

**CITY OF CLOVERDALE
CITY COUNCIL**

RESOLUTION NO. 078-2020

A RESOLUTION OF THE CITY OF CLOVERDALE CITY COUNCIL APPROVING A MITIGATED NEGATIVE DECLARATION AND MITIGATION MONITORING AND REPORTING PROGRAM (MMRP) PREPARED IN ACCORDANCE WITH THE CALIFORNIA ENVIRONMENTAL QUALITY ACT FOR THE BAUMGARDNER RANCH ANNEXATION & PREZONING PROJECT ON APPROXIMATELY 28.42 +/- ACRES OF UNDEVELOPED LAND LOCATED AT 28195 & 28193 OLD REDWOOD HIGHWAY (APNS 117-040-053 & -084)

WHEREAS, the City of Cloverdale desires to annex approximately 28.42 +/- acres of land identified as APNs 117-040-053 & -084 into the City, all of which is located within the City's Sphere of Influence, Urban Growth Boundary and Urban Service Area; and

WHEREAS, an application for Annexation/Prezoning, Precise Development Plan, Major Design Review, Tentative Map and General Plan Amendment to change the land use designation of the project site from GI (General Industry), LDR (Low Density Residential) and CF (Conservation Feature), to HDR (High Density Residential) and CF (Conservation Feature) for a residential development with 304 dwelling units was submitted by the applicant; and

WHEREAS, the site is currently designated GI (General Industry), LDR (Low Density Residential) and CF (Conservation Feature) on the City's adopted General Plan Land Use Map, however amending a 19.9 +/- acre portion of the General Plan Land Use Map to High Density Residential (HDR) on the project site but below 400 feet in elevation is consistent with the density of the project; and

WHEREAS, the project will provide for a mix of detached and attached single-family residences as well as attached multi-family dwelling units. While the HDR land use designation carries a maximum allowable density of 16 dwelling units per acre, through implementation of Government Code Section 65915 and Chapter 18.13 of the Cloverdale Zoning Ordinance the project site as a whole will be consistent with the density of the project and therefore has been determined to be consistent with the goals, policies and implementation measures of the General Plan; and

WHEREAS, the City desires to prezone the affected property, that includes two substantially undeveloped parcels currently designated General Industry (GI), Low Density Residential (LDR) and Conservation Feature (CF) on the City of Cloverdale General Plan Map and that is compatible with existing County of Sonoma zoning for the property and current area development patterns; and

WHEREAS, Virginia Neat and Robert Baumgardner desire to annex into the City of Cloverdale in order to obtain City services including sanitary sewer, water, transportation, drainage and police services; and

WHEREAS, the California Environmental Quality Act (CEQA), together with the State CEQA Guidelines and City environmental regulations, require that certain projects including prezoning and annexation projects be reviewed for environmental impacts and that environmental documents be prepared that address potential environmental impacts; and

WHEREAS, the City caused a CEQA Initial Study to be prepared to assess the impacts of the project, which is identified as the "Baumgardner Ranch Development Project Initial Study/Mitigated Negative Declaration, Cloverdale, Sonoma County, California" dated February 11, 2020 attached to and incorporated herein as Exhibits A and B; and

WHEREAS, the Initial Study analyzed all of the environmental topics required in Appendix G of the CEQA Implementing Guidelines; and

WHEREAS, the Initial Study identified potentially significant impacts with respect to the following topics: biological resources, transportation/circulation, cultural resources, tribal cultural resources, air quality, wildfire, hazards/hazardous materials, greenhouse gas emissions, geology/soils and noise; and

WHEREAS, the Initial Study also sets forth a number of mitigation measures to reduce all potentially significant impacts to a less-than-significant level and adoption of a Mitigated Negative Declaration has been recommended to satisfy CEQA requirements for the Baumgardner Ranch Development Annexation & Rezoning Project; and

WHEREAS, the Planning Commission considered the Initial Study and Mitigated Negative Declaration and all above-referenced reports, recommendations, and testimony before making a recommendation on the Project; and

WHEREAS, the City of Cloverdale prepared a Mitigation Monitoring and Reporting Program (MMRP) as required by CEQA (see Exhibit B) that identifies the Mitigation Measures as well as agencies and organizations responsible for implementing the various mitigation measures; and

