                                                                                                                                                            | AM Peak |     | PM Peak |     | AM Peak          |     | PM Peak |     |
|                                                                                                                                                            | Delay   | LOS | Delay   | LOS | Delay            | LOS | Delay   | LOS |
| 2. SR-116/W Cotati Ave                                                                                                                                     | 21.7    | C   | 28.9    | C   | 27.5             | C   | 42.0    | D   |
| 3. SR-116/New North-South St                                                                                                                               | 18.6    | B   | 30.6    | C   | 18.5             | B   | 30.8    | C   |
| Notes: Delay is measured in average seconds per vehicle; LOS = Level of Service<br>Source: Transportation Impact Study, prepared by W-Trans, June 15, 2023 |         |     |         |     |                  |     |         |     |

The study intersections would be able to continue operating within the LOS D standard which is consistent with Policy C1.3, when considering trips from the Project, existing traffic, other pending and approved projects, and anticipated future volumes. The baseline plus project scenario captures the Project, existing conditions, and other pending or approved projects; LOS could deteriorate to LOS E under this scenario. The TIS indicates that LOS D could be achieved by restriping the approach to include separate left-turn and right-turn lanes, as described in the Transportation Impact Study. Therefore, restriping of the SR-116/Alder Ave Southbound (Alder Ave) Approach is required by **COA TRA-1**.

The Project proposes the construction of a Class I Multiuse Path serving bicyclists and pedestrians. The facility provides a pedestrian and bicycle circulation extension from the existing sidewalks and bike lane on Alder Avenue. The Cotati Bike and Pedestrian Master Plan indicates that the portion of

SR-116 in front of the Project site was planned for a Class II Bike Plan, and the Project proposal for a Class I facility is an improvement that provides physical separation from vehicular traffic.

The Project provides bicycle parking to meet minimum municipal code requirements. As required by Cotati Municipal Code Section 17.36.070, a ratio of one space per ten motor vehicle spaces is required for new development. Final project plans, as conditioned under **COA TRA-2**, would be required to provide bicycle parking spaces on site that meet minimum requirements based on the final vehicular parking space counts in the approved site plan and is consistent with the requirements of Section 17.36.070.

Bus stops are located within walking distance of the site. As determined in the Traffic Impact Study, the Project is not expected to negatively impact transit operation and existing routes are adequate to accommodate project demands.

The Project provides minimum required parking spaces in compliance with parking standards based on applicable Municipal Code standards and as allowed by State Density Bonus law (Government Code 65915).

The California Department of Transportation (Caltrans) provided comments upon review of the project referral. Comments covered standards and the requirements that the Project would need to ensure are incorporated into the final design plans and are included as **COA TRA-3** and **COA TRA-4**. Topics included ensuring the widening of SR-116 takes place through dedication, design widths for commercial driveways, obtaining an encroachment permit from Caltrans, and ensuring runoff draining towards SR-116 is metered to pre-construction levels.

As further discussed and conditioned in this section, the Project does not conflict with a program, plan, ordinance, or policy addressing the circulation system, including transit, roadway, bicycle, and pedestrian facilities. Therefore, as conditioned, the Project will not result in a new significant impact or substantially increase the severity of a previously identified significant impact relative to the 2013 General Plan EIR.

#### **5.17(b) (Conflict with 15064.3(b) VMT) – No Substantial Change Relative to the General Plan EIR**

The Traffic Impact Study (**Appendix M**) for the Project analyzed the estimated Vehicle Miles Traveled (VMT) that would be introduced by the Project. The City uses the State of California Office of Planning and Research recommended VMT threshold of fifteen percent (15%) below the existing baseline city residential VMT per capita. Based on the Sonoma County Transportation Authority model, the baseline average residential VMT for Cotati is 1a8.3 miles per capita and 15 percent below this value provides a significance threshold of 15.5 miles per capita. The Project is located in Traffic Analysis Zone (TAZ) 425, which has a baseline VMT per capita of 20.2 miles. For the Project to be below the significance threshold of 15.5 per capita, VMT would need to be 23.2 percent lower than the average for the TAZ. As analyzed in the Traffic Impact Study, the Project proposes high density residential development, which are associated with lower VMT per capita compared to conventional single-family development and has a project-specific rate of 14.2 miles per capita.<sup>14</sup> The Addendum prepared by

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<sup>14</sup> Per the Transportation Impact Study, prepared by W-Trans (2022), "The publication Handbook for Analyzing Greenhouse Gas Emission Reductions, Assessing Climate Vulnerabilities, and Advancing Health and Equity, California Air Pollution Control Officers Association (CAPCOA), 2021, includes a methodology to determine the VMT reductions associated with increases in residential density, using conventional single-family home development as a baseline... Applying the reductions as indicated in Cotati Village Community Project

W-Trans on October 31, 2023 confirms that the reduced square footage of the commercial component of the project would reduce the VMT and further affirms the conclusion that the project would be 23.2 percent lower than the average VMT for the TAZ and would be less than significant.

City VMT guidelines indicate a retail project resulting in a net increase in regional total VMT is considered to have a significant VMT impact. The Project would contain approximately 4,700 square feet of commercial space, which would have a negligible effect on the regional total VMT and be well below this threshold. Additionally, given the size and location of the spaces, it is expected that retail uses would be local-serving. As such, retail is expected to have a less than significant impact on VMT.

The proposed Project would not exceed thresholds and would have a less than significant impact on VMT. Therefore, the Project will not result in a new significant impact or substantially increase the severity of a previously identified significant impact relative to the 2013 General Plan EIR.

**5.17I(c,d) (Geometric Design Feature Hazard, Emergency Access) - No Substantial Change Relative to the General Plan EIR**

The Project will not result in inadequate emergency access or introduce geometric design hazards. The site is located east of Alder Avenue at the intersection of SR-116. The Project site's primary access would be from Alder Avenue via the new Batchelor Avenue. Access to the project site via SR-116 is proposed for emergency vehicle access (EVA) only and will result in a minimum 24-foot-wide gate controlled EVA only access. The access road, EVA, and frontage improvements would be built to City standards. The site layout has been reviewed by the City's Engineering Division and the Rancho Adobe Fire Protection District (RAFD), which provides fire protection services to the City, for evaluation of preliminary design with regards to design standards and adequate emergency access. The standard review process of approval which is required by the RAFD includes uniformly applied requirements for emergency access.

Sight distances at locations where the Project would create connections to public streets (Alder Avenue and Batchelor Lane as well as the EVA at the site frontage to SR-116) were evaluated in the Transportation Impact Study and found to be adequate. Alder Avenue has a minimum corner sight distance of 385 feet based on its 35 mph speed limit. From the site access along Alder Avenue, sight lines extend more than 400 feet to the north and are clear to the intersection with SR-116 to the south. Along SR-116 and based on the 45-mph speed limit, the minimum sight distances are 500 feet for left turns and 430 feet for right turns at the proposed site access. Sight distances shall be maintained to keep sight lines free of obstructions by keeping sight lines clear of signs, structures, and tall landscaping per **COA TRA-5**.

As conditioned, the Project will not result in a new significant impact or substantially increase the severity of a previously identified significant impact relative to the 2013 General Plan EIR.

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the CAPCOA report, the project's proposed density would reduce its per capita VMT by 30 percent, thereby resulting in a project-specific rate of 14.2 VMT/capita."

### **2013 General Plan EIR Mitigating Policies and Actions**

**Policy CI 1.3:** Establish a minimum motor vehicle Level of Service (LOS) standard of LOS D at intersections. The following shall be taken into consideration in applying LOS standards: (see General Plan Page 2-5 for full list of considerations)

**Status:** The proposed Project is required to restripe the southbound Alder Avenue approach to SR-116 as imposed under **COA TRA-1**, in order to maintain operations at acceptable levels consistent with this policy.

**Policy CI 1.18:** Intersections shall be designed to provide adequate and safe access for all users including pedestrians, bicyclists, and motorists of all ages and abilities.

**Status:** The proposed Project will include the development of a Class I Multiuse Path that would serve pedestrians and bicyclists and connect to the existing sidewalk. As conditioned by **COA TRA-5**, the Project will maintain clear sight lines and is consistent with this policy because it will help ensure pedestrian safety at project intersections.

**Policy CI 1.20:** Require new development to contribute its fair share cost of circulation improvements necessary to address cumulative transportation impacts on roadways throughout the City as well as the bicycle and pedestrian network.

**Action CI 1e:** As part of the development review and planning process, review general plan amendments, zone change requests, specific plans, and development projects to ensure that adequate circulation improvements are included, that the project addresses its proportional share of impacts to the City's circulation network, and that the project provides for complete streets to the extent feasible.

**Action CI 1r:** As part of the development review process, ensure that new development facilitates walking, biking, and transit modes; incorporates streets that are designed to maintain safe and efficient traffic flow; constructs or (if deemed appropriate by the City Engineer) contributes funds toward construction of off-site improvements necessary to mitigate traffic impacts; provides adequate emergency vehicle access; and pays development impact fees that contribute to cumulative circulation improvements.

