

EXHIBIT A

TO THE RESOLUTION OF THE CITY COUNCIL OF THE CITY OF VACAVILLE CERTIFYING THE ENVIRONMENTAL IMPACT REPORT FOR THE PROPOSED FARM AT ALAMO CREEK SPECIFIC PLAN PROJECT, ADOPTING FINDINGS OF FACT, ADOPTING MITIGATION MEASURES, REJECTING ALTERNATIVES AND ADOPTING A STATEMENT OF OVERRIDING CONSIDERATIONS

I. INTRODUCTION

The approximately 210-acre Farm at Alamo Creek Ranch Specific Plan and development project (proposed project) is located in northern Solano County adjacent to the southeastern corner of the City of Vacaville approximately four miles from Downtown Vacaville. The project site is located inside of the City of Vacaville's proposed Sphere of Influence and the City's Urban Growth Boundary (UGB), as amended in December 2017.

The project site is bounded by Leisure Town Road on the west, Elmira Road on the South, the City's Agricultural Buffer land on the east, and Hawkins Road to the north.

Adjacent land uses include a single-family residential development directly west of the project site across Leisure Town Road. The recently approved Brighton Landing project currently under construction is located directly south across Elmira Road, north and east of the project site, is undeveloped land currently primarily in agricultural use.

The project site is part of the East of Leisure Town Road Growth Area as defined in the City's General Plan. This is one of two New Growth Areas identified in the General Plan for future development. However, the project site is located within unincorporated Solano County and, as part of this project, would be annexed to the City. The East of Leisure Town Road Growth Area is within the City's UGB, which limits the location of urban development within the City until 2028.

The project site is designated as a future Specific Plan area in the City's General Plan and is also designated as a growth area as part of the East of Leisure Town Road Growth Area (City of Vacaville 2015). The City's Land Use Designations figure (City of Vacaville 2015, Figure LU-6) designates various portions of the project site Residential Low Density (3.1- 5.0 units/acre), Residential Low-Medium Density (5.1-8.0 units/acre), Residential Medium Density units/acre), Residential High Density (20.1-24.0 du/acre), Neighborhood Commercial, Agricultural Buffer, and Park. The project site does not currently include City of Vacaville zoning because it is located outside of the City limits. The project applicant is requesting the site be pre-zoned RL-6 (Residential Low Density – 6,000 sq. ft. minimum lot size), RL-5 (Residential Low Density – 5,000 sq. ft. minimum lot size), RLM-4.5 (Residential Low Medium Density - 4,500 sq. ft. minimum lot size), RLM-3.6 (Residential Low Medium Density – 3,600 sq. ft. minimum lot size), RMH (Residential Medium High Density – 14.1 to 20.0 du/gdac), CN (Neighborhood Commercial), CF (Community Facility – for park, well site, detention basin, roads), PARK (Special zoning for the public and private park sites within the Specific Plan), OS (Open Space), and AB (Agricultural Buffer Overlay).

The proposed project would include discretionary approvals by the City of Vacaville including the following:

- Amend the General Plan land use diagram;

- Adopt the Farm at Alamo Creek Specific Plan;
- (Pre) Zone the project site, including approval for annexation;
- Approve the tentative subdivision map creating the subdivision of land;
- Adopt the Development Agreement; and
- Amend the Comprehensive Annexation Plan and agree to annex the project site into the Vacaville city limits.

II. FINDINGS FOR CERTIFICATION OF THE ENVIRONMENTAL IMPACT REPORT FOR THE FARM AT ALAMO CREEK SPECIFIC PLAN PROJECT

The City Council finds, based on substantial evidence in the record of this proceeding, that the Final EIR for the Farm at Alamo Creek Specific Plan, which consists of the Draft EIR and technical appendices, and the Final EIR, has been completed in accordance with the requirements of the CEQA, the CEQA Guidelines, the Vacaville Land Use and Development Code and all other applicable laws and regulations.¹

Specifically, the City Council finds, based on substantial evidence in the record of this proceeding, that:

1. The City of Vacaville caused the EIR for the proposed project to be prepared pursuant to CEQA, the CEQA Guidelines, and the City of Vacaville Land Use and Development Code.

