

RESOLUTION NO. 4399

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WOODLAND
ADOPTING AN ADDENDUM AND APPROVING AMENDMENTS TO
THE SPRING LAKE SPECIFIC PLAN

WHEREAS, on August 15, 2000, the City Council of the City of Woodland adopted Resolution No. 4215 certifying the EIR for the Spring Lake Specific Plan; and

WHEREAS, on December 18, 2001, the City Council of the City of Woodland adopted Resolution 4330 approving the Spring Lake Specific Plan; and

WHEREAS, on January 18, 2002 litigation was commenced against the City of Woodland challenging the adequacy of the Spring Lake Specific Plan EIR and consistency of the Plan with the State Planning Law; and

WHEREAS, the City of Woodland and other parties to the litigation entered into a settlement agreement effective July 23, 2002 in which, among other things, the City of Woodland agreed to consider certain specified amendments to the Spring Lake Specific Plan, the Plan EIR and mitigation monitoring plan; and

WHEREAS, staff has proposed a number of additional clarifying amendments to the Specific Plan; and

WHEREAS, the proposed changes to the EIR's mitigation monitoring plan warrant the preparation and approval of an addendum to modify the Plan EIR, and staff has prepared such an addendum; and

WHEREAS, on October 24, 2002, the Woodland Planning Commission held a noticed public hearing and considered the proposed CEQA addendum and Plan amendments, and recommended approval of the proposed amendments to the City Council; and

WHEREAS, on November 19, 2002, the City Council held a noticed public hearing and considered the proposed CEQA addendum and Plan amendments.

NOW, THEREFORE BE IT RESOLVED, the Council hereby adopts the CEQA addendum and amendments to the Spring Lake Specific Plan as presented at its regular meeting of November 19, 2002.

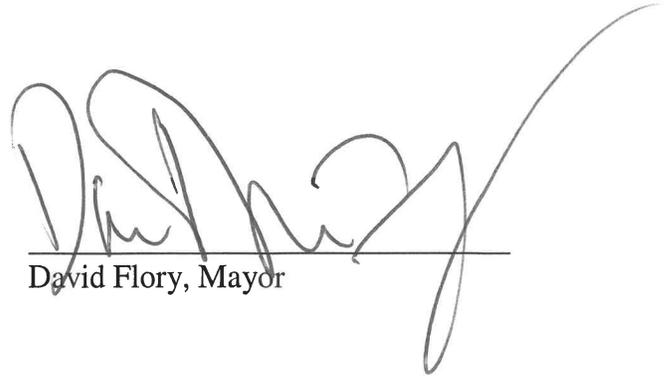
PASSED AND ADOPTED this 19th day of November, 2002, by the following vote:

AYES: Council Members Dote, Monroe, Peart, Rexroad, Flory

NOES: None

ABSENT: None

ABSTAIN: None

A large, stylized handwritten signature in black ink, likely belonging to David Flory, the Mayor. The signature is written over a horizontal line.

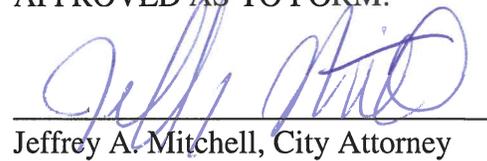
David Flory, Mayor

ATTEST:

A handwritten signature in black ink, likely belonging to Sue Vannucci, the City Clerk. The signature is written over a horizontal line.

Sue Vannucci, City Clerk

APPROVED AS TO FORM:

A handwritten signature in blue ink, likely belonging to Jeffrey A. Mitchell, the City Attorney. The signature is written over a horizontal line.