**Status:** The Project is subject to payment of City development impact fees as a new development project. Impacts fees, as required by Municipal Code Chapter 4.10 Traffic Impact Fee, contribute fair share costs to circulation improvements for the Project's proportional share of impacts to the City's circulation network. The traffic impact fees are calculated and required through the uniformly applied building permit review process. As such, the project is consistent with these policies.

**Action CI 1i:** Require developers to design local roadways (i.e., streets other than arterials and collectors) for speeds of 25 miles per hour or less.

**Status:** The construction of streets within the site would be required to comply with the uniformly applied standards in Municipal Code Section 17.26.030 Street and streetscape standards. Section E

requires a maximum speed limit of 20 miles per hour. Through the application of this standard, the Project is consistent with this policy.

**Action CI 1q:** As part of the development review process, require new development to mitigate circulation impacts by making improvements to the motorized and non-motorized circulation networks as necessary, and in a fair manner with an established nexus between the level of impact and required improvements and/or contributions.

**Status:** The Project design and **COA TRA-1 through TRA-5** provide necessary frontage improvements along Alder Avenue, SR-116, and internal to the project site to address the circulation impacts from the project. As conditioned, the Project is consistent with this policy.

**Conclusion and Environmental Conditions of Approval:**

The Project is within the scope of development projected under the General Plan and would not result in any substantial new or more severe impacts to transportation relative to what was identified in the 2013 General Plan EIR. Furthermore, there are no circumstances peculiar to the Project site and there have been no substantial changes in environmental circumstances that would result in new or more severe significant environmental effects than were identified and evaluated in the 2013 General Plan EIR. The following environmental conditions of approval are required to implement the 2013 General Plan EIR mitigating policies and actions:

**TRA-1:** The southbound Alder Avenue approach to SR-116 shall be restriped to include separate left-turn and right-turn lanes as described by the 2023 Traffic Impact Study prepared by W Trans. The restriping plan shall be submitted to the City Engineer for review and approval prior to building permit issuance. All required approvals shall be obtained from Caltrans and provided to the City.

**TRA-2:** Final Project plans shall show the location and details of proposed bicycle parking on site based on final vehicular parking space counts and consistent with the requirements of Cotati Municipal Code Section 17.36.070.

**TRA-3:** As required by Caltrans, prior to issuance of a building permit, the applicant shall dedicate the required area (11 feet from the existing right of way) along the entire length of the project frontage along SR-116 for widening of the highway. The area dedicated shall be unencumbered (not accepted subject to any easements).

**TRA-4:** The Project shall comply with all requirements from Caltrans to address design, engineering, and operation requirements within the State right-of-way. Prior to commencing any work in the public right of way, the applicant shall secure an encroachment permit from Caltrans and provide the following to Caltrans:

1. Detailed information regarding any connections and or modifications to State drainage systems must be provided.
2. Any engineering calculations for onsite systems out-letting to State drainage systems (pipe or ditch) must be provided, such as flow rates for shed areas, detention time for detention basins, etc. If additional runoff is generated from the site and drains towards highway 116, the runoff must be metered to pre-construction levels.



The applicant shall provide a copy of the approved encroachment permit to the City prior to commencing work within the public right of way.

**TRA-5:** Final design and landscaping plans shall be submitted and show compliance with Cotati Municipal Code (CMC) Section 17.30.040(c)(2). Final landscaping plans shall include the specific plants that will be placed in the traffic safety visibility area (see CMC Section 17.30.040.E) and their maximum projected height which shall be no taller than 36 inches except for trees with their canopy trimmed to a minimum of eight feet above grade. These standards shall be applied to intersections between the multi-use path and any intersecting streets or driveways.



1. Sites, features, places, cultural landscapes, sacred places, and objects with cultural value to a California Native American tribe that are either of the following:
  - a. Included or determined to be eligible for inclusion in the California Register of Historical Resources; or
  - b. Included in a local register of historical resources as defined in PRC Section 5020.1(k).
2. A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in PRC Section 5024.11. In applying the criteria set forth in PRC Section 5024.11, the lead agency shall consider the significance of the resource to a California Native American tribe.
3. A cultural landscape that meets the criteria of PRC Section 21074(a) to the extent that the landscape is geographically defined in terms of the size and scope of the landscape.
4. A historical resource described in PRC Section 21084.1, a unique archaeological resource as defined in PRC Section 21083.2(g), or a “non-unique archaeological resource” as defined in PRC Section 21083.2(h), if it conforms with the criteria of PRC Section 21074(a).

### **2013 General Plan EIR Findings**

As stated in Section 3.4 Cultural Resources, the 2013 General Plan EIR determined that General Plan implementation could result in a substantial adverse change in the significance of an historical or archaeological resource, including tribal cultural resources. Through the implementation of mitigating General Plan Policies CON 4.1, CON 4.3 – CON 4.6, and mitigating actions CON 4a – CON 4c, and CON 4f, implementation of the General Plan would have a less than significant impact.

Additionally, implementation of the General Plan could result in the disturbance of human remains. Through the implementation of General Plan Policies CON 4.2 and Action CON 4c and compliance with the provisions of California Health and Safety Code Section 7050.5 and California Public Resources Code Section 5097.98, the implementation of the General Plan would have a less than significant impact.

### **Project Consistency with the 2013 General Plan EIR**

#### **5.8(a.i-ii) (Listed or Eligible for Listing, Significant Tribal Resources) – No Substantial Change Relative to the General Plan EIR**

In accordance with PRC Section 21080.3.1(d), the City of Cotati provided written formal notification to the tribes below on May 2, 2022, which included a brief description of the proposed Project and its location, the City of Cotati contact information, and a notification that the Tribes have 30 days to request consultation. Notified tribal organizations include the Federated Indians of Graton Rancheria (FIGR). The City initiated consultation with the Tribe and provided a Cultural Resources Inventory to the tribe on August 4, 2022. Subsequent correspondence resulted in a request from the Tribe to review the CEQA Analysis, which was provided to the Tribe on January 16, 2024.

The Cultural Resources Inventory prepared for the Project site determined that no significant or potentially significant cultural resources will be impacted by development (**Appendix F Confidential**). No evidence of cultural resources was observed on site during the surface inspection. Due to past grading activities the original surface is no longer extant and any subtle cultural features that may have been present would have been removed. Although unlikely, the potential exists for

unknown, deeply buried cultural resources to be discovered during development. Through implementation of **COA CUL-1**, recommendations are established in the event that significant archaeological and historic resources, including tribal resources, are discovered during construction. As conditioned, the Project will not result in a new significant impact or substantially increase the severity of a previously identified significant impact relative to the 2013 General Plan EIR.

### **2013 General Plan EIR Mitigating Policies and Actions**

**Policy CON 4.3:** Work with Native American representatives to identify and appropriately address, through avoidance or mitigation, impacts to Native American cultural resources and sacred sites during the development review process.

**Policy CON 4.4:** Consistent with State local and tribal intergovernmental consultation requirements such as SB18, the City shall consult with Native American tribes that may be interested in proposed new development and land use policy changes.

**Action CON 4a:** Work with the Federated Indians of the Graton Rancheria to prepare a narrative description of the Native American background of the Cotati area and request the Federated Indians of the Graton Rancheria provide pictorial examples of the types of Native American resources present in the vicinity. Place this description on the City's website as a link under the History of Cotati section.

**Status:** In accordance with PRC Section 21080.3.1(d), the City of Cotati provided written formal notification to the tribes on August 16, 2022, which included a brief description of the proposed Project and its location, the City of Cotati contact information, and a notification that the Tribes have 30 days to request consultation. Notified tribal organizations include the Federated Indians of Graton Rancheria. A written request for consultation, dated May 4, 2022, was received from the Federated Indians of Graton Rancheria; and the City initiated consultation with the Tribe and provided an archaeological report to the tribe on August 4, 2022. Subsequent consultation resulted in a request from the Tribe to review the CEQA Analysis, which was provided to the Tribe on January 16, 2024. As such, the Project complies with these policies. **Action CON 4c:** Require all development, infrastructure, and other ground---disturbing projects to comply with the following conditions in the event of an inadvertent discovery of cultural resources or human remains: (see Cultural Resources for full list)

**Status:** **COA CUL-1** requires the implementation of the required protocol in Action CON 4c. As such, the Project complies with this policy.

### **Conclusion and Environmental Conditions of Approval:**

The Project is within the scope of development projected under the General Plan and would not result in any substantial new or more severe impacts to recreation relative to what was identified in the 2013 General Plan EIR. Furthermore, there are no circumstances peculiar to the Project site and there have been no substantial changes in environmental circumstances that would result in new or more severe significant environmental effects than were identified and evaluated in the 2013 General Plan EIR. The implementation of **COA CUL-1** (see Cultural Resources section) is required to implement the 2013 General Plan EIR mitigating policy.

