Santero Way Specific Plan Update

Findings of Fact and Statement of Overriding Considerations
State Clearinghouse #2023100654

prepared by

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1 Introduction

A Draft Environmental Impact Report (Draft EIR) was prepared for the Santero Way Specific Plan Update (project), was made available for public review on November 1, 2024, and was distributed to local and State agencies. Copies of the Notice of Availability (NOA) of the Draft EIR were mailed to a list of interested parties, groups, and public agencies; filed with the State Clearinghouse; and filed with the County Clerk. The Draft EIR and an announcement of its availability were posted electronically on the project website at https://www.cotaticity.org/1535/Santero-Way-Specific-Plan-Update and at the following locations:

- City of Cotati Community Development Department, 201 West Sierra Avenue, Cotati, California 94931
- Rohnert Park-Cotati Regional Library, 6250 Lynne Conde Way, Rohnert Park, California 94928

The local review period began on November 1, 2024, and ended on December 16, 2024, and the state review period began on November 4, 2024, and ended on December 18, 2024. The public was encouraged to submit written comments to Noah Housh, City of Cotati, Community Development Department, 201 West Sierra Avenue, Cotati, CA 94931.

After close of the Draft EIR public review and comment period, a Final EIR consisting of responses to comments and changes to the Draft EIR was prepared for the City of Cotati (City) City Council. On January 28, 2025, the City Council, at a public hearing, is expected to decide on the certification of the Final EIR and to approval of the project. The public hearing will be simultaneously held virtually and in person.

The Findings of Fact (Findings) and Statement of Overriding Considerations (SOC) presented herein address the environmental effects associated with the project that are described and analyzed within the Final EIR, reflect the Council's determinations about feasible mitigation measures, and the adequacy of the Final EIR. These Findings have been made pursuant to the California Environmental Quality Act (CEQA; California Public Resources Code Section 21000 et seq.), specifically Public Resources Code Section 21081 and 21081.6, as well as the *CEQA Guidelines* (14 CCR 15000 et seq.) Sections 15091 and 15093.

Public Resources Code Section 21081 and *CEQA Guidelines* Section 15091 require that the City, as the Lead Agency for this project, prepare written findings for any identified significant environmental effects along with a brief explanation of the rationale for each finding. Specific findings under *CEQA Guidelines* Section 15091(a) are:

(1) Changes or alterations have been required in, or incorporated into, the project which avoid or substantially lessen the significant environmental effects as identified in the Final EIR.

(2) Such changes or alterations are within the responsibility and jurisdiction of another public agency and not the agency making the finding. Such changes have been adopted by such other agency or can and should be adopted by such other agency.

(3) Specific economic, legal, social, technological, or other considerations, including provision of employment opportunities for highly trained workers, make infeasible the mitigation measures or project alternatives identified in the Final EIR.

Furthermore, in accordance with Public Resources Code Section 21081 and *CEQA Guidelines* Section 15093, whenever significant effects cannot be mitigated to below a level of significance, the City as the decision-making agency is required to balance, as applicable, the benefits of the project against its unavoidable environmental risks when determining whether to approve the project. If the benefits of a project outweigh the unavoidable adverse environmental effects, the adverse effects may be considered "acceptable," in which case the lead agency must adopt a formal statement of overriding considerations.

The Final EIR identified potentially significant environmental effects that could result from the project but could be reduced to a less than significant level through implementation of mitigation measures. Those effects were related to biological resources (impacts related to special status species, particularly nesting birds), cultural resources (impacts related to archaeological resources), geology and soils (impacts to paleontological resources), hazards and hazardous materials (impacts related to emergency evacuation), noise (impacts related to operational stationary source noise and groundborne vibration), and tribal cultural resources (impacts related to tribal cultural resources). Significant and unavoidable (unmitigable) impacts associated with cultural resources (impacts related to historical resources); greenhouse gas emissions (impacts related to conflicts with applicable plan, policy, or regulation adopted for the purpose of reducing greenhouse gas emissions); and noise (impacts related to construction noise and operational traffic noise) were identified because mitigation measures would not reduce impacts to a less than significant level, and thus a statement of overriding considerations is required.

2 Project Description

The Santero Way Specific Plan (SWSP) Update proposes to revise existing land use designations to support a residentially-focused, transit-oriented neighborhood centered around the Cotati SMART Station. The plan encourages development within walking distance of the station, with provisions for mixed-use, neighborhood-serving retail, “maker” light industrial uses, community-serving uses, and transit-supportive infrastructure. The SWSP Update includes updates to land use designations, design standards, and guidelines to facilitate future development.

Key components of the project include the expansion of the SWSP Plan Area to add up to four parcels, encompassing approximately 4 acres; the rezoning of nine parcels subject to Transit-Oriented Community (TOC) standards, totaling up to 15 acres, located within 0.5 miles of the Cotati SMART Station but outside the SWSP Plan Area; and the establishment of development standards and design guidelines to ensure compatibility with adjacent uses and project objectives. The project would result in the rezoning of 27 parcels and land use designation changes for 3 parcels, allowing for residential densities of 25 to 35 dwelling units per acre and a minimum floor area ratio (FAR) of at least 1.0 for commercial development.

Guiding principles of the SWSP Update focus on housing, transportation, and economic development. Housing goals include promoting affordable, multifamily, and workforce housing and adopting design and development standards. Transportation improvements aim to enhance multimodal connectivity, including better SMART Station access and increased support for bicycle and vehicle parking. The plan supports economic growth by encouraging a mix of commercial uses and incentivizing mixed-use development. The update also implements regional TOC policies, ensuring compliance with Metropolitan Transportation Commission (MTC) requirements.

The project involves updating residential and commercial development standards, including changes to density, building heights, allowable uses, and parking requirements. The plan introduces an internal emergency vehicle access connection between Breen Way and Santero Way, along with new internal bicycle and pedestrian pathways. Necessary infrastructure upgrades, including utilities, are also evaluated. The SWSP Update incorporates TOC policies that apply to all parcels within 0.5 miles of the Cotati SMART Station, ensuring consistency with MTC/Association of Bay Area Governments (ABAG) standards for density and FAR.

The SWSP envisions the development of additional housing that, if built, would result in an increase in population within the City of Cotati. A maximum of 535 dwelling units and 459,076 square feet of non-residential commercial land uses would be developed within the SWSP Area Within the TOC Area, a maximum of 235 dwelling units would be developed along with approximately 192,289 square feet of non-residential commercial. Therefore, the project would result in a net increase of 769 residential units, 651,365 square feet of commercial development, and approximately 1,800 residents, as compared to existing conditions in the project area.

3 Project Objectives

The City has established the following objectives for the proposed project:

- Increase opportunities for residential development by identifying suitable areas and ensuring compliance with zoning and environmental standards.
- Promote smaller-scale commercial development by encouraging diverse commercial districts that contribute to the City's identity, culture, and economy, provide jobs, and generate revenue for the City.
- Support mixed-use development to serve community needs by integrating residential, "maker" scale light industrial, commercial, and community spaces, and enhancing neighborhood vibrancy and walkability.
- Expand community spaces and amenities by developing public spaces, renovating existing facilities, and engaging residents in planning priorities.
- Meet Transit-Oriented Communities (TOC) requirements for station areas by developing guidelines, enhancing accessibility, and integrating sustainable design practices into transit-oriented development projects.

4 Findings of Fact

Having received, reviewed, and considered the information in the Final EIR for this project, as well as the supporting administrative record, the City of Cotati makes findings pursuant to, and in accordance with, Sections 21081, 21081.5, and 21081.6 of the Public Resources Code.

4.1 Environmental Effects Found Not to be Significant

Through project scoping and the environmental analysis contained within the Final EIR, it was determined that the project would not result in potentially significant effects on the environment with respect to aesthetics, agriculture and forestry, air quality, energy, hydrology and water quality, land use and planning, mineral resources, population and housing, public services and recreation, transportation, utilities and service systems, and wildfire. No further findings are required for these subject areas.