Jeffrey A. Mitchell, City Attorney

**CEQA ADDENDUM #2 to the
TURN OF THE CENTURY
SPECIFIC PLAN EIR**

City of Woodland

October 15, 2002

**CEQA ADDENDUM #2 to the
TURN OF THE CENTURY SPECIFIC PLAN EIR
SCH # 99022069
(certified August 15, 2000)**

City of Woodland
Heidi Tschudin, Contract Planner
Community Development Department
300 First Street
Woodland, CA 95695
(530) 661-5820

October 15, 2002

SUMMARY

The City of Woodland has prepared this second Addendum to the Turn of the Century Specific Plan EIR (SCH #99022069) certified August 15, 2000, for various amendments to the Spring Lake Specific Plan to correct errors identified by staff and to implement the terms of the *Pelican v. City of Woodland* Settlement Agreement (the "Settlement Agreement") executed by the City on July 23, 2002 by Susan Pelican, Shawn Smallwood, the Sierra Club, the City of Woodland, and Turn of the Century LLC.

ADDENDA UNDER CEQA

This document has been prepared as an Addendum to the Turn of the Century Specific Plan EIR (SCH #99022069) in accordance with the CEQA Guidelines Section 15164. Section 15164 provides that the Lead Agency "shall prepare an Addendum to a previously certified EIR if some changes or additions are necessary but none of the conditions described in Section 15162 calling for preparation of a subsequent EIR have occurred." Pursuant to Section 15164(e) an analysis and explanation is provided herein documenting the City's decision that preparation of a subsequent EIR is not required.

The Guidelines go on to state that: 1) the addendum need not be circulated, but can be included in or attached to the Final EIR (Section 15164(c)), and that 2) the City Council must consider the addendum with the Final EIR (Section 15164(d)).

Section 15164 was created in response to Public Resources Code Section 21166 which provides that no subsequent or supplemental EIR shall be required unless "substantial changes" in the project or the circumstances under which the project is being undertaken will necessitate "major revisions" of the EIR, or "new information" which was not known and could not have been known at the time the EIR was certified, becomes available.

The requirements of the Guidelines are described in more detail in Attachment B. For the subject situation, use of an Addendum is not only justified, but also actually required by the PRC (Section 21166).

This document demonstrates that the circumstances, impacts, and mitigation requirements identified in the Turn of the Century Specific Plan EIR remain substantively applicable to the revised Specific Plan described herein, and supports the finding that the proposed project does not raise any new issues and does not cause the level of impacts identified in the previous EIR to be exceeded.

DESCRIPTION OF PROPOSED REVISIONS TO THE SPECIFIC PLAN

Attachment A identifies the various amendments to the SLSP that are under consideration. These amendments fall into two categories: 1) miscellaneous clean-up, corrections, and errata that have been identified by staff during the nine months the Plan

has been in use; and, 2) amendments specified in the Settlement Agreement.

The staff-initiated amendments include:

- Deletions, corrections, and additions to text describing history and background.
- Changes to spelling and grammar.
- Minor clarification of text.
- Revisions to the land use plan and land use table to incorporate the final layout for the intersection of Parkway Drive and Pioneer Avenue. This adds 16 dwelling units to the plan.
- Clarifications that specify site-specific and technical studies required with each tentative subdivision map application.
- Clarification of off-site affordable housing obligation.
- Clarification of threshold for construction of neighborhood parks.
- Correction of language describing Draft Financing Plan that accompanied document.
- Clarification of technical studies and other requirements prior to approval of first tentative map.

The amendments associated with the Settlement Agreement include:

- Specific disclosure language regarding ongoing agriculture use of property within and adjoining the Specific Plan area. This emphasizes protections for ongoing agricultural use and discourages premature conversion of agricultural property.
- Minor clarifications of prior mitigation measure language
- Establishment of specific dwelling unit triggers for neighborhood park construction. This precludes deferral of park construction.
- Specific grievance and dispute resolution procedures for consideration in a new Right to Farm Ordinance.
- Amended text for mitigation of impacts to Swainson's hawk foraging land including:
 - specified ratios for mitigation land dependent on location;
 - identification of a target area for mitigation;
 - restrictions on mitigation outside of target area;
 - acreage thresholds and timing requirements for mitigation within the target area;
 - specified terms for ownership, control, management, and monitoring;

- o specified funding for monitoring;
- o specified procedures for consultant selection; and
- o specifications for timing of funding of monitoring.