**5.19. UTILITIES AND SERVICE SYSTEMS**

| <b>Would The Project:</b>                                                                                                                                                                                                                                                            | <b>New Significant Impact Relative to General Plan EIR</b> | <b>More Severe Impact Relative to General Plan EIR</b> | <b>No Substantial Change Relative to General Plan EIR</b> | <b>No Change Relative to General Plan EIR</b> |
|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------|--------------------------------------------------------|-----------------------------------------------------------|-----------------------------------------------|
| a) Require or result in the relocation or construction of new or expanded water, wastewater treatment or storm water drainage, electric power, natural gas, or telecommunications facilities, the construction or relocation of which could cause significant environmental effects? | <input type="checkbox"/>                                   | <input type="checkbox"/>                               | <input type="checkbox"/>                                  | <input checked="" type="checkbox"/>           |
| b) Have sufficient water supplies available to serve the project and reasonably foreseeable future development during normal, dry, and multiple dry years?                                                                                                                           | <input type="checkbox"/>                                   | <input type="checkbox"/>                               | <input checked="" type="checkbox"/>                       | <input type="checkbox"/>                      |
| c) 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?                                                    | <input type="checkbox"/>                                   | <input type="checkbox"/>                               | <input checked="" type="checkbox"/>                       | <input type="checkbox"/>                      |
| d) Generate solid waste in excess of State or local standards, or in excess of the capacity of local infrastructure, or otherwise impair the attainment of solid waste reduction goals?                                                                                              | <input type="checkbox"/>                                   | <input type="checkbox"/>                               | <input type="checkbox"/>                                  | <input checked="" type="checkbox"/>           |
| e) Comply with federal, state, and local management and reduction statutes and regulations related to solid waste?                                                                                                                                                                   | <input type="checkbox"/>                                   | <input type="checkbox"/>                               | <input type="checkbox"/>                                  | <input checked="" type="checkbox"/>           |

Source: Cotati General Plan and 2013 General Plan EIR adopted and certified on March 24, 2015; City of Cotati Municipal Code; Sonoma County Water Agency 2020 Urban Water Management Plan, prepared by Brown and Caldwell, June 2021; Preliminary Utility Demand Study for Cotati Village Community prepared by MFKessler in April 2022; PA #21-29 Cotati Village 1 Conditions of Approval from City Engineer Craig Scott on September 23, 2023; and "Will Serve" for Cotati Village Community Project from City of Cotati Public Works on November 1, 2023.

**2013 General Plan EIR Findings**

The 2013 General Plan EIR evaluated potential impacts to Utilities and Service Systems in Chapter 3.13 and determined the following:

- Impact 3.13-1: General Plan implementation has the potential to result in an increased demand for water supplies. However, through implementation of mitigating General Plan Policies CSF 1.1-1.6, CSF 2.1- CSF 2.1 and Actions CSF 1a, CSF 1b, CSF 2b- CSF 2g, implementation of the General Plan would have a less than significant impact.
- Impact 3.13-2: General Plan implementation would not result in the construction of a new water treatment facility or expansion of existing facilities, which could cause significant environmental effects because the projected 2035 water supplies are adequate to meet demand that would be generated by buildout of the 2013 General Plan.
- Impact 3.13-3: General Plan implementation has the potential to exceed wastewater capacity or the requirements of the RWQCB. Upon full buildout of the 2013 General Plan within the City limits, total ADWF is projected to be 0.74 mgd. Within the entire Planning Area, the ADWF would be 0.83 mgd upon full buildout of the General Plan. These ADWF projections exceed the projections used in the 2011 Sewer Collection System Master Plan. Even with mitigating General Plan Policies CSF 1.1-CSF 1.6 and CSF 2.16 – CSF2.27 and Actions CSF 1a, CSF 1b, CSF 2h-2n, implementation of the General Plan would result in a cumulatively considerable significant and unavoidable impacts.
- Impact 3.13-4: General Plan implementation has the potential to require or result in the construction of new wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects. Through the implementation of mitigating Policies CSF 2.20, CSF 2.22, and CSF 2.24 implementation of the 2013 General Plan would have a less than significant impact.
- Impact 3.13-5: General Plan implementation would be served by a landfill for solid waste disposal needs and will require compliance with various laws and regulations. Through implementation of the mitigating General Plan Policies CSF 3.1-CSF 3.8 and Actions CSF 3a-CSF 3e, implementation of the 2013 General Plan would have a less than significant impact.
- The City of Cotati adopted the Findings of Fact and Statement of Overriding Considerations on March 24, 2015, including for the significant and unavoidable impacts identified for utilities and service systems (Impact 3.13-3). The City findings determined that despite the significant and unavoidable impact to utilities and service systems, no other project alternative would meet the City's objective to realize the development potential of undeveloped lands for residential, office, and commercial uses necessary for housing opportunity and job growth.

### **Project Consistency with the 2013 General Plan EIR**

#### **5.19(a) (Relocation or Expansion of Utilities) – No Change Relative to the General Plan EIR**

As stated in Section 5.14 Population and Housing, the Project is not anticipated to induce substantial growth in the area, either directly or indirectly. However, the increase in residents, which is estimated

to be 481 new residents, will incrementally increase the demand for water supplies, wastewater treatment, and solid waste disposal.

The Project site is located within City limits and is currently served by existing utilities and service systems. New service connections will be required to tie into the existing facilities, which are located on SR-116 and Alder Avenue. The City of Cotati's Engineer has confirmed in the November 1, 2023 letter that the Project can be served by the City's water distribution system and wastewater conveyance system and that there is sufficient water, wastewater, and off-site water supply for domestic and fire suppression purposes, which will be furnished on demand without exception to each lot/unit. Demand for utilities and service systems generated by the Project is anticipated by the 2013 General Plan EIR and does not require the relocation or expansion of infrastructure.

Therefore, the Project will not result in the relocation, construction, or expansion of utilities, and as such will not result in a new significant impact or substantially increase the severity of a previously identified significant impact relative to the 2013 General Plan EIR.

#### **5.19(b) (Sufficient Water Supplies) – No Substantial Change Relative to the General Plan EIR**

The Project would generate water demand consistent with the buildout projections of the General Plan. The City of Cotati receives potable water supplies through a contract with Sonoma Water, the regional wholesale water provider. Water supplies provided by Sonoma Water are sourced principally from the Russian River to eight water contractors, other water transmission system customers, and to the Marin Municipal Water District (Marin Water). Sonoma Water prepared an Urban Water Management Plan (Plan) in 2020 that addresses the water transmission system and includes a description of the water supply sources, historical and projected water use, and a comparison of water supply to water demands during normal, single-dry, and multiple-dry years. The Sonoma Water UWMP anticipates that 592 acre feet of potable water supplies were provided to the City of Cotati in 2020 and that deliveries to Cotati will increase to 1,215 acre feet per year by 2045. The Sonoma Water UWMP concludes that that potable water demand for all users, including the City of Cotati, is well within the available supply, during normal water years for cumulative demand through 2045. Sonoma Water has adequate water supplies through the 2045 planning horizon, except for single-dry years, starting after 2025. During single dry years Sonoma Water works with all wholesale customers to reduce water usage in accordance with the Water Shortage Contingency Plan set forth in the UWMP.

The City of Cotati Municipal Code Chapter 13.30 Water Shortage Contingency Plan contains provisions for water conservation during water shortages. Through the implementation of these actions, the City reduces water usage during drought years to ensure sufficient resources to adequately serve all customers in accordance with the requirements of the UWMP.

At the project-level, a Utility Demand Study (Appendix N) was prepared that anticipated the water demand generated by the project to be approximately 30,462 gallons per day (gpd). Actual demand is anticipated to be lower, as revisions to the Project design have reduced the commercial floor area and the associated water demand. The City Engineer has reviewed the Project plans and Utility Demand Study and determined that the anticipated water demand for the Project can be met by existing and planned water resources, along with all other existing and planned water demands. The final plans and utility demand study are required to be submitted to the City Engineer prior to issuance of a building permit in accordance with COA UTI-1.

Further, the Project is required to incorporate water efficient development standards consistent with all applicable State and Cotati municipal code requirements. The Project is required to adhere to the Water Conservation Ordinance contained in Chapter 13.30 of the City of Cotati Municipal Code. Additionally, the Project is subject to Municipal Code Chapter 17.34, which requires compliance with standard water efficient landscaping standards. COA UTI-2 requires that final plans showing incorporation of water efficiency requirements be submitted and confirmed prior to building permit issuance. Therefore, the water supplies are sufficient to meet existing water demands of the project and other existing and planned future water users during normal, single, and multiple dry year scenarios.

As conditioned, the Project will not result in a new significant impact or substantially increase the severity of a previously identified significant impact relative to the 2013 General Plan EIR.