4.2 Findings for Significant but Mitigated Effects

The following findings are hereby made by the City of Cotati for the significant but mitigable environmental effects identified in the EIR related to biological resources (impacts related to special status species, particularly nesting birds), cultural resources (impacts related to archaeological resources), geology and soils (impacts to paleontological resources), hazards and hazardous materials (impacts related to emergency evacuation plans), and noise (impacts related to operational stationary source noise and groundborne vibration), and tribal cultural resources (impacts related to tribal cultural resources).

Biological Resources - Impact BIO-1

The project would not have a substantial adverse effect on special-status animal species. However, development facilitated by the project could result in adverse effects to nesting birds directly through nest destruction during construction or construction-related disturbance. Impacts would be less than significant with mitigation.

Finding

Changes or alterations have been required in, or incorporated into, the project which avoid or substantially lessen the significant environmental effects as identified in the Final EIR (Section 15091[a][1]). Implementation of Mitigation Measures BIO-1 would reduce potential impacts to nesting birds and associated habitat to a less than significant level by implementing avoidance measures.

Explanation

Development facilitated by the project may involve the removal of existing trees and other vegetation that may be used by native resident or migratory birds as nesting habitat. Construction disturbance during the breeding season (February 1 through August 31) could result in the incidental loss of eggs or nestlings, either directly through the destruction or disturbance of active nests or indirectly by causing the abandonment of nests. Even if nests themselves are not removed,

impacts such as noise and sustained human presence in proximity to active nests can disrupt nesting behavior and cause nest abandonment and failure. Disturbance or destruction of active bird nests from construction would be a potentially significant impact. Implementation of Mitigation Measure BIO-1 would reduce this impact to a less than significant level.

Mitigation Measure

Pursuant to *CEQA Guidelines* Section 15091, the following mitigation measures have been included in a MMRP that is to be adopted concurrently with these findings.

BIO-1 Nesting Bird Survey. If construction is scheduled to occur during the nesting bird season (February 1 through August 31), the project applicant shall retain a qualified biologist to conduct a pre-construction nesting bird survey no more than 14 days prior to the start of construction to determine the presence/absence of nesting birds and raptors within the project sites and adjacent areas. The survey shall include the entire site plus a 100-foot buffer, as accessible. If active nests are found, the qualified biologist shall establish an appropriate avoidance buffer, considering the species sensitivity and physical location of the nest (line of site to the work area), to comply with CFGC 3503 and 3503.5. In no case shall the buffer be smaller than 50 feet for non-raptor bird species and 250 feet for raptor species. To prevent encroachment, the established buffer(s) shall be clearly marked by high visibility material installed by the contractor. The established buffer(s) shall remain in effect until the young have fledged or the nest has been abandoned as confirmed by the qualified biologist. The City shall review and approve the biologists' findings and buffer during construction as appropriate.

Cultural Resources - Impact CUL-2

The project has the potential to cause a significant impact on archaeological resources if development facilitated by the project would cause a substantial adverse change in the significance of an archaeological resources, including those that qualify as historical resources. This impact would be less than significant with mitigation incorporated.

Finding

Changes or alterations have been required in, or incorporated into, the project which avoid or substantially lessen the significant environmental effects as identified in the Final EIR (Section 15091[a][1]). Implementation of Mitigation Measure CUL-2a and CUL-2b would reduce impacts to a less than significant level by requiring completion of a Phase I archaeological survey, Phase II testing and site avoidance on sites identified for development would preserve unidentified archaeological resources.

Explanation

The Confidential Cultural Resources Technical Report did not identify archaeological resources within the project area, and surface evidence is absent due to existing disturbances (e.g., roads, railways, and development). However, moderate geoarchaeological sensitivity remains due to alluvial soils, and some parcels could not be evaluated due to site access constraints. Additional investigation is required for these parcels. Consequently, damage to or destruction of known or previously unknown, archaeological resources could occur during the construction of development facilitated by the project. Implementation of Mitigation Measures CUL-2a and CUL-2b would reduce this impact to a less than significant level.

Mitigation Measures

Pursuant to *CEQA Guidelines* Section 15091, the following mitigation measure has been included in a MMRP that is to be adopted concurrently with these findings.

CUL-2A ARCHAEOLOGICAL RESOURCES ASSESSMENT

For future projects involving ground disturbance either on parcels not previously studied (as outlined in Table 1), on parcels previously studied but the Santero Way Specific Plan Update Project Cultural Resources Technical Report (Rincon Consultants, Inc. 2024) is more than five years old, and/or if conditions on the project parcel has changed substantially, the project applicant(s) shall prepare a Phase I archaeological resources assessment under the supervision of an archaeologist meeting the PQS in archaeology (National Park Service 1983). Assessments must include a California Historical Resources Information System (CHRIS) records search at the Northwest Information Center at Sonoma State University, Sacred Lands File search maintained by the Native American Heritage Commission, and intensive-level pedestrian survey, and archaeological sensitivity analysis. The assessment must be completed prior to project approval.

If the Phase I archaeological resources assessment identifies resources that may be affected by the project, an extended Phase I testing program, Phase II testing and evaluation, and/or archaeological monitoring may be required, as determined by the qualified archaeologist. If resources are determined significant or unique, avoidance or preservation-in-place may reduce impacts to a less than significant level. If avoidance is not possible, appropriate site-specific mitigation measures shall be identified. These measures may include, but would not be limited to, a Phase III data recovery program and curations, or other appropriate actions to be determined by a qualified archaeologist and City. The City will review and approve reports and ensure that mitigation measures are implemented as appropriate prior to or during construction.

Table 1 Parcels Not Previously Studied

APN	Address	Relationship to Project
144-292-023	640 East Cotati Avenue	TOC Parcel
144-292-024	680 East Cotati Avenue	TOC Parcel
144-301-010	905 East Cotati Avenue	TOC Parcel
144-302-022	768 East Cotati Avenue	TOC Parcel
144-302-050	766 East Cotati Avenue	TOC Parcel
144-501-004	556 East Cotati Avenue	TOC Parcel
144-570-001	475 East Cotati Avenue	TOC Parcel
144-720-029	501 East Cotati Avenue	TOC Parcel
144-720-040	525 East Cotati Avenue	TOC Parcel
144-770-021 to 144-770-070	6305-7012 Santero Way	SWSP Parcel
144-051-037	None	SWSP Parcel
144-302-047	930 East Cotati Avenue	SWSP Parcel
144-302-049	924 East Cotati Avenue	SWSP Parcel
144-310-007 to 144-310-008	None	SWSP Parcel
144-320-018	None	SWSP Parcel
144-320-026	None	SWSP Parcel

APN	Address	Relationship to Project
144-320-027	6050 Santero Way – Cotati SMART Station parking lot	SWSP Parcel
144-320-029	None	SWSP Parcel
144-480-008	8354 Santero Way	SWSP Parcel
144-480-015 to 144-480-017	None	SWSP Parcel
144-480-019	None	SWSP Parcel
144-770-071 to 144-770-074	None	SWSP Parcel
144-790-001 to 144-790-016	7046 to 7062 Santero Way	SWSP Parcel
144-790-COM	None	SWSP Parcel

CUL-2B UNANTICIPATED DISCOVERIES

In the event that archaeological resources are unexpectedly encountered during ground-disturbing activities, work within 50 feet of the find shall halt and an archaeologist meeting the PQS for archaeology shall be contacted immediately to evaluate the resource. If the resource is determined by the PQS archaeologist to be prehistoric, then a Native American representative shall also be contacted to participate in the evaluation of the resource. If the PQS archaeologist and/or Native American representative determines it to be appropriate, archaeological testing for CRHR eligibility shall be completed. If the resource proves to be eligible for the CRHR and significant impacts to the resource cannot be avoided via project redesign, a PQS archaeologist shall prepare a data recovery plan tailored to the physical nature and characteristics of the resource, per the requirements of the California Code of Regulations (CCR) Section 15126.4(b)(3)(C). The data recovery plan shall identify data recovery excavation methods, measurable objectives, and data thresholds to reduce any significant impacts to cultural resources related to the resource. Pursuant to the data recovery plan, the qualified archaeologist and Native American representative, as appropriate, shall recover and document the scientifically consequential information that justifies the resource's significance. The City shall review and approve the treatment plan and archaeological testing as appropriate, and the resulting documentation shall be submitted to the regional repository of the California Historical Resources Information System, per CCR Section 15126.4(b)(3)(C).