2. A Notice of Preparation (NOP) of the Draft EIR was filed with the Governor's Office of Planning and Research on June 28, 2017 and was circulated for public comments from June 28, 2017 to July 27, 2017. Notices for the NOP were mailed to other agencies (local and Federal) and to interested persons and adjacent property owners. Notices for the NOP were also posted on Leisure Town Road, in and near the project area, at the County Clerk's Office and in Vacaville City Hall. Comments were received on the NOP and were subsequently incorporated into the Draft EIR.

3. A Notice of Completion (NOC) and copies of the Draft EIR were distributed to the State Clearinghouse on June 28, 2017 to those public agencies that have jurisdiction by law with respect to the project and to other interested parties and agencies. The comments of such persons and agencies were sought, including by direct communication to agency staff. Additional copies of the Draft EIR were distributed (delivered or mailed) by the City to persons and agencies who requested them.

4. A Notice of Availability (NOA) for the Draft EIR was distributed to all responsible and trustee agencies, other local and Federal agencies, interested groups, organizations, adjacent property owners and businesses, and individuals on March 7, 2018 for the Draft EIR. Copies of the NOA were posted in and around the project area on March 7, 2018. The NOA

¹ CEQA is codified at sections 21000, et seq. of the California Public Resources Code. The CEQA Guidelines are set forth at California Code of Regulations, Title 14, sections 15000, et seq. The Vacaville Land Use and Development Code is set forth at Title 14 of the Vacaville Municipal Code. The custodian of the record of this proceeding is the City of Vacaville, Community Development Department, 650 Merchant Street, Vacaville, California.

stated that the City of Vacaville had completed the Draft EIR and that copies were available at the City of Vacaville, Planning Division, 650 Merchant Street, Vacaville, at the Solano County Library, 1000 Ulatis Drive, Vacaville and that the document was posted on the City of Vacaville website. The notice also indicated that the official public review period for the Draft EIR would be from March 7, 2018 to April 20, 2018.

A copy of the NOA was posted with the Solano County Clerk/Recorder's Office on March 7, 2018. The NOA was also posted at Vacaville City Hall on March 7, 2018.

5. An official forty-five (45) day public review period for the Draft EIR was established by the State Clearinghouse. The official public review period began on March 7, 2018. The public review period thus ended on April 20, 2018.

6. On March 20, 2018, the City Planning Commission held a public hearing to accept verbal comments on the Draft EIR. Comments received at that hearing are included and responded to in the Final EIR.

7. On September 21, 2018, the City mailed notices to interested persons, adjacent and nearby property owners, State, Federal and local agencies advising that the Final EIR would be available on September 27, 2018 and advising of a Planning Commission meeting and public hearing to discuss the project and EIR on October 2, 2018. The City posted notices advising of the Final EIR availability at the County Clerk, in Vacaville City Hall and on the City website. On September 27, 2018, the City made the Responses to Comments and Final EIR available to the public at the City's offices, on the City's website, at the Town Square Library in downtown Vacaville, and at the Solano County Library, 1000 Ulatis Drive, Vacaville and delivered or sent by email the Final EIR response to the Solano Irrigation District, Solano County Planning, Solano County Local Agency Formation Commission, the Yolo-Solano Air Quality Management District, and the State Regional Water Quality Control Board (the agencies who had commented on the Draft EIR). The Final EIR was also posted on the City's website. On September 21, 2018 notices were posted on the site advising of the public hearing on October 2, 2018. A notice for the Planning Commission hearing and indicating the availability of the Final EIR was placed in The Reporter newspaper on September 22, 2018.

8. On October 12, 2018 the City mailed notices to interested persons, adjacent and nearby property owners, State, Federal and local agencies advising that the City Council would hold a public hearing to consider the Farm at Alamo Creek Specific Plan project actions on October 23, 2018. The City posted notice of the City Council hearing and of the availability of all environmental documents at Vacaville City Hall, and on the City website. The EIR and project information was previously posted on the City website. Signs advising of the public hearing were posted on and near the site on October 13, 2018. On October 13, 2018, the City Council continued the hearing to November 13, 2018.

9. The following information is incorporated by reference and made part of the record supporting these findings:

A. The Draft and Final EIR, and their appendixes and all documents referenced in, relied upon or incorporated by reference in those documents.