**5.19(c) (Wastewater Capacity) – No Substantial Change Relative to the General Plan EIR**

The 2013 General Plan EIR concluded that even with implementation of the policies and action items in the General Plan, an increase in permitted capacity at the Laguna Wastewater Treatment Plant cannot be guaranteed, and impacts were considered cumulatively considerable, and significant and unavoidable. As part of the development review process, the City Engineer of the City of Cotati will determine adequacy and compliance of the Project with the City's sewer system requirements and compliance with the City of Cotati Sewer Collection System Master Plan, Urban Water Management Plan, and Water Distribution System Master Plan. A Utility Demand Study was prepared for the Project (**Appendix N**) that anticipated the average wastewater generation to be approximately 25,253 gallons per day (gpd) and peak flow to be 88,152 gpd. Overall, the Project is estimated to add 14,521 gpd to the existing system over the anticipated 2011 Sewer Master Plan (and Addendum) demand totals.

The City Engineer has reviewed the Project plans and Utility Demand Study and determined that the anticipated wastewater generation from the Project can be met by wastewater infrastructure. The final plans and utility demand study are required to be submitted to the City Engineer to confirm wastewater generation of final plans can be met by utilities prior to permit issuance under condition of approval **COA UTI-1**.

As conditioned, the Project will not result in a new significant impact or substantially increase the severity of a previously identified significant impact relative to the 2013 General Plan EIR.

**5.19(d-e) (Solid Waste Generation and Compliance with Solid Waste Management) – No Change Relative to the General Plan EIR**

The 2013 General Plan EIR concluded that General Plan implementation would be served by a landfill for solid waste disposal needs and will require compliance with various laws and regulations, and the impact would be considered a less than significant impact.

During construction, the Project would generate solid waste from concrete and asphalt from the removal of existing improvements and vegetation waste from tree removal. In compliance with the 2016 Cal Green Tier 1 Mandatory Measures, the applicant will be required to recycle or salvage at least 65 percent of nonhazardous construction and demolition waste and prepare a Construction Waste Management Plan that documents the diversion of materials as required by CalGreen.<sup>15</sup> The Project

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<sup>15</sup> California Green Building Standards Code (2016), Effective January 2, 2017.



will be required to comply with Cotati Municipal Code Section 17.39.030.G(5), which requires coordination with refuse pickup providers to determine the adequate size and number of containers required to accommodate all waste streams (landfill, recycling, and composting). Therefore, the Project's impacts related to solid waste will not result in new or more severe impacts relative to the 2013 General Plan EIR.

### **2013 General Plan EIR Mitigating Policies and Actions**

**Policy CSF 1.1:** Require all development projects to demonstrate, to the satisfaction of the City Engineer, that the City's public services and utilities can accommodate the increased demand for services associated with the project.

**Status:** As part of the development review process, the City Engineer has reviewed the Project, including the utility demand study. The engineer determined that the City's facilities are adequate to serve the Project. As such, the Project is consistent with this policy.

**Policy CSF 1.2:** Require new development to offset or mitigate impacts to public services and facilities to ensure that service levels for existing users are not degraded or impaired by new development, to the satisfaction of the City Engineer.

**Status:** Through the building permit review process, the Project will be required to pay water and sewer connection fees that are intended to cover the maintenance and incremental expansion of facilities as planned to accommodate buildout of the General Plan. Through implementation of the uniformly applied development standards in the Municipal Code, the Project is consistent with this policy.

**Policy CSF 1.3:** Limit approvals of new development to areas where adequate infrastructure and services are available or will be provided by the development.

**Status:** The Project site is located within City limits and is currently well served by existing utilities and service systems. New service connections will be required that tie into the existing facilities, which are located along Alder Avenue and SR-116. The connection of new services is anticipated by the General Plan and does not require substantial infrastructure improvements or enhancements to adequately serve the Project. As such the Project is consistent with this policy.

**Policy CSF 1.6:** Require development, infrastructure, and long-term planning projects to be consistent with all applicable City plans and programs related to public services and facilities, including but not limited to the Water Master Plan, the Sanitary Sewer Master Plan and the Capital Improvement Plan. New projects shall assist with the implementation of these plans through the provision of fair-share payments, construction of improvements, or other means identified as appropriate by the City Engineer.

**Status:** Prior to issuance of a building permit, the applicant is required to pay development impact fees for incremental increase in demand for public services and facilities, as well as comply with all Public Works/Engineering's Conditions of Approval. Therefore, the project is consistent with this policy.

**Policy CSF 2.2:** Prior to the approval of development, infrastructure, Specific Plans, or other projects that would result in increased demand for public water production, conveyance, treatment or storage, project proponents must demonstrate proof of adequate water supply (e.g., that existing services are adequate to accommodate the increased demand, or improvements to the capacity of the system to meet increased demand will be made prior to project implementation) and that potential cumulative impacts to water users and the environment will be addressed.

**Action CSF 2a:** As part of the development review process, determine the potential impacts of development and infrastructure projects on the water system and ensure that new development contributes its fair share toward necessary water infrastructure and supply. The Planning Department and the City Engineer shall be responsible for ensuring that the assessments are made.

**Status:** The City Engineer has determined that the Project will adequately connect to and comply with the City's sewer system requirements and compliance with the City of Cotati Sewer Collection System Master Plan, Urban Water Management Plan, and Water Distribution System Master Plan. Additionally, the City requires that the Project enter into a Public Improvement Agreement (PIA). The City also requires that the site be annexed into the Community Facilities District (CFD) and **COA UTI-3** is required. As conditioned, the Project complies with this policy and action.

**Policy CSF 3.8:** Require new or significantly remodeled residential and all non-residential development to incorporate sufficient, attractive, and convenient interior and exterior storage areas for recyclables and green waste.

**Status:** The Project site plan identifies several trash enclosures throughout the site that would be located in relatively close proximity to each building. Structures would be composed of durable materials and would be located in parking areas next to trees and landscaping strips. As such, the Project design is consistent with this policy.

#### **Conclusion and Environmental Conditions of Approval:**

The Project is within the scope of development projected under the General Plan and would not result in any substantial new or more severe impacts to utilities relative to what was identified in the 2013 General Plan EIR. Furthermore, there are no circumstances peculiar to the Project site and there have been no substantial changes in environmental circumstances that would result in new or more severe significant environmental effects than were identified and evaluated in the 2013 General Plan EIR. The following environmental conditions of approval are required to implement the 2013 General Plan EIR mitigating policies and actions:

**UTI-1:** The final plans and utility demand study are required to be submitted to the City Engineer to confirm water demand and wastewater generation of final project design can be met by utilities prior to permit issuance.

**UTI-2:** The applicant shall submit landscape and irrigation plans for plantings at the time of the Improvement Plan submittal package. All landscaping and irrigation shall comply with the City Water Efficient Landscape Ordinance (WELO) and is subject to review and approval by the City Engineer. Prior to issuance of a certificate of occupancy, all plantings and irrigation systems in the approved final landscaping plan shall be completed.

**UTI -3:** The applicant shall execute a City standard Public Improvement Agreement to address the proposed public improvements. The agreement shall address design, construction, dedication of and City acceptance of the public improvements. The agreement shall include and engineer's cost estimate for the public improvements, security for the completion of these improvements, an initial deposit and execution of the City's deposit account agreement for City inspection of the construction of the public improvements. The agreement shall be submitted for review and approval by the City. The agreement shall also address the ownership, maintenance, lighting, parking, access and shall be recorded against the lands of the project.

**5.20. WILDFIRE**

| If located in or near state responsibility areas or lands classified as very high fire hazard severity zones, would the Project:                                                                                                                                   | New Significant Impact Relative to General Plan EIR | More Severe Impact Relative to General Plan EIR | No Substantial Change Relative to General Plan EIR | No Change Relative to General Plan EIR |
|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------|-------------------------------------------------|----------------------------------------------------|----------------------------------------|
| a) Substantially impair an adopted emergency response plan or emergency evacuation plan?                                                                                                                                                                           | <input type="checkbox"/>                            | <input type="checkbox"/>                        | <input type="checkbox"/>                           | <input checked="" type="checkbox"/>    |
| b) Due to slope, prevailing winds, and other factors, exacerbate wildfire risks, and thereby expose project occupants to pollutant concentrations from a wildfire or the uncontrolled spread of a wildfire?                                                        | <input type="checkbox"/>                            | <input type="checkbox"/>                        | <input type="checkbox"/>                           | <input checked="" type="checkbox"/>    |
| c) Require the installation or maintenance of associated infrastructure (such as roads, fuel breaks, emergency water sources, power lines or other utilities) that may exacerbate fire risk or that may result in temporary or ongoing impacts to the environment? | <input type="checkbox"/>                            | <input type="checkbox"/>                        | <input type="checkbox"/>                           | <input checked="" type="checkbox"/>    |
| d) Expose people or structures to significant risks, including downslope or downstream flooding or landslides, as a result of runoff, post-fire slope instability, or drainage changes?                                                                            | <input type="checkbox"/>                            | <input type="checkbox"/>                        | <input type="checkbox"/>                           | <input checked="" type="checkbox"/>    |

Source: Cotati General Plan and 2013 General Plan EIR adopted and certified on March 24, 2015; State Responsibility Area Fire Hazard Severity Zones June 15, 2023; State Responsibility Area Fire Hazard Severity Zones November 2007; Local Responsibility Area Fire Hazard Severity Zones November 2008; and Memorandum from Rancho Adobe Fire Protection District prepared on August 15, 2023 and reaffirmed on September 11, 2023.