ANALYSIS

In order to assess whether additional CEQA review is required for the City to approve the revised project, an analysis of the applicability of Section 15162 of the CEQA Guidelines is relevant. The following analytical steps were taken:

1. Identify the differences between the SLSP as adopted and the proposed revisions.
2. Examine the range of impact analysis in the EIR to determine if the impacts of the proposed revisions would fall within the framework of the original analysis.
3. Determine whether the conditions described in Section 15162 of the CEQA Guidelines calling for preparation of a subsequent EIR have occurred.

The text below examines each of these items.

Identification of Differences Between SLSP and Proposed Revisions

As summarized above, and specified in Attachment A, the proposed revisions fall into two categories: 1) minor corrections and clarifications of the text of the Specific Plan; and 2) modifications associated with the Settlement Agreement all of which serve to strengthen the mitigations required as a part the Specific Plan. The proposed revisions would add 16 units to the plan which represents less than one half of one percent of the approved total. This falls within the margin of error of the acreage estimates used throughout the Specific Plan and is considered insignificant. The unit yield is a maximum yield. Actual build-out of the Plan is expected to be somewhat less. As such, the proposed revisions, including the added units, are not expected to result in any new impacts, nor are they expected to cause the level of significance for any previously identified impacts to change. No new mitigation measures are required.

Applicability of EIR to Proposed Revisions

The potential environmental effects of the proposed revisions fit within the range of impact analysis contained in the original EIR. The staff-initiated revisions serve primarily to clarify, amplify, and make insignificant modifications to the SLSP and adopted Mitigation Monitoring Plan (MMP) and would have no effect in terms of environmental impact. The revisions associated with the Settlement Agreement make more specific the requirements of the SLSP for addressing existing agricultural uses and protection of Swainson's hawk mitigation land, and are therefore, neutral or beneficial in terms of potential environmental impacts.

Section 15162 Thresholds

Attachment B provides verbatim wording from the State CEQA Guidelines and an analysis of the applicability of the particular language to the proposed revisions of the SLSP. The evidence supports, and the analysis concludes, that none of the conditions described in Section 15162 of the CEQA Guidelines calling for preparation of a subsequent EIR have occurred, and thus an Addendum is appropriate.

ATTACHMENTS

Attachment A – Proposed Revisions to the SLSP

Attachment B – Comparison of 15162 CEQA Requirements and Project

ATTACHMENT A – Proposed Revisions to the SLSP

Spring Lake Specific Plan (as adopted December 18, 2001; Resolution No. 4330) – Miscellaneous Clean-Up, Corrections, and Errata

Page 1-9, 1st full paragraph – Delete as shown below. Clerical error. This was an interim issue that was subsequently decided on by the Council. This text was intended to have been deleted in the final plan document.

~~The City Council representatives to the subcommittee had differing opinions regarding second residential units. The Plan as drafted herein allows them by right if consistent with the design standards and if proposed as a part of the subdivision approval. As an option, however, the City Council is being asked to also deliberate an alternate approach which would remove those provisions and make second residential units in Spring Lake subject to a use permit, as they are elsewhere in the City.~~

Page 1-17, 1st line – Modify as show below. Clerical error. This action has been taken by the Council. This correction was intended to have been made in the final plan document.

“The SLSP ~~must be~~ has been determined by the City Council of Woodland to be consistent with the ...”

Page 1-17, 4th line from bottom – Modify as shown below: Grammatical correction.

“...declaration ~~is~~ are required for any residential project undertaken in conformity with an ...”

Page 1-19, top paragraph – Modify beginning of paragraph as shown below. As it reads the text was incorrect at the time of adoption of the Plan. This text correction should have been reflected in the final document.