Geology and Soils - Impact GEO-9

Development facilitated by the proposed project has the potential to impact paleontological resources. Impacts would be less than significant with mitigation incorporated.

Finding

Changes or alterations have been required in, or incorporated into, the project which avoid or substantially lessen the significant environmental effects as identified in the Final EIR (Section 15091[a][1]). Implementation of Mitigation Measure GEO-9a and GEO-9b would reduce impacts to a less than significant level by avoiding or mitigating development on sites where there has been the unanticipated discovery of a paleontological resource.

Explanation

Ground-disturbing activities, such as grading and excavation beyond 5 feet below the surface, could impact paleontological resources in geologic units with undetermined sensitivity at these depths. This is particularly relevant in less developed areas, where fossils may be present. Potential impacts

to paleontological resources would be less than significant with implementation of mitigation measures GEO-9a and GEO-9b.

Mitigation Measures

Pursuant to *CEQA Guidelines* Section 15091, the following mitigation measure has been included in a MMRP that is to be adopted concurrently with these findings.

GEO-9A UNANTICIPATED DISCOVERY OF PALEONTOLOGICAL RESOURCES

The City shall require the following mitigation measure for all projects involving ground disturbance of sediments that may have high paleontological sensitivity (i.e., sediments greater than 5 feet below the surface) in order to mitigate potential impacts to unanticipated paleontological resources discovered during project construction:

- The project applicant shall include a standard inadvertent discovery clause in every construction contract to inform contractors of this requirement. If a potential fossil is discovered during project construction, construction activity within 50 feet of the find shall cease until the discovery is examined by a Qualified Professional Paleontologist as defined by the Society of Vertebrate Paleontology (SVP; 2010). If the find is determined to be scientifically significant, the Qualified Professional Paleontologist shall direct all mitigation measures related to paleontological resources consistent with the SVP (2010) standards, which shall include fossil salvage, laboratory preparation, curation in a paleontological repository, and a paleontological monitoring report. Additionally, the Qualified Professional Paleontologist and City shall decide if full- or part-time monitoring shall be instated for further project-related excavations. A Qualified Professional Paleontologist, is defined by the SVP (2010) as an individual with:
  - A graduate degree in paleontology or geology, and/or a publication record in peer reviewed journals; and demonstrated competence in field techniques, preparation, identification, curation, and reporting in the state or geologic province in which the project occurs. An advanced degree is less important than demonstrated competence and regional experience.
  - At least two full years professional experience as assistant to a Project Paleontologist with administration and project management experience; supported by a list of projects and referral contacts.
  - Proficiency in recognizing fossils in the field and determining their significance.
  - Expertise in local geology, stratigraphy, and biostratigraphy.
  - Experience collecting vertebrate fossils in the field.

GEO-9B PALEONTOLOGICAL RESOURCES MITIGATION DURING CONSTRUCTION

For projects that could disturb previously undisturbed sediments greater than 5 feet below the surface, the project applicant shall:

- **Retain a Qualified Professional Paleontologist**. The Qualified Professional Paleontologist shall determine the applicable following mitigation measures depending on the volume of the proposed ground disturbance, nature of the proposed ground disturbance, development history of the project site, and/or other criteria. The Qualified Professional Paleontologist shall oversee the implementation of these mitigation measures which may include some, all, or none of the following:

- **Paleontological Worker Environmental Awareness Program**. Prior to the start of construction, a Qualified Professional Paleontologist, as defined by the Society of Vertebrate Paleontology (SVP; 2010), or their designee shall conduct a paleontological Worker Environmental Awareness Program (WEAP) training for construction personnel regarding the appearance of fossils and the procedures for notifying paleontological staff should fossils be discovered by construction personnel. The WEAP shall discuss the potential to discover paleontological resources in the project site, legal obligations to protect paleontological resources, examples of paleontological resources that may be found in the project site, procedures in case a paleontological resource is discovered, and contact information for the Qualified Professional Paleontologist.
- **Paleontological Monitoring.** Paleontological monitoring shall be conducted by a paleontological monitor with experience with collection and salvage of paleontological resources and who meets the minimum standards of the SVP (2010) for a Paleontological Resources Monitor, meaning an individual with:
  - BS or BA degree in geology or paleontology and one year experience monitoring in the state or geologic province of the specific project. An associate degree and/or demonstrated experience showing ability to recognize fossils in a biostratigraphic context and recover vertebrate fossils in the field may be substituted for a degree. An undergraduate degree in geology or paleontology is preferable, but is less important than documented experience performing paleontological monitoring, or
  - AS or AA in geology, paleontology, or biology and demonstrated two years experience collecting and salvaging fossil materials in the state or geologic province of the specific project, or
  - Enrollment in upper division classes pursuing a degree in the fields of geology or paleontology and two years of monitoring experience in the state or geologic province of the specific project.

  Monitors must demonstrate proficiency in recognizing various types of fossils, in collection methods, and in other paleontological field techniques.

  The Qualified Professional Paleontologist has the authority to determine the duration, frequency, and specific locations, of paleontological monitoring, which may change during project construction based on geological observations made during monitoring.

- **Paleontological Resource Discovery Protocols**. In the event of a fossil discovery by the paleontological monitor or construction personnel, all construction activity within 50 feet of the find shall cease until the discovery can be evaluated by the Qualified Professional Paleontologist. If a fossil is not scientifically significant, then construction activity may resume. If it is determined that a fossil is potentially scientifically significant, the following shall be completed:
  - The paleontological monitor shall salvage (excavate and recover) the fossil to protect it from damage/destruction. Typically, fossils can be safely salvaged quickly by a single paleontological monitor with minimal disruption to construction activity. In some cases, larger fossils (such as complete skeletons or large mammal fossils) require more extensive excavation and longer salvage periods. Bulk matrix sampling may be necessary to recover small invertebrates or microvertebrate fossils. After a fossil is salvaged, construction activity may resume.

  - Fossils shall be identified to the lowest (most-specific) possible taxonomic level, prepared to a curation-ready condition, and accessioned to a paleontological repository, defined by the SVP (2010) as a "not-for-profit museum or university approved by the lead agency and employing a permanent curator responsible for paleontological records and specimens," alongside all metadata (e.g., maps, coordinates, stratigraphic/geologic data, etc.) required by the paleontological repository.

- **Paleontological Monitoring Report**. This measure shall be required if paleontological monitoring occurred or significant paleontological resources were discovered. Upon completion of ground-disturbing activities (or laboratory preparation and curation of fossils, if necessary), the Qualified Professional Paleontologist shall prepare a report describing the results of the paleontological monitoring efforts. The report shall include a summary of field and laboratory methods employed; an overview of project geology; and, if fossils were discovered, an analysis of the fossils, including physical description, taxonomic identification, and scientific significance. The report shall be submitted to the City and, if fossil curation occurred, the paleontological repository.

Hazards and Hazardous Materials - Impact HAZ-6

Development facilitated by the project would result in additional population and vehicle miles traveled in the city. Construction of development facilitated by the proposed project could result in roadway conflicts and would require mitigation. The project would not result in changes to emergency evacuation routes nor would it substantially increase roadway congestion such that the use of an evacuation route would be hindered. Impacts would be less than significant with mitigation.