WHEREAS, the Initial Study/Mitigated Negative Declaration was circulated for public review for a 30-day period between February 11, 2020 and March 13, 2020 and during which comments were received from, MLXR2, Sonoma County Vintner's Co-Op., Cal-Trans, Dry Creek Band of Pomo Indians and LAFCO. The Comments were addressed in the Final Mitigated Negative Declaration; and

WHEREAS, the State Clearinghouse (SCH) assigned the Initial Study/Mitigated Negative Declaration SCH #2020029033 (See Exhibit C) and submitted the IS/MND to selected state agencies for review; and

WHEREAS, on June 23, 2020, the Planning Commission held a properly noticed public hearing on the Project and the public hearing was continued to a date certain on July 7, 2020, at which time all interested parties had the opportunity to be heard; and

WHEREAS, the project will not individually or cumulatively have an adverse effect on wildlife resources, as defined in Section 711.2 of the California Department of Fish and Game Code; and

WHEREAS, Staff Reports dated June 23, 2020 and July 7, 2020, and incorporated herein by reference described and analyzed the Project and related MND and MMRP for the Planning Commission and recommended adoption of the MND and MMRP and approval of the project by the City Council; and

WHEREAS, on July 7, 2020, the Planning Commission adopted Resolution No. 007-2020 recommending adoption of the MND and MMRP and approval of the project by the City Council; and

WHEREAS, on August 12, 2020, the City Council held a properly noticed public hearing on the Project, at which time all interested parties had the opportunity to be heard; and

WHEREAS, a Staff Report dated August 12, 2020, and incorporated herein by reference described and analyzed the Project and related MND and MMRP for the City Council and recommended adoption of the MND and MMRP and approval of the project by the City Council.

NOW, THEREFORE BE IT RESOLVED that the foregoing recitals are true and correct and are part of this resolution.

BE IT FURTHER RESOLVED that the City Council makes the following findings to support the determination that a Mitigated Negative Declaration is required under CEQA for the project. These findings are based on information contained in the Initial Study, the staff report, and all other information contained in the record before the City Council. These findings constitute a summary of the information contained in the entire record. The detailed facts to support the findings are set forth in the Mitigated Negative Declaration and elsewhere in the record. Other facts and information in the record that support each finding that are not included below are incorporated herein by reference:

1. The City Council has independently reviewed and considered the Initial Study/Mitigated Negative Declaration, the associated staff report and other associated information and materials pertinent to the project contained therein, prior to acting upon or approving the Project.

2. The Initial Study/Mitigated Negative Declaration adequately described the environmental impacts of the proposed project. On the basis of the whole record before it, the City Council finds that there is no substantial evidence that the project, as mitigated, will have a significant effect on the environment.

3. The Initial Study/Mitigated Negative Declaration and MMRP have been completed in compliance with CEQA and the CEQA Guidelines.

4. The Initial Study/Mitigated Negative Declaration and MMRP are complete, adequate and reflects the City's independent judgment and analysis as to the environmental effects of the proposed project.

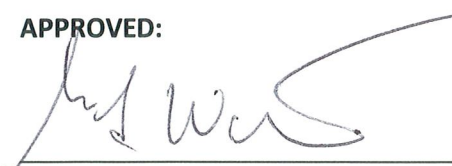
NOW, THEREFORE BE IT RESOLVED the above recitals are true and correct and incorporated herein by reference; and

NOW, THEREFORE BE IT FURTHER RESOLVED that the City Council of the City of Cloverdale does hereby adopt the Mitigated Negative Declaration and Mitigation Monitoring and Reporting Program for the Baumgardner Ranch Development Annexation & Rezoning Project as noted in the recitals above.

Resolution No. 078-2020 was duly adopted on this the 26th day of August 2020, by the following roll call vote:


AYES: (4) Councilmember Bagby and Brigham, Vice Mayor Turner, and Mayor Wolter
NOES: (0) None
ABSTAIN: (0) None
ABSENT: (1) Councilmember Cruz

APPROVED:



Gus Wolter, Mayor

ATTEST:



Irene Camacho-Werby, City Clerk

Attachments:

Exhibit A – CEQA Initial Study and Mitigated Negative Declaration
Exhibit B – Mitigation Monitoring and Reporting Program
Exhibit C - Initial Study/Mitigated Negative Declaration SCH #2020029033

I, IRENE CAMACHO-WERBY, City Clerk of the City of Cloverdale, do hereby certify that the foregoing is a full, true, and correct copy of Resolution No. 078-2020 adopted by the City Council of the City of Cloverdale on the 26th day of August 2020.



Irene Camacho-Werby, City Clerk