~~A Fiscal Impact Analysis is under preparation to identify. Two fiscal impact analyses have been prepared examining the net fiscal effect of the Specific Plan on the City General Fund. This study must be finalized prior to final action on the Plan, and will be considered by the City Council in their deliberations. A final Fiscal Impact Analysis must be completed and accepted by the City Council prior to annexation of the SLSP area. The final analysis ...~~

Page 1-20, paragraph under “Specific Plan Design Standards” -- Modify the first sentence as follows. This text correction clarifies the intention of the City.

Prior to acceptance of the first tentative map or prior to issuance of a building permit for any development (whichever occurs first), separate and distinct Specific Plan Design Guidelines for development...

Page 2-5, Figure 2.1 (Specific Plan Land Use Map) – Replace this figure with the attached new Figure 2.1 which depicts the revised final layout for the intersection of Parkway Drive and Pioneer Avenue, as well as associated minor land use changes. This modification results in minor changes of to the unit yield of the Plan. The net result is an increase of 16 dwelling units which represents less than one half of one percent of the total planned units. This modification is inconsequential in effect and falls within the margin of error of the acreage estimates used in the Specific Plan. This map shall be used for analysis of plan consistency of future tentative maps submittals.

Page 2-6, Table 2.1 (Specific Plan Land Use Table) – Replace this table with the attached new Table 2.1 which depicts the revised final yields and acreages, given the modification of the Parkway Drive/Pioneer Avenue intersection. This modification depicts minor changes of to the unit yield

of the Plan. The net result is an increase of 16 dwelling units which represents less than one half of one percent of the total planned units. This modification is inconsequential in effect and falls within the margin of error of the acreage estimates used in the Specific Plan. This table shall be used for analysis of plan consistency of future tentative maps submittals.

Page 2-15, bottom paragraph – Modify first line as shown below. This text correction clarifies the intention of the City.

“Depending on the ultimate solution for drainage, there may be ~~interim~~ on-site detention/retention ...”

Page 2-18, Footnote 6 – Replace word “all “ in 5th line with “fall”. Grammatical correction.

Page 2-27, 2nd full paragraph – Modify this paragraph as shown below. This reflects the recent design of this intersection to incorporate the previously adopted conceptual layout (Figure 2.5).

The depiction of the Spring Lake “town center” at the intersection of Pioneer Avenue and Parkway Drive ~~shall not be viewed as the final layout or design for this primary intersection. The City will require~~ is intended to incorporate significant innovation and creativity in the final design. The sketch shown in Figure 2.5 (Conceptual Layout for the Spring Lake Center Intersection). Among the primary goals for the final design at this location are innovation, creativity, excitement, high visibility of public space, more central location of land uses, and a requirement for “signature” architecture.

Page 2-28, Figure 2.5 (Conceptual Layout for Spring Lake Center Intersection) – Delete this figure. The intersection design has been incorporated in the revised Land Use Plan (Figure 2.1).

Page 2-31, bulleted items – Add a new 3rd bullet and bottom bullet as follows. These two requirements were inadvertently left out of the original list.

- *Traffic calming (per Regulation 4.13)*
- *BMPs for water quality and erosion control (per Regulation 2.18)*

Page 2-32, Regulation 2.7 – Delete the word “final” in the first line. This reflects the fact that the Council has deferred the requirement for a final Fiscal Impact Analysis to prior to annexation.

Page 2-34, Regulation 2.14 – Delete extra period in last line. This corrects a clerical error.

Page 2-46, 2nd line from bottom – Change reference to Appendix “E” to “B.” This corrects a clerical error.

Page 3-1, 4th paragraph – Modify 1st line as follows. Grammatical correction.

The SLSP is intended to be a “life cycle” community. It ~~is~~ consists of primarily ...

Page 3-6, 2nd full paragraph – Delete “very” in 1st line. Grammatical correction.

Page 3-6, 4th line under Affordability Requirement – The number “2,896” is incorrect. Change this number to 2,866. It is correctly shown elsewhere in the Plan.

Page 3-8, heading “Off-Site Affordable Fee” – Change heading to “Off-Site Affordable Housing Fee”. This corrects the heading to be consistent with the text.