B. The Mitigation Monitoring and Reporting Program attached hereto as Exhibit C to the resolution certifying the Farm at Alamo Creek EIR, and the Findings of Fact, Statement of

Overriding Considerations, and Mitigation Monitoring and Reporting Program for the 2015 Vacaville General Plan Update attached as Exhibit A to said resolution.

C. Testimony, documentary evidence, and all correspondence submitted or delivered to the City in connection with the Planning Commission and City Council hearings on this project and the associated EIR.

D. All staff reports, memoranda, maps, letters, minutes of meetings, and other documents relied upon or prepared by City staff relating to the project, including but not limited to, City of Vacaville General Plan and Draft and Final Environmental Impact Report for the City of Vacaville General Plan Update and Energy and Conservation Strategy (ECAS), City of Vacaville, 2015, and the Initial Study for the Farm at Alamo Creek Specific Plan Project.

Based on the foregoing, and all substantial evidence in the record of this proceeding, the City Council hereby finds, declares, and certifies that:

1. The EIR was prepared, published, circulated and reviewed and completed in accordance with the requirements of CEQA, the CEQA Guidelines and the Vacaville Land Use and Development Code, and constitutes an adequate, accurate, objective and complete Final EIR in accordance with the requirements of CEQA, the CEQA Guidelines and the Vacaville Land Use and Development Code.

2. The EIR consists of the Draft EIR, the Final EIR, appendices, and any documents or materials cited or incorporated by reference in the EIR and its appendices.

3. The EIR has been presented to the City Council and that the City Council has reviewed it, and considered the information contained therein prior to acting on the proposed project and finds that the EIR reflects the independent judgment and analysis of the City of Vacaville.

4. The EIR reflects the best efforts of the City of Vacaville to undertake all reasonably feasible and prudent actions to discover, analyze, disclose and mitigate all potentially significant environmental impacts of the proposed project.

5. The changes and additions to the Draft EIR made in Response to Comments do not constitute "significant new information" within the meaning of Public Resources Code section 21092.1, and therefore recirculation of the Draft EIR and/or Responses to Comments for public review and comment is not required.

6. The EIR has been presented to the City Council and that the City Council has reviewed and considered the information contained therein and in the record supporting the EIR prior to making these findings or taking action on the proposed Farm at Alamo Creek Specific Plan and applications related thereto.

7. The City Council hereby adopts the following Findings of Fact and Statement of Overriding Considerations, and a Mitigation Monitoring Plan to require and ensure that all mitigation measures found to be reasonably feasible and effective are implemented as conditions of project approval.

III FINDINGS OF FACT REGARDING THE POTENTIAL ENVIRONMENTAL IMPACTS ADEQUATELY ANALYZED IN THE GENERAL PLAN ENVIRONMENTAL IMPACT REPORT

On August 11, 2015, the City of Vacaville City Council certified the General Plan EIR (SCH # 2011022043) and approved the City of Vacaville General Plan. A Modified Initial Study has been prepared (Appendix B to the Draft EIR) to identify and assess the anticipated environmental impacts of the proposed project that were not adequately covered by the General Plan EIR. The environmental analysis in the Modified Initial Study is based on CEQA Section 21094 and Sections 15168 and 15183 of the CEQA Guidelines, which governs program EIRs and projects consistent with a general plan or community plan. Under these sections, the program EIR, in this case the General Plan EIR, serves as a basis for the Modified Initial Study to determine if project-specific impacts would occur that are not adequately covered in the previously certified EIR. Here, the proposed project's land uses and development assumptions are consistent with the City's General Plan and the General Plan EIR and therefore the project is within the scope of the General Plan and the General Plan EIR. The Modified Initial Study provides an analysis of whether the General Plan EIR adequately analyzes the environmental impacts of the proposed project. The Modified Initial Study indicates whether the proposed project would result in significant impacts that: (1) are peculiar to the project or the project site; (2) were not identified as a significant effect in the General Plan EIR; or (3) are previously identified significant effects which as a result of substantial new information that was not known at the time that the General Plan EIR was certified, and are determined to have a more severe adverse impact than discussed in the General Plan EIR. Such impacts are evaluated in the Draft EIR. Pursuant to CEQA Section 21094, if approved, the project would be required to be conditioned or otherwise obligated to mitigate to the extent feasible, the significant environmental effects identified in the General Plan EIR that are not further analyzed in this EIR. The Modified Initial Study identifies the policies and mitigation measures developed during the environmental review of the General Plan and discusses how the proposed project would comply with those policies and measures.