Finding

Changes or alterations have been required in, or incorporated into, the project which avoid or substantially lessen the significant environmental effects as identified in the Final EIR (Section 15091[a][1]). Implementation of Mitigation Measure HAZ-6 would reduce impacts to a less than significant level by requiring the project applicant to prepare a traffic control plan.

Explanation

Development facilitated by the project would entail the use of construction equipment and vehicles that would access the project area, which in turn could potentially temporarily impede evacuation or emergency vehicle access. The proposed project would be required to comply with the Sonoma County Multi-Hazard Mitigation Plan and the Sonoma County Emergency Operations Plan, ensuring efficient response to emergency incidents associated with emergencies affecting Sonoma County, including the City of Cotati. However, development facilitated by the project could result in roadway conflicts at construction sites from site access and circulation of slow-moving vehicles on local roadways. Mitigation Measure HAZ-6 requires the preparation of a Traffic Control Plan, which would ensure that construction vehicle traffic, road or lane closures or diversions, and other disturbances to local roadways resulting from construction activities are controlled in such a manner that the disturbance to existing vehicle, bicycle, and pedestrian traffic is not substantial. This measure would also ensure that emergency access routes are maintained, and emergency vehicles continue to have adequate access in the vicinity of construction sites. Therefore, construction impacts related to emergency response and evacuation would be less than significant with mitigation.

Mitigation Measures

Pursuant to *CEQA Guidelines* Section 15091, the following mitigation measures have been included in a MMRP that is to be adopted concurrently with these findings.

HAZ-6: TRAFFIC CONTROL PLAN

A Traffic Control Plan (TCP) shall be developed prior to issuance of grading permits and implemented by the project applicant and/or their construction contractor(s) during construction of the proposed project. The TCP shall include but not be limited to:

- The TCP shall identify construction staging site locations and potential road closures, alternate routes for detours, and planned truck routes for construction-related vehicle traffic, including but not limited to haul trucks, material delivery trucks, and equipment delivery trucks. It shall also identify alternative safe routes and policies to maintain safety along bicycle and pedestrian routes during construction. Construction traffic routes shall avoid local residential streets to the maximum extent practicable. Staging locations, alternate detour routes, and construction traffic routes shall avoid other active construction projects within 0.25 mile of the project construction site to the maximum extent practicable.
- The TCP shall provide for traffic control measures including flag persons, warning signs, lights, barricades, cones, and/or detour routes to provide safe passage of vehicular, bicycle, and pedestrian traffic and access by emergency responders.
- Prior to the start of construction, written notice shall be provided regarding potential land and/or road closures as described in the plan. Notice shall be delivered to potentially affected properties within a 500-foot radius of the construction site. The notice shall contain a brief description of the work, work dates, and contact information of the City of Cotati Community Development Department. The notice shall be delivered ten calendar days prior to beginning the work and again at two working days prior to beginning the work. A revised notice shall be delivered in the event of delays in schedule as soon as reasonably practicable after a delay is identified and the revised schedule is known.

The TCP shall be submitted to the City of Cotati Public Works and Engineering Department for review and approval prior to the issuance of a grading permit. The City of Cotati shall also ensure the plan is reviewed by emergency services personnel to ensure adequate emergency access is maintained throughout the construction period. The City shall confirm implementation of the plan during construction as part of routine site inspections.

Noise - Impact NOI-1

Operation of development facilitated by the project would introduce new noise sources. Operational noise could exceed noise standards. Operational noise impacts from stationary noise sources would be less than significant with Mitigation Measure N-1b.

Finding

Changes or alterations have been required in, or incorporated into, the project which avoid or substantially lessen the significant environmental effects as identified in the Final EIR (Section 15091[a][1]). Implementation of Mitigation Measure N-1b would reduce impacts to a less than significant level by conditioning projects to reduce stationary operational noise below the City's noise standards.

Explanation

Since at this stage of planning, project-level details are not available for future individual development projects that would be facilitated by the project, it is not possible to determine operational noise levels and the locations of stationary noise sources. Stationary operational noise could exceed the City's daytime maximum exterior sound level of 70 dBA and nighttime maximum exterior sound level of 65 dBA for residential noise sensitive land uses. Implementation of Mitigation Measure N-1b would ensure that future developments projects in the project area would be conditioned to reduce stationary operational noise below the City's noise standards and impacts to less than significant.

Mitigation Measure

N-1B CONDUCT STATIONARY OPERATIONAL NOISE ANALYSIS

The City shall require future development projects that are subject to General Plan Policies N 1.2, N 1.3 and N 1.11 as a condition of approval and to implement any required mitigation measures as recommended by a qualified acoustical consultant to minimize impacts on these uses. Examples of mitigation measures to reduce on-site noise include, but are not limited to, operational restrictions, selection of quiet equipment, equipment setbacks, enclosures, silencers, and/or acoustical louvers.

Noise - Impact NOI-2

Construction of development facilitated by the project would temporarily generate groundborne vibration. If required for construction, pile driving or use of a vibratory roller or heavy earthmoving equipment could potentially exceed the City of Cotati's vibration thresholds and impact people or buildings. Impacts would be less than significant with mitigation incorporated.

Finding

Changes or alterations have been required in, or incorporated into, the project which avoid or substantially lessen the significant environmental effects as identified in the Final EIR (Section 15091[a][1]). Implementation of Mitigation Measure N-2 would reduce impacts to a less than significant level by requiring applicants to include vibration control plan in demolition and construction contractor agreements.

Explanation

Construction of development facilitated by the project would intermittently generate groundborne vibration, which could be felt or experienced at nearby sensitive receptors. At this stage of planning, project-level details are not available for individual development that could be carried out as envisioned in the project area, and it is not possible to determine which individual development projects may use specific types of equipment and their exact vibration levels, locations, or time periods for construction of such projects. Therefore, construction vibration levels may exceed the City of Cotati's vibration thresholds of 0.08 in/sec for historic structures and 0.3 in/sec PPV for building of normal conventional construction for preventing building architectural damage, and impacts would be potentially significant. Mitigation Measure N-2 would reduce groundborne vibration levels from pile driving activities during individual, site-specific future project demolition and construction periods in the project area to less than significant.

Mitigation Measures

Pursuant to *CEQA Guidelines* Section 15091, the following mitigation measures have been included in a MMRP that is to be adopted concurrently with these findings.

N-2 VIBRATION CONTROL PLAN

Prior to issuance of a building permit for a project in the project area that would require the use of pile driving during construction within 180 feet of fragile structures such as historical resources or within 75 feet of buildings of conventional construction; a vibratory roller within 50 feet of fragile historical resources or 20 feet of buildings of conventional construction; or a dozer or other large earthmoving equipment within 27 feet for a fragile historical structure or 12 feet of buildings of conventional construction, the project applicant shall prepare a vibration analysis to assess and mitigate potential noise and vibration impacts related to these construction activities. This vibration analysis shall be conducted by a qualified and experienced acoustical consultant or engineer. The vibration levels shall not exceed the City of Cotati's vibration criteria for architectural damage thresholds (e.g., 0.08 in/sec PPV for fragile or historical resources and 0.3 in/sec PPV for buildings of conventional construction). If vibration levels would exceed this threshold, alternative uses such as drilling piles as opposed to pile driving, static rollers as opposed to vibratory rollers, and lower horsepower earthmoving equipment shall be used. If alternative methods are not feasible or vibration levels are still predicted to exceed the City's standards, construction vibration monitoring shall be conducted to ensure vibration thresholds are not exceeded. The study should be submitted to the City prior to permit approval for review and confirmation that the requirements of this measure have been incorporated.