**2013 General Plan EIR Findings**

The 2013 General Plan EIR addressed impacts related to wildfire hazards in Chapter 3.7 – Hazards. The following impact related to wildfires was considered under the 2013 General Plan EIR:

- Impact 3.7-6: The General Plan does not have the potential to 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. Through the implementation of mitigating General Plan Policies CSF 2.28-CSG 2.32, CSF 2.36, and SA 1.1 - SA 1.7 and Actions CSF 2o, CSF 2p, CSF SA 1a, and SA 1d, implementation of the 2013 General Plan would have a less than significant impact.

Mitigating policies and actions provided in the General Plan are included in the 2013 General Plan EIR to ensure public facilities are able to respond to wildfire emergencies, effective coordination between fire districts, and maintenance of emergency response facilities and infrastructure. Individual projects are directed to be reviewed by the City and the Rancho Adobe Fire Protection District for code compliance. The California Department of Forestry and Fire Protection (CalFire) has identified the site as being located outside of a State Responsibility Area (SRA) and Local Responsibility Area (LRA) Fire Hazard Severity Zone.

In October 2017, the Tubbs Fire (Central LNU Complex) burned approximately 36,807 acres in Sonoma County. Residents were exposed to direct effects of the wildfire, such as the loss of structures, and to the secondary effects of the wildfire, such as smoke and air pollution. Smoke generated by wildfire consists of visible and invisible emissions that contain particulate matter (soot, tar, water vapor, and minerals) and gases (carbon monoxide, carbon dioxide, nitrogen oxides). Public health impacts associated with wildfire include difficulty in breathing, odor, and reduced visibility.

#### **SONOMA COUNTY HAZARD MITIGATION PLAN**

On September 28, 2021, the Cotati City Council adopted the Sonoma County Multijurisdictional Hazard Mitigation Plan (HMGP) to guide pre- and post-disaster mitigation of identified hazards. The plan includes actions to mitigate current risk from hazards and changes in hazard impacts resulting from climate change, including wildfires. The plan includes Best Management Practices to Mitigate the Wildfire Hazard. These practices include what are called “personal scale” alternatives such as:

- Clear overgrown underbrush and diseased trees;
- Create and maintain defensible space around structures;
- Regular mowing/landscape maintenance;
- Use of fire-resistant building materials;
- Employ techniques from the Firewise USA Program; and
- Installing or replacing roofing with non-combustible materials.

#### *Sonoma County Community Wildfire Protection Plan*

In June 2023, the County Community Wildfire Protection Plan (CWPP) was incorporated by reference into the Sonoma County Annex of the Multi-Jurisdiction Hazard Mitigation Plan (MJHMP). Part of this plan includes the Sonoma County Wildfire Risk Index (WRI). Published on November 17, 2022, the WRI predicts relative wildfire risk. The Wildfire Risk Analysis divides the county's landmass into 100-acre hexagons which are assigned a risk level. While each hexagon is assigned an overall risk level, conditions may vary significantly within the shape. It is entirely possible that areas of relatively low risk could exist within a polygon whose overall risk is high. The purpose of the CWPP and WRI is to inform planning to improve wildfire resiliency.

#### **Project Consistency with the 2013 General Plan EIR**

#### **5.20(a-d) (Impair Emergency Plans, Exacerbate Wildfire Risks, Infrastructure Contribution to Risks, Exposure to Wildfire-Related Risks) – No Change Relative to the General Plan EIR**

The Project is consistent with the allowable uses under the land use designations in the General Plan. As such, the Project would not conflict with an emergency plan in that the General Plan accounts for the impacts of the planned development under the 2013 General Plan EIR. The Project site is not located in the VHFHSZ as provided by CalFire and is not within a watercourse or significant slope that may become unstable following a wildfire.

Additionally, the Project falls under the jurisdiction of the Rancho Adobe Fire Protection District who implements the fire resiliency requirements in the Sonoma County Multijurisdictional Hazard Mitigation Plan. The project has undergone initial review by RAFD and initial plans have been determined to be adequate with standard conditions applied to all projects. Therefore, the Project would not conflict with an emergency plan, interfere with emergency access, or otherwise exacerbate wildfire risk.

Through the application of uniformly applied standards in the building and fire codes, the Project will not result in a new significant impact or substantially increase the severity of a previously identified significant impact relative to the 2013 General Plan EIR.

### **2013 General Plan EIR Mitigating Policies and Actions**

**Policy CSF 2.30:** Design and maintain City streets in such a way so as to maintain acceptable emergency vehicle response times.

**Status:** The final Project plans will be reviewed by Rancho Adobe Fire Protection District for review and approval. Construction plans will be routed to the District for confirmation that final design meets emergency access requirements. Through the implementation of uniformly applied development standards, the Project is consistent with this policy.

**Action CSF 2o:** Continue to enforce the California Building Code and the California Fire Code to ensure that all construction implements fire-safe techniques, including fire resistant materials, where required.

**Status:** The final building plans will undergo review for compliance with the uniform standards of the California Building Code and the California Fire Code by the City of Cotati Building Department and RAFD during the building permit review process. As such, the Project is consistent with this policy.

**Action CSF 2p:** As part of the development review process for new projects, the City will continue to refer applications to the Rancho Adobe Fire Protection District for determination of the project's potential impacts on fire protection services. Requirements will be added as Conditions of Approval to project's approving resolutions.

**Status:** The application for the Project has been referred to the Rancho Adobe Fire Protection District for initial review and conditioned accordingly. Furthermore, the Project will be subject to final review and approval by the RAFD prior to issuance of a building permit.

### **Conclusion and Environmental Conditions and Approval**

The Project is within the scope of development projected under the General Plan and through the application of uniformly applied standards would not result in any substantial new or more severe impacts to wildfire relative to what was identified in the 2013 General Plan EIR. Furthermore, there are no circumstances peculiar to the Project site and there have been no substantial changes in

environmental circumstances that would result in new or more severe significant environmental effects than were identified and evaluated in the 2013 General Plan EIR. No Conditions of Approval are required beyond compliance with uniformly applied development standards and applicable local and state regulations.

**5.21. MANDATORY FINDINGS OF SIGNIFICANCE**

|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      | <b>New<br/>Significant<br/>Impact<br/>Relative to<br/>General<br/>Plan EIR</b> | <b>More<br/>Severe<br/>Impact<br/>Relative to<br/>General<br/>Plan EIR</b> | <b>No<br/>Substantial<br/>Change<br/>Relative to<br/>General<br/>Plan EIR</b> | <b>No Change<br/>Relative to<br/>General<br/>Plan EIR</b> |
|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------|----------------------------------------------------------------------------|-------------------------------------------------------------------------------|-----------------------------------------------------------|
| a) Does the project have the potential to substantially 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, substantially 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? | <input type="checkbox"/>                                                       | <input type="checkbox"/>                                                   | <input checked="" type="checkbox"/>                                           | <input type="checkbox"/>                                  |
| b) Does the project have impacts that are individually limited, but cumulatively considerable?<br>("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)?                                                                                                                                    | <input type="checkbox"/>                                                       | <input type="checkbox"/>                                                   | <input checked="" type="checkbox"/>                                           | <input type="checkbox"/>                                  |
| c) Does the project have environmental effects, which will cause substantial adverse effects on human beings, either directly or indirectly?                                                                                                                                                                                                                                                                                                                                         | <input type="checkbox"/>                                                       | <input type="checkbox"/>                                                   | <input checked="" type="checkbox"/>                                           | <input type="checkbox"/>                                  |

Source: Cotati General Plan and 2013 General Plan EIR adopted and certified on March 24, 2015; and Public Works/Engineering Conditions of Approval prepared on September 27, 2023.

**2013 General Plan EIR Findings**

Under the requirements of CEQA, an EIR is required to discuss cumulative impacts to which the project would contribute. A cumulative impact is defined as an impact resulting from the combined effects of past, present, and reasonably foreseeable future projects or activities. The 2013 General Plan EIR concluded that implementation of the General Plan to Air Quality, Biological Resources, Cultural Resources, Geology and Soils, Greenhouse Gasses and Climate Change, Hazards, Hydrology and Water Quality, Land Use and Population, Agriculture, Public Services, and Recreation.