Based on the analysis found in the Modified Initial Study, the project's potential environmental impact related to the following topics were determined to be adequately covered in the General Plan EIR and the City Council hereby reaffirms the Findings of Fact, Statement of Overriding Considerations, and Mitigation Monitoring and Reporting Program for the 2015 Vacaville General Plan Update and Energy and Conservation Strategy (ECAS) related to the following impacts for the reasons described in the Section 2.3 of the EIR:

- Aesthetics
- Agricultural and Forestry Resources
- Geology and Soils
- Greenhouse Gas Emissions
- Hazards and Hazardous Materials
- Mineral Resources
- Noise
- Population and Housing
- Public Services

- Recreation

Findings of fact regarding potential environmental impacts identified in the Environmental Impact Report for the proposed Farm at Alamo Creek Specific Plan

Significant or potentially significant impacts that are avoided or reduced to a less-than-significant level.

Finding: As authorized by Public Resources Code section 21081 and CEQA Guidelines 15091, 15092, and 15093, the City finds that, unless otherwise stated, all of the changes or alterations to the proposed project listed below have been required in, or incorporated into, the project which mitigate or avoid the significant or potentially significant environmental impacts listed below, as identified in the EIR, that these mitigation measures will be effective to reduce or avoid the potentially significant impact as described in the EIR, and that these mitigation measures are feasible to implement and are within the responsibility and jurisdiction of the City of Vacaville to implement or enforce. These Findings of Fact are supported by substantial evidence in the record of proceedings before the City, including the analysis for each impact set forth in the EIR which is incorporated herein by this reference

- Air Quality Impact 4.1-1
- Biological Resources Impact 4.2-1
- Biological Resources Impact 4.2-2
- Biological Resources Impact 4.2-3
- Biological Resources Impact 4.2-5
- Biological Resources Impact 4.2-6
- Cultural Resources Impact 4.3-1
- Cultural Resources Impact 4.3-3
- Cultural Resources Impact 4.3-4
- Cultural Resources Impact 4.3-5
- Transportation and Circulation Impact 4.7-1
- Transportation and Circulation Impact 4.7-3
- Transportation and Circulation Impact 4.7-4
- Transportation and Circulation Impact 4.7-5, except at Leisure Town Road at I-80 EB Ramps (#1), Nut Tree Road at Ulatis Drive (#10), Allison Drive at Nut Tree Parkway (#12), and Peabody Road at Elmira Road (#17) intersections.

Significant or potentially significant impacts that cannot be avoided

Finding: The City Council finds that the following impacts are significant and unavoidable for those reasons set forth in the EIR.

- Air Quality Impact 4.1-2
- Air Quality Impact 4.1-5
- Transportation and Circulation Impact 4.7-5 at Leisure Town Road at I-80 EB Ramps (#1), Nut Tree Road at Ulatis Drive (#10), Allison Drive at Nut Tree Parkway (#12), and Peabody Road at Elmira Road (#17) intersections.

Evaluation of Alternatives

CEQA mandates that an EIR evaluate a reasonable range of alternatives to the project or the project location that generally reduce or avoid potentially significant impacts of the project. CEQA requires that every EIR evaluate a “No Project” alternative. Alternatives provide a basis of comparison to the project in terms of beneficial, significant, and unavoidable impacts. This comparative analysis is used to consider reasonable feasible options for minimizing environmental consequences of a project.

Alternatives to the proposed project are:

Alternative 1: No Project/No Development Alternative – Which assumes the project site would remain in its current undeveloped condition.

Alternative 2: No Project/Existing General Plan Land Use Alternative - This alternative assumes the project would be developed consistent with the current General Plan land use designation which includes a designation of Urban Reserve on approximately one third of the project site. Under this alternative approximately 488 residential units would be developed in the western portion of the site while 252 residential units and the detention basin would not be developed in the eastern portion of the site. This area would remain consistent with existing agricultural use, as shown in Figure 6-1 of the EIR.

Alternative 3: Reduced Intensity Alternative – This alternative assumes a reduction in the total number of residential units to a total of 676 (514 residential low-density, 162 residential medium-high density), 6.5 acres in neighborhood commercial uses and 17 acres in parks, as shown in Figure 6-2 of the EIR.