Tribal Cultural Resources - Impact TCR-1

Development facilitated by the project has the potential to impact tribal cultural resources. Impacts would be less than significant with mitigation.

Finding

Changes or alterations have been required in, or incorporated into, the project which avoid or substantially lessen the significant environmental effects as identified in the Final EIR (Section 15091[a][1]). Implementation of Mitigation Measure TCR-1 would reduce impacts to tribal cultural resources to a less than significant level by requiring suspension of work around tribal cultural resources during construction.

Explanation

Ground-disturbing activities associated with individual development projects could expose previously unidentified archaeological resources that may qualify as tribal cultural resources and development facilitated by the project has the potential to adversely impact tribal cultural resources. Implementation of Mitigation Measure TCR-1 would reduce potential impacts to tribal cultural resources from development facilitated by the project by requiring the suspension of work if cultural resources of Native American origin are discovered during construction activities, evaluation of the resource, and appropriate treatment measures. This would reduce potential tribal cultural resource impacts from project implementation to a less than significant level.

Mitigation Measures

Pursuant to *CEQA Guidelines* Section 15091, the following mitigation measures have been included in a MMRP that is to be adopted concurrently with these findings.

TCR-1 SUSPENSION OF WORK AROUND TRIBAL CULTURAL RESOURCES DURING CONSTRUCTION

In the event that cultural resources of Native American origin are identified during construction of a project, all earth-disturbing work within 60 feet of the find shall be temporarily suspended or redirected until an archaeologist has evaluated the nature and significance of the find as a cultural resource and an appropriate local Native American representative is consulted. If the City, in consultation with local Native Americans, determines that the resource is a tribal cultural resource and thus significant under CEQA, the applicant shall prepare and implement a mitigation plan in accordance with State guidelines and in consultation with local Native American group(s). The mitigation plan shall include avoidance of the resource or, if avoidance of the resource is infeasible, the plan shall outline the appropriate treatment of the resource in coordination with the appropriate local Native American tribal representative and, if applicable, a qualified archaeologist. Examples of appropriate mitigation for tribal cultural resources include, but are not limited to, protecting the cultural character and integrity of the resource, protecting traditional use of the resource, protecting the confidentiality of the resource, or heritage recovery. The City shall review and approve the mitigation plan prior to implementation.

4.3 Findings for Significant and Unavoidable Effects

Public Resources Code 21081 and 21081.5, and *CEQA Guidelines* Section 15093, require that the City of Cotati balance the economic, legal, social, technological, or other benefits of a proposed project against its unavoidable environmental effects when determining to approve a project. If specific economic, legal, social, technological, or other benefits outweigh the unavoidable adverse environmental effects, the adverse effects may be considered "acceptable."

Significant and unavoidable impacts associated with cultural resources (impacts related to historical resources), greenhouse gas (GHG) emissions (impacts related to conflicts with applicable plan, policy, or regulation adopted for the purpose of reducing GHG emissions), and noise (impacts related to construction noise and operational traffic noise) were identified for the project. The following findings and statement of overriding considerations outline the specific reasons to support the City of Cotati Community Development Department recommendation for approval.

Cultural Resources - Impact CUL-1

Development facilitated by the project could cause a substantial adverse change in the significance of a historical resource. This impact would be significant and unavoidable.

Mitigation Measures

CUL-1A IDENTIFICATION OF HISTORICAL RESOURCES

A historical resources evaluation shall be prepared for projects carried out within the project area involving the demolition or physical alteration of a building, structure, object, or other built environment feature that is 45 years of age or older, that has not been subject to evaluation as part of this study, as outlined in Table 2. The evaluation shall be prepared by a qualified architectural historian or historian who meets the Secretary of the Interior's Professional Qualifications Standards

(PQS) in architectural history or history. The qualified architectural historian or historian shall conduct an intensive-level evaluation in accordance with the guidelines and best practices promulgated by the State Office of Historic Preservation to identify potential historical resources within the proposed development site. Properties 45 years of age or older shall be evaluated within their historic context and documented in a report meeting the State Office of Historic Preservation guidelines. Evaluated properties shall be documented on applicable Department of Parks and Recreation Series 523 Forms. The report must be submitted to the City for review and concurrence. The final report must be submitted to the Northwest Information Center. If the property is already a historical resource as defined by CEQA Guidelines Section 15064.5(a), the historical resources evaluation described above shall not be required.

Table 2 Properties to be Evaluated

APN	Address	Build Year	Age Eligible	45 Year Threshold	Relationship to Project
144-292-023	640 East Cotati Avenue	2004	No	2049	TOC Parcel
144-292-024	680 East Cotati Avenue	c. 1983-1992[+]	No	2028	TOC Parcel
144-301-010	905 East Cotati Avenue	1920/1975	**Yes**	–	TOC Parcel
144-302-022	768 East Cotati Avenue	1954	**Yes**	–	TOC Parcel
144-302-050	766 East Cotati Avenue	1989	No	2034	TOC Parcel
144-501-004	556 East Cotati Avenue	1973	**Yes**	–	TOC Parcel
144-570-001	475 East Cotati Avenue	1984	No	2029	TOC Parcel
144-720-029	501 East Cotati Avenue	1945/1956	**Yes**	–	TOC Parcel
144-720-040	525 East Cotati Avenue	1994	No	2039	TOC Parcel
144-770-021 to 144-770-070	6305-7012 Santero Way	2004	No	2049	SWSP Parcel
144-302-047	930 East Cotati Avenue	1990	No	2035	SWSP Parcel
144-302-049	924 East Cotati Avenue	1994	No	2039	SWSP Parcel
144-480-008	8354 Santero Way	1987	No	2032	SWSP Parcel
144-790-001 to 144-790-016	7046 to 7062 Santero Way	2006	No	2051	SWSP Parcel

CUL-1B TREATMENT OF HISTORICAL RESOURCES

If a project would occur on a site containing a historical resource as identified during implementation of Mitigation Measure CUL-1a, impacts must be mitigated, to the extent feasible, to historical resources identified within a proposed development site. Application of mitigation shall be overseen by an architectural historian, historian, and/or historic architect meeting the PQS, unless unnecessary in the circumstances (e.g., avoidance).

Mitigation may include avoidance, or preservation, rehabilitation, restoration, or reconstruction of the resource consistent with the Secretary of the Interior's Standards for the Treatments of Historic Properties (Standards). In accordance with CEQA, a project that has been determined to conform with the Standards generally would not cause a significant adverse direct or indirect impact to historical resources (14 CCR Section 15126.4[b][1]). A report identifying and specifying the project description, treatment of character-defining features, and compliance with the Standards must be submitted to the City for review and approval prior to the issuance of permits.

If historical resources are identified on a development site and compliance with the Standards and/or avoidance is not possible, appropriate site-specific mitigation measures shall be established

and undertaken as determined by a PQS historian, architectural historian, and/or historic architect and the City. Mitigation measures may include, but are not limited to, Historic American Building Survey (HABS)-Like report, interpretive signage, and relocation. The mitigation shall be completed and submitted to the City prior to issuance of permits for demolition or alteration of the historical resource.

Finding

Implementation of Mitigation Measures CUL-1a and CUL-1b would reduce impacts to historical resources to the extent feasible by identifying and evaluating significant historical resources and managing avoidance, or preservation, rehabilitation, restoration, or reconstruction in compliance with the Standards as applicable. Nonetheless, even with implementation of Mitigation Measures CUL-1a and CUL-1b, eligible historical resources could still be materially impaired by future development that would be carried out under the proposed project. It is possible that a future project could result in the demolition or substantial alteration of a historical resource.