The 2013 General Plan EIR determined that the implementation of the General Plan would result in the following Cumulative impacts:

- Impact 3.10---7: Cumulative Noise Impacts (Significant and Unavoidable)
- Impact 3.13---3: Potential to exceed wastewater treatment capacity or the requirements of the RWQCB (Cumulatively Considerable and Significant and Unavoidable)
- Impact 4.1: Cumulative Degradation of the Existing Visual Character of the Region (Considerable Contribution and Significant and Unavoidable)
- Impact 4.11: Cumulative Exposure of Noise---Sensitive Land Uses to Noise in Excess of Normally Acceptable Noise Levels or to Substantial Increases in Noise (Considerable Contribution and Significant and Unavoidable)
- Impact 4.13: Cumulative Impact on the Transportation Network (Considerable Contribution and Significant and Unavoidable)
- Impact 4.14: Cumulative Impact on Utilities (Considerable Contribution and Significant and Unavoidable)
- Impact 4.15: Irreversible Effects (Significant and Unavoidable)

#### **Project Consistency with the 2013 General Plan EIR**

#### **5.21(a-c) (Threaten to eliminate a biological resource or cultural resource, cumulatively considerable, substantial adverse effects) – No Substantial Change Relative to the General Plan EIR**

The proposed Project is consistent with both the General Plan Land Use Designation of General Commercial and Zoning designation of Commercial, Gravenstein Corridor (CG). The Project Conditions of Approval ensure that the Project complies with the policies and actions of the 2013 General Plan. Additionally, and as noted throughout this document, the Project shall comply with the federal, state, and local regulations including the uniformly applied standards of the City of Cotati Municipal Code.

Additionally, the Project has been reviewed by the City of Cotati Public Works and Engineering and Conditions of Approval were established on September 27, 2023. They include 74 conditions that will ensure that the project complies with the City of Cotati Municipal Code and that the project will not have a cumulatively considerable or substantially adverse effect as a result of the project.

Additionally, there are three other proposed project in the vicinity, the Redwood Row project to the east and the Cotati Villages 2 to the west, and the SR-116/West Cotati Avenue Realignment. While these projects are on different timelines, it is possible that construction activities may overlap. In order to prevent cumulative effects from multiple projects, **COA MF-1** will be required for all project applicants to coordinate with the City to coordinate concurrent construction and reduce any possible lane closures, haul trips, and minimize dust and noise as much as feasible.

The Project is within the scope of development projected under the General Plan and is conditioned as such that it would not result in any substantial new or more severe impacts relative to what was identified in the 2013 General Plan EIR. Furthermore, there are no circumstances peculiar to the Project site and there have been no substantial changes in environmental circumstances that would result in new or more severe significant environmental effects than were identified and evaluated in

the 2013 General Plan EIR. The environmental conditions of approval that implement the 2013 General Plan EIR mitigating policies are listed in section 7 including the following:

**MF-1:** The applicant shall coordinate the project's construction activities and construction schedule with the City to coordinate the concurrent construction of projects immediately adjacent to the project site and ensure that overlapping lane closures, periods of increased noise and dust generation are minimized to the extent practicable.

## **6. REFERENCE DOCUMENTS**

The following reference documents are hereby incorporated by reference and are available for review during normal business hours at Cotati City Hall 201 W. Sierra Avenue in Cotati, CA.

### **6.1. TECHNICAL APPENDICES**

- A. Cotati Village Community Plan Set prepared by Trachtenberg Architects on December 18, 2023.
- B. Air Quality Analysis Update Memo from Illingworth and Rodkin on November 3, 2023. Cotati Village Mixed-Use Air Quality and Greenhouse Gas Assessment prepared by Illingworth and Rodkin, Inc. on November 17, 2022.
- C. Biological Assessment for Cotati Village Site prepared by Monk and Associates on June 29, 2023.
- C-1. Biological Resources Analysis Highway 116/ West Cotati Alignment Plan prepared by Monk & Associates on October 26, 2023.
- D. Western Burrowing Owl Site Assessment for Cotati Village Site prepared by Monk and Associates on November 1, 2021.
- E. Tree Inventory Report for Cotati Village Community prepared by Horticultural Associates on November 14, 2022.
- F. Archaeological Resource Management Report for the Cotati Village Site prepared by Archaeological Resource Service on July 8, 2022. – NO PUBLIC DISTRIBUTION
- G. Geotechnical Investigation Report for South Sonoma Business Park prepared by Kleinfelder, Inc on June 29, 2000.
- H. Geotechnical Site Plan Review prepared by Miller Pacific Engineering Group on November 3, 2023, Pavement Design Criteria for Cotati Village Development prepared by Miller Pacific Engineering Group on December 16, 2021, Pavement Design Criteria prepared by Miller Pacific Engineering Group on August 24, 2007 (hand-modified Table A).
- I. Phase I Environmental Assessment of South Sonoma prepared by Property Solutions Inc. on August 3, 2011.
- J. Preliminary Hydrology Study for Cotati Village Community prepared by MFKessler Inc. in November of 2021 and revised in December of 2023.
- K. Stormwater Control Plan for Cotati Village Community prepared by MFKessler Inc on October 14, 2022 and revised on December 18, 2023.
- L. Update to Noise and Vibration Assessment for Cotati Village Community prepared by Illingworth and Rodkin on November 3, 2023. Cotati Village Noise and Vibration Assessment prepared by Illingworth and Rodkin Inc on November 14, 2022.
- M. Transportation Impact Study for the Cotati Village Project prepared by W-Trans on June 15, 2023
- M-1. Addendum No.2 to the Transportation Impact Study prepared by W-Trans on October 31, 2023.

- N. Preliminary Utility Demand Study for Cotati Village Community prepared by MFKessler Inc in April of 2022 and reissued on June 30, 2023.

## 6.2. OTHER DOCUMENTS REFERENCED

1. *2022 California Green Building Standards Code (CalGreen)*, Effective January 1, 2023.
2. *Archaeological Study for the Gravenstein Highway (SR-116)/West Cotati Avenue Realignment Project*, Evans & De Shazo, September 28, 2023.
3. *BAAQMD 2022 Bay Area Clean Air Plan*, prepared by the Bay Area Air Quality Management District, April 2022.
4. *BAAQMD CEQA Guidelines*, prepared by the Bay Area Air Quality Management District, April 2022.
5. *BAAQMD Recommended Methods for Screening and Modeling Local Risks and Hazards*, prepared by the BAAQMD, May 2011.
6. *California Code, Government Code Section 66477*.
7. *California Code, Health and Safety Code Section 25501(n)(1)*.
8. *California Scenic Highway Mapping System, Scenic Highway System Lists*, Cal Trans. <https://dot.ca.gov/programs/design/lap-landscape-architecture-and-community-livability/lap-liv-i-scenic-highways>, accessed December 15, 2023.
9. *California Department of Conservation Farmland Mapping and Monitoring Program* website accessed on December 26, 2023. <https://maps.conservation.ca.gov/dlrp/ciff/>
10. *City of Cotati Municipal Code*. <https://www.codepublishing.com/CA/Cotati>
11. *Climate Action 2020 and Beyond: Sonoma County Regional Climate Action Plan*, prepared by Sonoma County Regional Climate Protection Authority, July 2016.
12. *Cotati Bicycle and Pedestrian Master Plan*, prepared by Sonoma County Transportation Authority for the City of Cotati, adopted December 2008, updated April 22, 2014.
13. *EnviroStor*, managed by the Department of Toxic Substances Control, accessed September 2023.
14. *GeoTracker*, managed by the State Water Resources Control Board, accessed September 2023.
15. *Groundwater Sustainability Plan for the Santa Rosa Plain Subbasin* prepared by Sonoma Water, December 2021.
16. *Guidelines for Analysis of Vehicle Miles Traveled*, adopted by City of Cotati September 22, 2020.
17. *Local Responsibility Area Fire Severity Zone Map*, Office of the State Fire Marshal, November 2007.
18. MTC/ABAG Hazard Viewer Map, accessed July 27, 2022.

19. *National Flood Hazard Layer*. FEMA. September 2023. <https://www.fema.gov/flood-maps/national-flood-hazard-layer>
20. *PA #21-29 Cotati Village 1 Conditions of Approval* prepared by City of Cotati Department of Public Works and Engineering on September 27, 2023
21. *Recovery Plan for the Santa Rosa Plain*, US Fish and Wildlife Service (USFWS), 2016.
22. *Reinitiation of Formal Consultation on Issuance of Clean Water Act, Section 404 Permits by the U.S. Army Corps of Engineers (Corps) on the Santa Rosa Plain*, Sonoma County, California, prepared by USFWS, 2020.
23. *Santa Rosa Plain Conservation Strategy*, prepared by USFWS, 2005.
24. *Santa Rosa Plain Conservation Strategy Map*, prepared by USFWS, 2007.
25. *Sonoma County Multijurisdictional Hazard Mitigation Plan Update 2021*, prepared by Tetra Tech Consultants for Permit Sonoma, October 2021.
26. *Sonoma County Permit Sonoma GIS, Williamson Act Contracts*, Sonoma County, 2019.
27. *Sonoma County Water Agency 2020 Urban Water Management Plan*, prepared by Brown and Caldwell, June 2021.
28. *State Responsibility Area Fire Severity Zone Map*, Office of the State Fire Marshal, June 15, 2023.
29. *Technical Advisory on Evaluating Transportation Impact in CEQA*, prepared by the California Office of Planning and Research, December 2018.
30. *USGS Land Cover Classification System*.