Alternative 1: No Project/No Development Alternative

The No Project/No Development Alternative considers the effects of forgoing the project entirely, and leaving the project site in its current, undeveloped condition. Under the No Project/No Development Alternative, the proposed project would not be adopted. The approved buildout for the Specific Plan area as set forth in the General Plan would not be developed and the project site would not be annexed into the City. In addition to not providing up to 768 residential units, over 40 acres of parks, open space and trails, and improvements to the transportation network, the No Project/No Development Alternative would not provide a Community park or a Play-4-All park. Under this alternative, the project site would not be zoned and developed in a manner consistent with the General Plan land use designations.

Findings

Specific economic, social, or other considerations make infeasible the No Project/No Development Alternative identified in the EIR as described below, each of which is an independent basis to reject Alternative 1.

- Alternative 1 would fail to meet any of the basic objectives of the project or of the City's General Plan.
- Alternative 1 would not meet the City's policies, General Plan or project objectives, or State policies of promoting the development of new housing.
- Alternative 1 would not meet the City's policies, General Plan or project objectives of providing neighborhood commercial sites to ensure easy access from nearby residential areas to daily commercial and service needs.
- Alternative 1 would not provide a site for a community park as contained in the City's General Plan.
- Alternative 1 would not support the City's General Plan's Land Use Plan.

Alternative 2: No Project/Existing General Plan Land Use Alternative

Under the No Project/Existing General Plan Land Use Alternative, approximately 60 acres currently designated as Urban Reserve in the eastern portion of the site would not be developed with 252 low-density residential units and a detention basin, as proposed under the project. Consistent with the General Plan the western portion of the site would be developed with approximately 488 residences that would include a mix of low-density residential, residential low-medium density, residential medium-density, neighborhood commercial and parks. A total of 252 residences would be developed in the western portion of the site including 26.6 acres in parks, 7.4 acres in neighborhood commercial, and a smaller detention basin would be included within one of the fields in the Community park.

Findings

Specific economic, social, or other considerations make infeasible the No Project/Existing General Plan Land Use Alternative identified in the EIR as described below, each of which is an independent basis to reject Alternative 2.

- Because fewer housing units would be developed, Alternative 2 would not provide housing at a scale to support the creation of public amenities including the "Play-4-All" park, open space, trails, and a community park, private amenities such as the clubhouse site, pocket parks, orchard buffer on Leisure Town Road, or be capable of attracting commercially reasonable financing
- Alternative 2 would eliminate potential housing units and bring the total number of housing units allowed in East of Leisure Town Growth area to a number below that allowed in General Plan policies and reduce housing options for potential residents.
- Alternative 2 would divide property that is under a single ownership such that part would be developed and the remainder would remain undeveloped until such time the undeveloped portion is converted from Urban Reserve and approved for development. The City Council previously acknowledged with Resolution 2017-127 that dividing the land use designations of this property was inadvertent. This would result in the owner having to propose two projects: one now and one at a later date. This would result in economic impacts of doubling processing time and costs. It also would not allow for comprehensive planning of the entire project site at one time.

Alternative 3: Reduced Intensity Alternative

The Reduced Density Alternative would reduce the total number of residential units to be developed to 676 units (a reduction of 92 units). Under this alternative there would be 514 single family units, 162 medium high density units, 6.5 acres of neighborhood commercial, and 17

acres in parks, as shown in Figure 6-3 of the EIR. The detention basin would remain in the southeast portion of the project site.

Findings

Specific economic, social, or other considerations make infeasible the No Project/Existing General Plan Land Use Alternative identified in the EIR as described below, each of which is an independent basis to reject Alternative 3.

- Alternative 3 would result in generally the same amount of land disturbance as the proposed project, and would fail to avoid or lessen several of the project's impacts.
- By reducing the overall density across the project site and reducing the acreage of neighborhood commercial and parks uses, the Alternative 3 would not meet the project's objectives of providing for orderly and well-planned development and housing at a scale and density appropriate to the project site and that supports the creation of public amenities.
- As the reduced density of residential units would allow for less available acreage for parks uses (because a smaller number of units would be spread over a greater amount of land area), the Alternative 3 would not include a density that also provides the amount of public amenities included within the proposed project.
- Alternative 3 would not be consistent with the land use designations for the project site in the City's General Plan and would require an amendment to the General Plan.