Facts in Support of Finding

The City General Plan goals and policies (specifically Objective CON 4B) would reduce the potential for historical resources to be adversely impacted from the development facilitated by the proposed project, but there would still be potential for development to impact historical resources. Implementation of Mitigation Measures CUL-1a and CUL-1b would reduce impacts to historical resources to the extent feasible by identifying and evaluating significant historical resources and managing avoidance, or preservation, rehabilitation, restoration, or reconstruction in compliance with the Standards as applicable. Nonetheless, even with implementation of Mitigation Measures CUL-1a and CUL-1b, eligible historical resources could still be materially impaired by future development that would be carried out under the proposed project.

Significance after Mitigation

Implementation of Mitigation Measures CUL-1a and CUL-1b would reduce impacts to historical resources to the extent feasible by identifying and evaluating significant historical resources and managing avoidance, or preservation, rehabilitation, restoration, or reconstruction in compliance with the Standards as applicable. Nonetheless, even with implementation of Mitigation Measures CUL-1a and CUL-1b, eligible historical resources could still be materially impaired by future development that would be carried out under the proposed project. It is possible that a future project could result in the demolition or substantial alteration of a historical resource. This impact would remain significant and unavoidable and no additional mitigation that would reduce this impact is feasible.

Greenhouse Gas Emissions - Impact GHG-1

Development facilitated by the project would not be consistent with BAAQMD's building and transportation thresholds. Even with implementation of proposed Mitigation Measure GHG-1, this impact would remain significant and unavoidable.

Mitigation Measure

GHG-1 CONSISTENCY WITH BAAQMD'S PROJECT-LEVEL GHG THRESHOLD

The following shall be a condition of approval for future developments facilitated by the project:

- **Greenhouse Gas Emissions Reductions**. Development under the Specific Plan and on the TOC parcels shall not include natural gas appliances or natural gas plumbing.
- **EV Charging**. Development under the Specific Plan and on the TOC parcels shall achieve compliance with off-street electric vehicle requirements in the most recently adopted version of CALGreen Tier 2.

Finding

Implementation of Mitigation Measure GHG-1 would ensure that future development facilitated by the proposed project would be consistent with BAAQMD thresholds 1.a. and 2.b. However, due to legal uncertainty with a jurisdiction's ability to enforce natural gas bans and potential economic and/or technological infeasibility of meeting CALGreen Tier 2 standards, it is unknown at this time if all future development facilitated by the project would be able to implement these measures and be consistent with BAAQMD thresholds 1.a. and 2.b. Therefore, this impact would remain significant and unavoidable even with mitigation.

Facts in Support of Finding

The proposed project would facilitate denser infill development within the SWSP area and TOC parcels, aligning with MTC's TOC Policy to integrate housing, commercial development, and transportation infrastructure near the Cotati SMART Station, thereby supporting state and regional goals for reducing VMT and GHG emissions. Development would adhere to General Plan policies promoting renewable energy use and compliance with CALGreen Tier 1 standards, but the inclusion of natural gas appliances in future developments would result in inconsistency with BAAQMD threshold 1.a, making this a potentially significant impact. While the project's location near a major transit station reduces VMT and complies with BAAQMD threshold 2.a, limited EV infrastructure under the Specific Plan would not meet CALGreen Tier 2 standards, leading to inconsistency with BAAQMD threshold 2.b and another potentially significant impact.

Significance after Mitigation

Despite implementation of Mitigation Measure GHG-1, it is unknown at this time if all future development facilitated by the project would be able to implement these measures and be consistent with BAAQMD thresholds 1.a. and 2.b. Therefore, impacts on criteria air pollutants during operation would be significant and unavoidable.

Noise - Impact NOI-1

Construction of development facilitated by the project would temporarily increase noise levels at nearby noise-sensitive receivers. Operation of development facilitated by the project would introduce new noise sources and contribute to increases in traffic noise. Construction and operational noise could exceed noise standards. Construction noise and operational traffic noise impacts would be significant and unavoidable despite the implementation of feasible mitigation measures.

Mitigation Measures

N-1A CONSTRUCTION NOISE REDUCTION MEASURES

Similar to Action N 1h in the Cotati General Plan (City of Cotati 2015), the City shall require, as a standard condition of approval, that project applicants apply the following measures during construction of individual development projects within the project area:

- **Mufflers.** Construction equipment shall be properly maintained and all internal combustion engine driven machinery with intake and exhaust mufflers and engine shrouds, as applicable, shall be in good condition and appropriate for the equipment. During construction, all equipment, fixed or mobile, shall be operated with closed engine doors and shall be equipped with properly operating and maintained mufflers, consistent with manufacturers' standards.
- **Electrical Power.** Electrical power, rather than diesel equipment, shall be used to run compressors and similar power tools and to power any temporary structures, such as construction trailers or caretaker facilities.
- **Stationary Equipment**. All stationary equipment shall be staged as far away from the adjacent sensitive receptors as feasible.
- **Equipment Idling**. Construction vehicles and equipment shall not be left idling for longer than five minutes when not in use.
- **Workers' Radios**. All noise from workers' radios shall be controlled to a point that they are not audible at sensitive receptors near construction activity.
- **Smart Back-up Alarms**. Mobile construction equipment shall have smart back-up alarms that automatically adjust the sound level of the alarm in response to ambient noise levels. Alternatively, back-up alarms shall be disabled and replaced with human spotters to ensure safety when mobile construction equipment is moving in the reverse direction in compliance with applicable safety laws and regulations.
- **Disturbance Coordinator**. The applicant shall designate a disturbance coordinator who shall be responsible for responding to any local complaints about construction noise. The noise disturbance coordinator shall determine the cause of the noise complaint and shall require that reasonable measures warranted to correct the problem be implemented. A telephone number for the disturbance coordinator shall be conspicuously posted at the construction site.
- **Temporary Sound Barriers**. Erect temporary noise barriers, where feasible, when construction noise is predicted to exceed the acceptable standards (e.g., 80 dBA L_{eq} at residential receivers, schools or other sensitive receptors during the daytime) and when the anticipated construction duration is greater than is typical (e.g., two years or greater). Temporary noise barriers shall be constructed with solid materials (e.g., wood) with a density of at least 1.5 pounds per square foot with no gaps from the ground to the top of the barrier. If a sound blanket is used, barriers shall be constructed with solid material with a density of at least 1 pound per square foot with no gaps from the ground to the top of the barrier and be lined on the construction side with acoustical blanket, curtain or equivalent absorptive material rated sound transmission class 32 or higher.

Finding

Construction noise would be reduced after implementation of Mitigation Measure N-1a. However, as exact details of future project-specific construction activities are unknown at this stage of planning, construction noise could still exceed construction noise limits. Therefore, construction noise impacts would remain significant and unavoidable.

No feasible mitigation is available to reduce potential operational traffic noise impacts from increased traffic noise along Santero Way. Therefore, operational traffic noise impacts would remain significant and unavoidable and no additional mitigation that would reduce this impact is feasible.

Facts in Support of Finding

Construction noise levels associated with development projects may exceed the daytime Federal Transit Administration construction noise threshold of 80 dBA L_{eq} for an 8-hour period at residential uses and other noise sensitive receivers, and impacts would be potentially significant and mitigation would be required. Therefore, Mitigation Measure N-1a has been incorporated into this EIR. Mitigation Measure N-1a would reduce construction noise impacts from development facilitated by the project by requiring noise abatement measures such as using mufflers for construction equipment and prioritizing electric equipment over diesel. However, construction noise impacts and traffic noise increases on Santero Way would remain significant and unavoidable due to limitations in feasible long-term noise reduction methods.

For the traffic noise impacts on the Santero Way roadway segment, the following mitigation measure was considered to reduce traffic noise that would be generated by development facilitated by the proposed project:

- **Special Roadway Paving.** Notable reductions in tire noise have been achieved via the implementation of special paving materials, such as rubberized asphalt or open-grade asphalt concrete overlays. For example, the California Department of Transportation conducted a study of pavement noise along Interstate 80 in Davis (Caltrans 2011), which was applied to a similar project in Thousand Oaks conducted by Rincon Consultants (Rincon 2023) that included roadways with 35 miles per hour speed limits and found an average improvement of 6-7 dBA compared to conventional asphalt overlay.