## 7. ENVIRONMENTAL CONDITIONS OF APPROVAL

The following conditions of approval have been identified through this analysis and ensure implementation of applicable mitigation measures and policies set forth in the 2013 General Plan EIR.

**AES-1:** Prior to issuance of a building permit, the applicant shall submit a final lighting plan and the City shall verify that the final lighting plan complies with applicable requirements set forth in Section 17.30.060 of the Cotati Municipal Code, in accordance with General Plan Action OS1f to minimize off-site and night sky impacts of outdoor lighting.

**AQ-1:** During any construction period ground disturbance, the Project will ensure that the Project contractor(s) implement the following measures to control dust and exhaust that are recommended by BAAQMD and listed below:

1. All exposed surfaces (e.g., parking areas, staging areas, soil piles, graded areas, and unpaved access roads) shall be watered two times per day.
2. All haul trucks transporting soil, sand, or other loose material off-site shall be covered.
3. All visible mud or dirt track-out onto adjacent public roads shall be removed using wet power vacuum street sweepers at least once per day. The use of dry power sweeping is prohibited.
4. All vehicle speeds on unpaved roads shall be limited to 15 miles per hour (mph).
5. All roadways, driveways, and sidewalks to be paved shall be completed as soon as possible. Building pads shall be laid as soon as possible after grading unless seeding or soil binders are used.
6. Idling times shall be minimized either by shutting equipment off when not in use or reducing the maximum idling time to 5 minutes (as required by the California airborne toxics control measure Title 13, Section 2485 of California Code of Regulations [CCR]). Clear signage shall be provided for construction workers at all access points.
7. All construction equipment shall be maintained and properly tuned in accordance with manufacturer's specifications. All equipment shall be checked by a certified mechanic and determined to be running in proper condition prior to operation.
8. Designate a Disturbance Coordinator and post a publicly visible sign with the telephone number of the Disturbance Coordinator to contact regarding dust complaints. The Disturbance Coordinator shall respond and take corrective action within 48 hours. The Air District's phone number shall also be visible to ensure compliance with applicable regulations.

**AQ-2:** All contractors shall implement a Construction Minimization Plan including feasible measures to reduce diesel particulate matter emissions from new construction by 70 percent as follows:

1. All off-road mobile construction equipment larger than 25 horsepower used at the site for more than two continuous days or 20 hours total shall meet U.S. EPA Tier 4 emission standards for PM (PM10 and PM2.5). Note that engines meeting the U.S. EPA Tier 2 or 3 standards that include particulate matter emissions control equivalent to CARB Level 3 verifiable diesel emission control devices would meet this standard.

2. Provide line power to the site during the early phases of construction to minimize the use of diesel-powered stationary equipment.
3. Alternatively, use zero-emission or non-diesel fueled equipment.

**BIO-1:** Prior to site preparation, grading, or construction, the applicant shall take the following actions:

1. If any work occurs between September 1 and January 31, a qualified biologist shall follow the California a Department of Fish and Game (now CDFW) 2012 Staff Report on Burrowing Owl Mitigation (CDFW 2012 Staff Report) habitat assessment and survey methodology prior to Project activities occurring. The habitat assessment and surveys shall encompass a sufficient buffer zone to detect owls nearby that may be impacted. Time lapses between surveys or Project activities shall trigger subsequent surveys, as determined by a qualified biologist, including but not limited to a final survey within 24 hours prior to ground disturbance and before construction equipment mobilizes to the Project area. The qualified biologist shall have a minimum of two years of experience implementing the CDFW 2012 Staff Report survey methodology resulting in detections. Detected burrowing owls shall be avoided pursuant to the buffer zone prescribed in the CDFW 2012 Staff Report, unless otherwise approved in writing by CDFW, and any eviction plan shall be subject to CDFW review.
2. Prior to demolition of existing structures and trees, the biologist shall perform bat roost emergence surveys no more than 7 days prior to the start of activities outside of the hibernation period (November 1 to March 1). If bats are found, a bat exclusion plan shall be prepared and submitted to CDFW to include the following:
  - a. Bats shall be excluded between March 1 (once overnight low temperatures exceed 45 degrees Fahrenheit) and April 15, or between September 1 and October 15 to ensure no impact to maternity roosting occurs. Once bats have been fully excluded, the structure may be demolished or removed.
  - b. If a maternity roost is found, a replacement roost must be established either on-site or at a nearby off-site at a permanently protected location in consultation with CDFW.
  - c. Tree removal for trees greater than 16-inch dbh shall be performed using the three-step removal process. First the crown or upper 1/3 of the tree shall be removed and any limbs removed and left overnight. Next, the rest of the tree shall be felled and left overnight. On the third day, the biologist shall examine the felled tree to make sure any bats have escaped prior to chipping on-site or hauling to an off-site location for disposal.
3. The applicant shall consult with the California Department of Fish and Wildlife prior to the start of any ground-disturbing activities to confirm with CDFW that the Project would not result in impacts to CESA-listed species/special status species.

**BIO-2:** Prior to issuance of a demolition or grading permit, the applicant shall secure wetland mitigation credits for impacted waters of the State at a 1:1 ratio from an approved bank

within the same conservation area or in proximity as feasible and provide evidence of procurement to the City. During all frontage work and construction activities occurring within 25 feet of wetlands as mapped by the "Draft Aquatic Resources Delineation Map for SR-116 and West Cotati Ave Project" prepared by Monk and Associates on August 23, 2023, the applicant/contractor shall install and maintain exclusion fencing precluding inadvertent access to wetlands to be preserved.

**BIO-3:** To prevent any potential affects to nesting birds, the following actions shall be taken:

1. If construction begins between February 1 and August 31, a pre-construction nesting bird (both passerine and raptor) survey of the habitats within 500 feet of all work areas shall be performed within 7 days of groundbreaking. If no nesting birds are observed, no further action is required, and grading must occur within one week of the survey to prevent "take" of individual birds that could begin nesting after the survey. A follow-up survey is required if a stoppage in work occurs for longer than 7 days between February 1 and July 1.
2. If active bird nests (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 or the nest has naturally failed or been predated, as determined by a qualified biologist. The radius of the required buffer zone can vary depending on the species, with the dimension of any required buffer zone to be determined by a qualified biologist.
3. To delineate the "no-work" buffer zone around a nesting tree, orange construction fencing must be placed at the specified radius from the base of the tree within which no construction related activity or machinery shall intrude.

**BIO-4:** The applicant and all contractors shall implement the tree preservation and protection conditions of the Tree Removal Permit and comply with all regulations and replacement requirements in Municipal Code Chapter 17.54 for any trees that are intentionally or accidentally removed or damaged during project construction.

**CUL-1:** In the event that cultural resources or human remains are inadvertently discovered during ground disturbing activities, the following conditions shall apply:

- a. If construction or grading activities result in the discovery of significant historic or prehistoric archaeological artifacts or unique paleontological resources, all work within 100 feet of the discovery shall cease, the Community Development Department shall be notified, the resources shall be examined by a qualified archaeologist, paleontologist, or historian for appropriate protection and preservation



measures; and work may only resume when appropriate protections are in place and have been approved by the Community Development Department.

- b. If human remains are discovered during any ground disturbing activity, work shall stop until the Community Development Department and the County Coroner have been contacted; if the human remains are determined to be of Native American origin, the Native American Heritage Commission (NAHC) and the most likely descendants have been consulted; and work may only resume when appropriate measures have been taken and approved by the Community Development Department.
  - If the skeletal remains are found to be prehistoric, Native American and not modern, then the coroner must call the Native American Heritage Commission in Sacramento that will designate the “Most Likely Descendant” (or MLD) of the discovered remains. The MLD will be responsible for recommending the disposition and treatment of the remains (before construction is resumed). Although the likelihood of encountering human skeletal remains in the project area seems slight, it is important to have a procedure for alternate tasks that can be put into effect quickly in the event that human remains are discovered. This allows for work to continue elsewhere on the project area (where appropriate given the size of the property and location of the discovery) while the remains are properly investigated.
- c. If any prehistoric artifactual materials such as modified obsidian flakes or formed tools or concentrations of natural obsidian nodules are observed during any phase of grading or future construction on the property, all work in the vicinity of the find shall be stopped until the area of the discovery can be evaluated by an archaeologist. Depending on the extent and cultural composition of the discovered materials, subsequent excavation monitored by an archaeologist may be required, who shall be ready to record, recover and/or protect significant artifactual materials from further damage.