Absence of New Information

The City recognizes the Final EIR incorporates information obtained and produced after the Draft EIR was completed, and that the Final EIR contains additions, clarifications, and modifications to the Draft EIR. The City has reviewed and considered the Final EIR and all of this information. The Final EIR does not add significant new information to the Draft EIR that would require recirculation of the Draft EIR under CEQA. The new information added to the Final EIR does not involve a new significant environmental impact, a substantial increase in the severity of an environmental impact, or a feasible mitigation measure or alternative considerably different from others previously analyzed that the project sponsor declines to adopt and that would clearly lessen the significant environmental impacts of the Project. No information indicates that the Draft EIR was inadequate or conclusory or that the public was deprived of a meaningful opportunity to review and comment on the Draft EIR. Thus, recirculation of the DEIR is not required. The City finds that the changes and modifications made to the Draft EIR after the DEIR was circulated for public review and comment do not individually or collectively constitute significant new information within the meaning of Public Resources Code section 21092.1 or the CEQA Guidelines section 15088.5.

IV. STATEMENT OF OVERRIDING CONSIDERATIONS

As explained above, the City has required changes or alterations to the project, and has incorporated these as conditions of approval, to mitigate or avoid the project's potentially significant impacts. To the extent those changes or alterations are within the responsibility or jurisdiction of the City of Vacaville to implement or enforce, and the City finds them to be feasible and effective, the City has found that the potentially significant impacts will be reduced to a less-than-significant level. In some cases, however, there are no feasible measures available or measures are not within the City's jurisdiction to avoid or reduce the potential impacts to a less-than-significant level. Accordingly, the City finds above that certain impacts of the proposed project will remain significant and unavoidable.

Pursuant to CEQA section 21081 and CEQA Guideline 15093, however, the City hereby finds that the specific overriding economic, legal, social, technological, and other benefits of the project outweigh these significant and unavoidable impacts. The specific reasons for this finding, based on substantial evidence in the record constitute the following “Statement of Overriding Considerations.”

On the basis of the above findings and the substantial evidence in the record of this proceeding, the City specifically finds, and therefore makes this Statement of Overriding Considerations, that as a part of the process of obtaining project approval, all significant effects on the environment with implementation of the project have been eliminated or substantially lessened where feasible. Furthermore, the City has determined that any remaining significant effects on the environment found to be unavoidable are acceptable due to the following overriding considerations, each of which is an independent and sufficient basis to override the project’s significant and unavoidable impacts:

1. The proposed project assists with the implementation of the City’s General Plan Land Use Plan and Land Use policies that support the orderly development of the East of Leisure Town Growth Area.
2. The proposed project fulfills pressing land use needs in the City, namely the provision of additional housing, neighborhood commercial uses, an additional community park, pocket parks, and open space.
3. The proposed project provides appropriate environments for housing for households of a variety of incomes, including potentially low, moderate- and above-moderate-income households, and including housing designed to attract business executives and professionals.
4. The proposed project provides a diversity of single family lot sizes consistent with General Plan goals of providing a diversity of housing types.
5. The proposed project provides for attached duet lots, which is a housing product that is in short supply in the community and would be help meet pressing housing needs for residents of a variety of income levels and household sizes.
6. The project provides community features such as a clubhouse facility, trails, an orchard buffer, open spaces, and a community garden area that are of superior quality to standard residential developments and that are consistent with the General Plan vision of high quality design.
7. The proposed project provides neighborhood commercial sites that will provide close convenient services to the residents of the project and the surrounding area. This will help the City meet goals of reducing the distances residents need to travel for basic services.
8. The proposed project would include creation of a new parks and recreational areas to serve new residents of the development as well as residents of existing homes in the area and throughout the City, and incorporates a plan for development of the open space areas in a timely manner and with a financing plan that will assist the City in providing additional city-wide recreational resources effectively.

9. The project provides for improvements to existing streets that will improve safety for pedestrians, bicyclists, and vehicle travel.
10. The project provides for utility facilities that are envisioned in the General Plan.
11. The project provides a site for a new well-site for the City's municipal water supply.

V. Environmental Review Conclusion

Based on the facts and findings above, the project meets the specific plan criteria.