Although this amount of noise reduction from rubberized/special asphalt materials would be sufficient to avoid the predicted noise increase due to traffic in some cases, the potential up-front and ongoing maintenance costs are such that the cost versus benefits ratio may not be feasible and reasonable and would not mitigate noise to a level of less than significant in the case of Santero Way, where a traffic noise increase of 11.3 dBA CNEL is estimated. In addition, the Caltrans study found that noise levels increased over time due to pavement raveling, with the chance of noise level increases higher after a 10-year period. Since this mitigation measure would not result in permanently reduced traffic noise levels along Santero Way, and there are no other feasible mitigation measures available, increased traffic noise on Santero Way would result in a significant and unavoidable impact.

Additionally, it is important to note that traffic noise would be decreased by approximately 0.8 dBA CNEL from the Forecast Buildout No Project scenario's estimated traffic noise level of 66.9 dBA CNEL on Santero Way, which uses data from the City's General Plan (refer to Table 4.10-10 of the Draft EIR). Furthermore, predicted future traffic noise levels along Santero Way provide a conservative

estimate of future traffic noise, as it does not take into consideration that the roadway segment ends in a dead end, where an amount of vehicle trips would terminate near the north end of the roadway at the proposed residences and SMART station. Finally, when compared to roadways of similar size and surrounding land uses (refer to Table 4.10-10 of the Draft EIR for similar roadways, including East Cotati Avenue and West Sierra Avenue), the predicted ambient traffic noise along Santero Way would be lower than and consistent with these comparable roadways in the project vicinity.

However, because the future traffic noise level along Santero Way would exceed the threshold established in Section 4.10.3(a), Significance Thresholds, for traffic noise level increases, and because there is no feasible mitigation that can fully reduce this impact, traffic noise impacts would be significant and unavoidable.

Significance after Mitigation

Construction noise would be reduced after implementation of Mitigation Measure N-1a. However, due to limitations in feasible long-term noise reduction methods, construction noise could still exceed construction noise limits. Therefore, construction noise impacts would remain significant and unavoidable and no additional mitigation that would reduce this impact is feasible.

No feasible mitigation is available to reduce potential operational traffic noise impacts from increased traffic noise along Santero Way. Therefore, operational traffic noise impacts would remain significant and unavoidable and no additional mitigation that would reduce this impact is feasible.

5 Project Alternatives

Section 15126.6 of the *CEQA Guidelines* states the following:

> An EIR shall describe a reasonable range of alternatives to the project, or to the location of the project, which would feasibly attain most of the basic objectives of the project but would avoid or substantially lessen any of the significant effects of the project, and evaluate the comparative merits of the alternatives. An EIR need not consider every conceivable alternative to a project. Rather it must consider a reasonable range of potentially feasible alternatives that will foster informed decision making and public participation. An EIR is not required to consider alternatives which are infeasible. The lead agency is responsible for selecting a range of project alternatives for examination and must publicly disclose its reasoning for selecting those alternatives. There is no ironclad rule governing the nature or scope of the alternatives to be discussed other than the rule of reason.

As described in Section 4.3, above, the City of Cotati has determined that, even after the adoption of all feasible mitigation measures, the project would still cause one or more significant environmental impacts that cannot be avoided or lessened to below a level of significance. Therefore, the City of Cotati must determine if there is a project alternative that is both environmentally superior and feasible. An alternative may be "infeasible" if it fails to achieve the most basic project objectives identified within the EIR. Further, "feasibility" under CEQA encompasses the desirability of the project "based on a reasonable balancing of the relevant economic, environmental, social, and technological factors" of a project (*City of Del Mar v. City of San Diego [1982],* 133 Cal.App.3d at p. 417; see also *Sequoyah Hills Homeowners Assn. V. City of Oakland [1993],* 23 Cal.Ap.4th at p. 715).

The Final EIR determined that the project would have significant and unavoidable impacts associated with cultural resources (impacts related to historical resources), GHG emissions (impacts related to conflicts with applicable plan, policy, or regulation adopted for the purpose of reducing GHG emissions), and noise (impacts related to construction noise and operational traffic noise). The alternatives analyzed in the Final EIR and described below are therefore discussed below in terms of their potential ability to avoid or reduce these impacts.

5.1 Alternative 1: No Project

Alternative 1 assumes that the proposed SWSP Update and rezoning of TOC parcels would not occur, and that development within the project area would be limited by the existing zoning and land use designations of individual parcels.

Finding

Alternative 1 would not fulfill any of the five project objectives because under this alternative, development within the project area would be limited by the existing zoning and land use designations of individual parcels. Alternative 1 would not expand the SWSP area, and parcels currently outside of the SWSP area would not undergo zoning or land use designation changes. Additionally, the current SWSP, with the current development allowances, would continue to provide land use control over the current SWSP area. Based on the history of stalled redevelopment

of the SWSP area, it is not anticipated that substantial development would occur in the SWSP area under this alternative.

Alternative 1would have similar impacts to the proposed project as it relates to biological resources, cultural resources, hazards and hazardous materials, land use and planning, population and housing, and tribal cultural resources. Alternative 1 would have lesser impacts than the proposed project as it relates to aesthetics (resulting from less infill development), air quality (resulting from less operational air emissions), geology and soils (resulting from less infill development), GHG emissions (resulting from less operational emissions), hydrology and water quality (based on reduced development potential), noise (based on reduced development potential), public services and recreation (based on reduced development potential), transportation (based on reduced trip generation), and utilities and service systems (based on reduced development potential). This alternative would avoid the significant and unavoidable GHG and noise impacts of the proposed project but would not avoid the significant and unavoidable cultural resources impacts.

Alternative 1 was found to be the environmentally superior alternative as it would avoid significant and unavoidable GHG emissions and noise impacts. However, none of the project objectives would be fulfilled under Alternative 1.

While Alternative 1 would avoid some of the project's significant and unavoidable impacts, it would not fulfill either of the project objectives and would be inconsistent with California law. The City rejects Alternative 1 as infeasible because it would not achieve the project objectives.

The findings for the proposed project set forth in this document and the overriding social, economic and other considerations set forth in the Statement of Overriding Considerations provide support for selection of the proposed project and the elimination of this alternative from further consideration.

5.2 Alternative 2: Station-Oriented Density

Under Alternative 2, the City would only rezone parcels within the SWSP area, establishing a residential density minimum of 36 units per acre and a maximum of 61 units per acre. This increased density in the SWSP area would satisfy requirements based on preliminary analysis and guidance from MTC regarding the TOC station area. Alternative 2 would result in the development of 769 multi-family residential units, 459,076 square feet of commercial space, and an estimated population of 1,800 within the SWSP area. No additional development would occur on TOC parcels.

While the alternative meets residential density requirements, it may not achieve the project objective of encouraging and facilitating commercial development, as no additional commercial space is proposed for the TOC parcels. Additionally, this alternative would not fully implement TOC policy objectives, as the majority of parcels within a 0.5-mile radius of the SMART station would remain unevaluated for TOC policy implementation.

Finding

Alternative 2 would fulfill all project objectives as all other proposed zoning revisions within the SWSP area would occur, with the exception of encouraging commercial development and meeting TOC requirements. This alternative would also increase density in the SWSP area, which would satisfy requirements based on preliminary analysis and guidance from MTC regarding the TOC station area.

This alternative would require implementation of Mitigation Measures BIO-1, CUL-1a, CUL-1b, CUL-2a, CUL-2b, GEO-9a, GEO-9b, GHG-1, HAZ-6, N-1a, N-1b, N-2, and TCR-1, similar to the proposed project.