**GEO-1:** The Project shall implement recommendations from the geotechnical reports associated with the site, including the Geotechnical Investigation Report (June 29, 2000) prepared by Kleinfelder (**Appendix G**); Pavement Design Criteria for Cotati Village Development (August 24, 2007) and Pavement Recommendation Letter (December 16, 2021), prepared by Miller Pacific Engineering Group (**Appendix H**); Update to Table A (April 26, 2007) prepared by Miller Pacific Engineering Group on November 3, 2023 (**Appendix H**);

At the time of permit application submittal, the applicant shall include a letter, together with the geotechnical analyses, from the Project’s geotechnical engineer certifying that all recommendations in the Project’s geotechnical analyses meet current geotechnical design standards and that all applicable recommendations have been incorporated into the construction plans. Where the geotechnical engineer recommends technical changes to the recommendations in any of the geotechnical analyses, such changes shall be clearly identified in the letter.

All recommendations shall be incorporated into the project design, construction documents and improvement plans, or as otherwise determined by the City Engineer and/or Chief Building Official. The Project's geotechnical engineer shall inspect the construction work and shall certify to the City, prior to issuance of a certificate of occupancy, that the improvements have been constructed in accordance with the geotechnical analyses.

**HAZ-1:** Prior to construction, the applicant shall prepare a Lead Compliance Plan and a Soil Management Plan in compliance with current Caltrans guidelines, and a worker Health and Safety Plan. The plans shall address:

- Sampling and analysis of soils prior to earth-moving work
- transportation and disposal of any contaminated soil in compliance with state and federal law
- worker health and safety during the handling of potentially hazardous soils

**HYD-1:** The applicant shall submit a Storm Water Prevention and Pollution Plan (SWPPP) and erosion and sediment control plan for approval by the City Engineer prior to the issuance of a building permit. The SWPPP shall include Best Management Practices for construction activities as well as accounting for any BMPs required for operational activities. The SWPPP shall incorporate the requirements of all applicable federal, state, and local regulations. Submitted plans shall also demonstrate compliance with City of Cotati Municipal Code Chapter 13.68 Storm Water Ordinance and Chapter 14.36 Erosion and Sediment Control.

**HYD-2:** The applicant shall submit final drainage plans including a final Stormwater Low Impact Development and Stormwater Mitigation Plan for review and approval by the City Engineer prior to issuance of the building permit.

**NOI-1:** Prior to issuance of the building permit, the applicant shall submit final design plans that incorporate and certify the inclusion of noise attenuation measures as identified in the Noise and Vibration Analysis prepared by Illingworth and Rodkin (**Appendix L**), consistent with General Plan and Building Code Standards, including the following:

1. Apartments located in Buildings A,B, and C which are adjacent to and/or with a clear view of traffic on SR-116, shall be equipped with a mechanical ventilation system(s) to supply fresh air via an acoustically rated straight air transfer duct such as the Fresh 80, 90 or 100-dB units by Fresh Ventilation or an equivalent unit or other system deemed satisfactory by the local building official, to provide adequate fresh air to the residences with closed windows.
2. The apartments in Buildings A, B, and C, which are adjacent to and/or with a clear view of traffic on SR-116, shall have exterior wall assemblies, windows and doors designed to maintain interior noise levels at or below 45 dBA Ldn with closed exterior doors and windows.
3. Exterior sound transmission control shall be incorporated in the design of commercial spaces in buildings A and C using either the prescriptive (section 5.507.4.1) or

performance (section 5.507.4.2) analysis methods. Under the performance method, wall, window, and roof-ceiling assemblies adjacent to Highway 116 shall be constructed to provide an interior noise environment attributable to exterior sources that does not exceed an hourly equivalent noise level (Leq-1Hr) of 50 dBA in occupied areas during any hour of operation.

**NOI-2:** The Project shall implement best management practices to minimize construction-related noise impacts as set forth in Action N1h of the General Plan, as listed below, and shall meet all applicable noise standards as set forth in Section 17.30.050 of the Cotati Municipal Code:

1. Noise-generating construction activities, including truck traffic coming to and from the construction site for any purpose, shall be limited to between the hours of 7:00 am and 7:00 pm on weekdays and 9:00 am and 5:00 pm on Saturdays. No construction shall occur on Sundays or holidays.
2. All equipment driven by internal combustion engines shall be equipped with mufflers, which are in good condition and appropriate for the equipment.
3. The construction contractor shall utilize "quiet" models of air compressors and other stationary noise sources where technology exists.
4. At all times during project grading and construction, stationary noise-generating equipment shall be located as far as practicable from sensitive receptors and placed so that emitted noise is directed away from residences.
5. Unnecessary idling of internal combustion engines shall be prohibited.
6. Construction staging areas shall be established at locations that will create the greatest distance between the construction-related noise sources and noise-sensitive receptors nearest the project site during all project construction.
7. Neighbors located adjacent to the construction site shall be notified of the construction schedule in writing.
8. The construction contractor shall designate a "noise disturbance coordinator" who will be responsible for responding to any local complaints about construction noise. The disturbance coordinator would determine the cause of the noise complaint (e.g., starting too early, bad muffler, etc.) and institute reasonable measures as warranted to correct the problem. A telephone number for the disturbance coordinator shall be conspicuously posted at the construction site.

**REC-1:** Prior to issuance of the building permit, the applicant shall dedicate one acre of parkland per 200 residents or pay an in-lieu fee as determined by the Community Development Director.

**TRA-1:** The southbound Alder Avenue approach to SR-116 shall be restriped to include separate left-turn and right-turn lanes as described by the 2023 Traffic Impact Study prepared by W-Trans. The restriping plan shall be submitted to the City Engineer for review and approval prior to building permit issuance. All required approvals shall be obtained from Caltrans and submitted to the City.

**TRA-2:** Final Project plans shall show the location and details of proposed bicycle parking on site based on final vehicular parking space counts and consistent with the requirements of Cotati Municipal Code Section 17.36.070.

**TRA-3:** As required by Caltrans, prior to issuance of a building permit, the applicant shall dedicate the required area (11 feet from the existing right of way) along the entire length of the project frontage along SR-116 for widening of the highway. The area dedicated shall be unencumbered (not accepted subject to any easements).

**TRA-4:** The Project shall comply with all requirements from Caltrans to address design, engineering, and operation requirements within the State right-of-way. Prior to commencing any work in the public right of way, the applicant shall secure an encroachment permit from Caltrans and provide the following to Caltrans:

1. Detailed information regarding any connections and or modifications to State drainage systems must be provided.
2. Any engineering calculations for onsite systems out-letting to State drainage systems (pipe or ditch) must be provided, such as flow rates for shed areas, detention time for detention basins, etc. If additional runoff is generated from the site and drains towards highway 116, the runoff must be metered to pre-construction levels.

The applicant shall provide a copy of the approved encroachment permit to the City prior to commencing work within the public right of way.

**TRA-5:** Final design and landscaping plans shall be submitted and show compliance with Cotati Municipal Code (CMC) Section 17.30.040(c)(2). Final landscaping plans shall include the specific plants that will be placed in the traffic safety visibility area (see CMC Section 17.30.040.E) and their maximum projected height which shall be no taller than 36 inches except for trees with their canopy trimmed to a minimum of eight feet above grade. These standards shall be applied to intersections between the multi-use path and any intersecting streets or driveways.

**UTI-1:** The final plans and utility demand study are required to be submitted to the City Engineer to confirm water demand and wastewater generation of final project design can be met by utilities prior to permit issuance.

**UTI-2:** The applicant shall submit landscape and irrigation plans for plantings at the time of the Improvement Plan submittal package. All landscaping and irrigation shall comply with the City Water Efficient Landscape Ordinance (WELO) and is subject to review and approval by the City Engineer. Prior to issuance of a certificate of occupancy, all plantings and irrigation systems in the approved final landscaping plan shall be completed.

**UTI -3:** The applicant shall execute a City standard Public Improvement Agreement to address the proposed public improvements. The agreement shall address design, construction, dedication of and City acceptance of the public improvements. The agreement shall include and engineer's cost estimate for the public improvements, security for the completion of these improvements, an initial deposit and execution of the City's deposit

account agreement for City inspection of the construction of the public improvements. The agreement shall be submitted for review and approval by the City. The agreement shall also address the ownership, maintenance, lighting, parking, access and shall be recorded against the lands of the project.

- MF-1:** The applicant shall coordinate the project's construction activities and construction schedule with the City to coordinate the concurrent construction of projects immediately adjacent to the project site and ensure that overlapping lane closures, periods of increased noise and dust generation are minimized to the extent practicable.