Alternative 2 would have similar impacts to the proposed project as it relates to air quality, biological resources, cultural resources, geology and soils, GHG emissions, hazards and hazardous materials, hydrology and water quality, land use and planning, noise, population and housing, public services and recreation, transportation, tribal cultural resources, and utilities and service systems. Alternative 2would have greater impacts than the proposed project as it relates to aesthetics (resulting from greater residential density). Overall impacts would be similar, but slightly greater under Alternative 2 than the proposed project.

Alternative 2 would fulfill the project objectives regarding increasing opportunities for residential development, supporting mixed-use development, and expanding community spaces and amenities. However, Alternative 2 may not achieve the project objective of encouraging and facilitating commercial development, as commercial square footage in the SWSP area under Alternative 2 would be the same as under the proposed project, but with no additional commercial space proposed on the TOC parcels. Furthermore, this alternative would not implement the objective of TOC policy implementation because a majority of the parcels within the 0.5-mile radius of the SMART station would not be evaluated for TOC policy implementation. For these reasons, Alternative 2 is less desirable than the proposed project in terms of meeting the objectives for the project, as outlined above under Section 3.

The findings for the proposed project set forth in this document and the overriding social, economic and other considerations set forth in the Statement of Overriding Considerations provide support for selection of the proposed project and the elimination of this alternative from further consideration.

5.3 Alternative 3: Modified Density Allocation

Under Alternative 3, the City would rezone parcels within the SWSP area and would rezone TOC parcels, similar to the proposed project. However, the density of parcels in the SWSP area would be reduced under this alternative, with the density of the TOC parcels increased. The intent of this alternative is to reduce traffic noise impacts on Santero Way that would occur with the proposed project. The commercial square footage would remain the same as the proposed project.

Finding

Alternative 3 would fulfill the project objectives as the same rezoning would occur but with reduced density in the SWSP area and increased density in TOC parcels.

This alternative would require implementation of Mitigation Measures BIO-1, CUL-1a, CUL-1b, CUL-2a, CUL-2b, GEO-9a, GEO-9b, GHG-1, HAZ-6, N-1a, N-1b, N-2, and TCR-1.

Alternative 3 would have similar impacts to the proposed project as it relates to aesthetics, air quality, biological resources, cultural resources, geology and soils, GHG emissions, hazards and hazardous materials, hydrology and water quality, land use and planning, population and housing, public services and recreation, transportation, tribal cultural resources, and utilities and service systems. Alternative 3 would have lesser impacts than the proposed project as it relates to noise (resulting from less traffic noise on Santero Way). Overall impacts would be similar, but slightly reduced under Alternative 3 than the proposed project. This alternative would avoid the significant

and unavoidable traffic noise impacts of the proposed project but would not avoid the significant and unavoidable cultural resources, GHG emissions, or construction noise impacts.

If the No Project Alternative (Alternative 1) is determined to avoid or reduce more impacts than any other alternative, CEQA requires that the EIR identify an environmentally superior alternative among the other alternatives (*CEQA Guidelines* Section 15126.6[e]). Of the other alternatives evaluated in this EIR, Alternative 3 (Modified Density Allocation) would be environmentally superior. Because this alternative would generate fewer residents within the SWSP area, impacts to traffic noise would also be reduced compared to the proposed project and would be less than significant. Alternative 3 would fulfill all project objectives, similar to the proposed project. However, this alternative would result in a reduced density in the SWSP area which would increase the average distance of residents to the SMART station, requiring additional travel distance between residents and the transit station. For this reason, Alternative 3 is less desirable than the proposed project.

The findings for the proposed project set forth in this document and the overriding social, economic and other considerations set forth in the Statement of Overriding Considerations provide support for selection of the proposed project and the elimination of this alternative from further consideration.

6 Statement of Overriding Considerations

As described in the Environmental Impact Report (EIR) for the Santero Way Specific Plan Update Project, the EIR finds that all potential impacts from adoption of the project and from physical changes that could potentially occur due to adoption of the project can be feasibly mitigated to a level that is less than significant, with the following exceptions: Impact CUL-1, potential impacts to unidentified historic resources; Impact GHG-1, conflicts with applicable plan, policy, or regulation adopted for the purpose of reducing GHG emissions; and Impact NOI-1, construction noise and operational traffic noise impacts from new development.

In accordance with *CEQA Guidelines* Section 15093, the City Council has, in determining whether to approve the project, balanced the economic, legal, social, technological, and other benefits of the project against the potentially unavoidable environmental impacts, and has found that the benefits of the project outweigh the potentially unavoidable environmental effects, for the reasons set forth below. The following statements specify the reasons why, in the City Council's judgement, the benefits of the project outweigh any of the significant and unavoidable consequences described in the EIR. The City Council also finds that any one of the following reasons for approval cited below is sufficient to justify approval of the project. Thus, even if it were to be determined that not every reason cited below is supported by substantial evidence, the City Council determines that each individual reason is sufficient justification of approval of the project. The substantial evidence supporting the City Council's findings and the benefits described below can be found in the record of proceedings.

- The adoption of the project would contribute to the local economy by encouraging mixed-use development that integrates residential, "maker" scale light industrial, commercial, and community spaces. This approach would enhance neighborhood vibrancy and walkability, stimulate economic growth, and diversify the City's economic base, aligning with the City's objective of fostering a self-reliant community with a strong economic foundation.
- The adoption of the project would improve pedestrian access, decrease vehicle miles traveled through the addition of mixed-use development in proximity to a major transit station, and enhance safety near the Cotati SMART station by promoting walkable, transit-oriented neighborhoods. These outcomes align with the City's goal of safeguarding the health and well-being of the community through partnerships that ensure a safe and secure environment.
- The adoption of the project would support the enhancement of infrastructure consistent with transit-oriented development objectives. This aligns with the City's goal of providing and maintaining high-quality streets, sidewalks, sewer and water systems, parks, bike paths, and public facilities.
- The facilitation and promotion of new housing by the zoning changes incorporated in the project furthers the goals and policies of the County's Housing Element, including facilitating sufficient development at all income levels to meet the City's Regional Housing Needs Allocation, supporting new housing for low- and moderate-income households, amending zoning and General Plan land use designations to meet future housing needs, and encouraging residential mixed-use and transit-oriented development.
- Adoption of the amendments proposed by the project will facilitate additional transit-oriented, higher density, and mixed use development on unused and underutilized properties, will promote economically beneficial reuse of unused and underutilized land.

- Adoption of the zoning amendments included in the project will facilitate the creation of new development in proximity to public transit, reducing the need for automobile use and attendant pollution and other negative consequences and increasing walking and transit ridership.
- Adoption of the rezoning included in the project will facilitate additional housing and additional affordable housing in the community, including housing to meet a broader range of housing needs and housing that is appropriate to and accessible for a broader range of household types.

Any one of these reasons is sufficient to support adoption of the Santero Way Specific Plan Update, and to outweigh the identified significant and unavoidable environmental effects that might occur due to adoption of the project. On balance, in light of the benefits to the City and the local community identified above, pursuant to *CEQA Guidelines* Section 15903, the City Council finds that these overriding considerations, as identified in conjunction with the environmental review of impacts stemming from adoption of the Santero Way Specific Plan Update, outweigh the potentially significant and unavoidable environmental impacts identified in the Final EIR, rendering those impacts acceptable under the circumstances.

7 Statement of Location and Custodian of Documents

Public Resources Code Section 21081.6(a)(2) and *CEQA Guidelines* Section 15091(e) require that the City of Cotati, as the Lead Agency, specify the location and custodian of the documents of other materials that constitute the record of proceedings upon which the decision has been based. The following location is where review of the record may be performed:

City of Cotati
Community Development Department
201 West Sierra Avenue
Cotati, California 94931

The City of Cotati has relied on all of the documents contained within the record of proceedings in reaching its decision on the project.