Page 3-11, 1st line – Modify as follows to clarify the intention of the City:

“... amount to result in the development *(acquisition and construction)* of 74 additional affordable multi-family ...”

Page 5-2, 3rd text paragraph, 3rd line – Change the text as follows: “... ~~charts~~ *chart* below provides the ~~required~~ *targeted* park land ~~requirements~~ based on the calculated” Change the header of the second column of the chart from “Requirement” to “Target.”

Page 5-10, Regulation 5.1 – Add the following new text to the end of the existing text. This text clarifies the intent of the City and is consistent with text in other sections of the Plan such as Regulation 8.2 on page 8-3 and the 2nd bullet on page 8-3.

5.1 *Parks must be developed at a pace consistent with build-out of the project, in order to ensure that the City's service standards are met. Neighborhood parks shall be triggered at 60 percent build-out of each neighborhood and construction shall occur as specified in Regulation 8.2. The Central Park shall be constructed at the same time as the Fire Station.*

Page 5-13, Regulation 5.11 – Add the following new regulation after Regulation 5.11:

5.11.1 *Neighborhood parks shall be triggered at 60 percent build-out of each neighborhood and construction shall occur as specified in Regulation 8.2.*

Page 5-13, Regulation 5.19 – Add the following new regulation after Regulation 5.19:

5.19.1 *The Central Park shall be constructed at the same time as the Fire Station.*

Page 8-6, 2nd bullet – Add the following new bullet under the 2nd bullet:

▪ *Neighborhood Parks – Required to be constructed at 60 percent build out of each neighborhood and construction shall occur as specified in Regulation 8.2.*

Page 8-8, 1st line – Modify as follows to clarify the text:

“Development of a capital improvement plan (CIP) and a financing plan *for public facilities* (described below) ...”

Page 8-10, Preliminary Financing Plan discussion -- Modify three paragraphs as shown below. As it reads the text was incorrect at the time of adoption of the Plan. This text correction should have been reflected in the final document.

Preliminary Draft Financing Plan

A preliminary Draft Public Facilities Financing Plan (November 1999 28, 2001) has been submitted by the applicant. ~~It was prepared based on an earlier land use plan and Plan text description, as well as assumptions regarding cost, phasing, and financing strategy that are still under review by the City.~~ It identifies a total cost for public facilities of \$122.3 million. It also identifies a total cost of approximately \$_____ million in infrastructure required for the first house.

The proposed financing strategy for the Plan includes formation of a Mello-Roos Communities Facilities District (CFD), possibly an Assessment District, or other viable legal mechanism to allow for financing of most of the backbone infrastructure and public facilities. The entire Plan area has been preliminarily identified as having a bonding capacity of \$19.4 \$18.9 million through a CFD. Any bond sale is limited by the actual appraised value of the taxable property at the time of the bond issue.

In addition to infrastructure Mello-Roos financing, development would be funded by a combination of existing City and county development impact fees, plan area fees, school fees, private capital from the developer, and possibly other mechanisms. Modifications to existing impact fee schedules will be made as required. Plan area fees are used for public infrastructure and facilities which specifically benefit SLSP development. School fees are established by State regulation. Private funding will be used where advance funding is required, to cover gaps in other types of funding, and/or for "in-tract" subdivision improvements.

Page 9-1, list of bullets – Modify the list of bullets as follows to clarify the intent of the Plan:

- Infrastructure plans (water, sewer, drainage)
- Affordable housing plan
- Specific Plan Design Standards
- Capital Improvement Plan
- Financing Plan and fee mechanisms for funding infrastructure
- Master Illustrative Site Plan (conceptual locations of local streets and subdivision trails)
- Allocation Program
- Agricultural Land Mitigation Program (see Mitigation Measure 2.1)
- Transit Plan (Regulation 4.36) and fees (Regulation 4.35)

Page 9-1, 1st paragraph after bullets – The year “2002” in the 3rd line should be changed to read “2003.”

Page 9-1, bottom bullet – Modify to be consistent with Plan as follows:

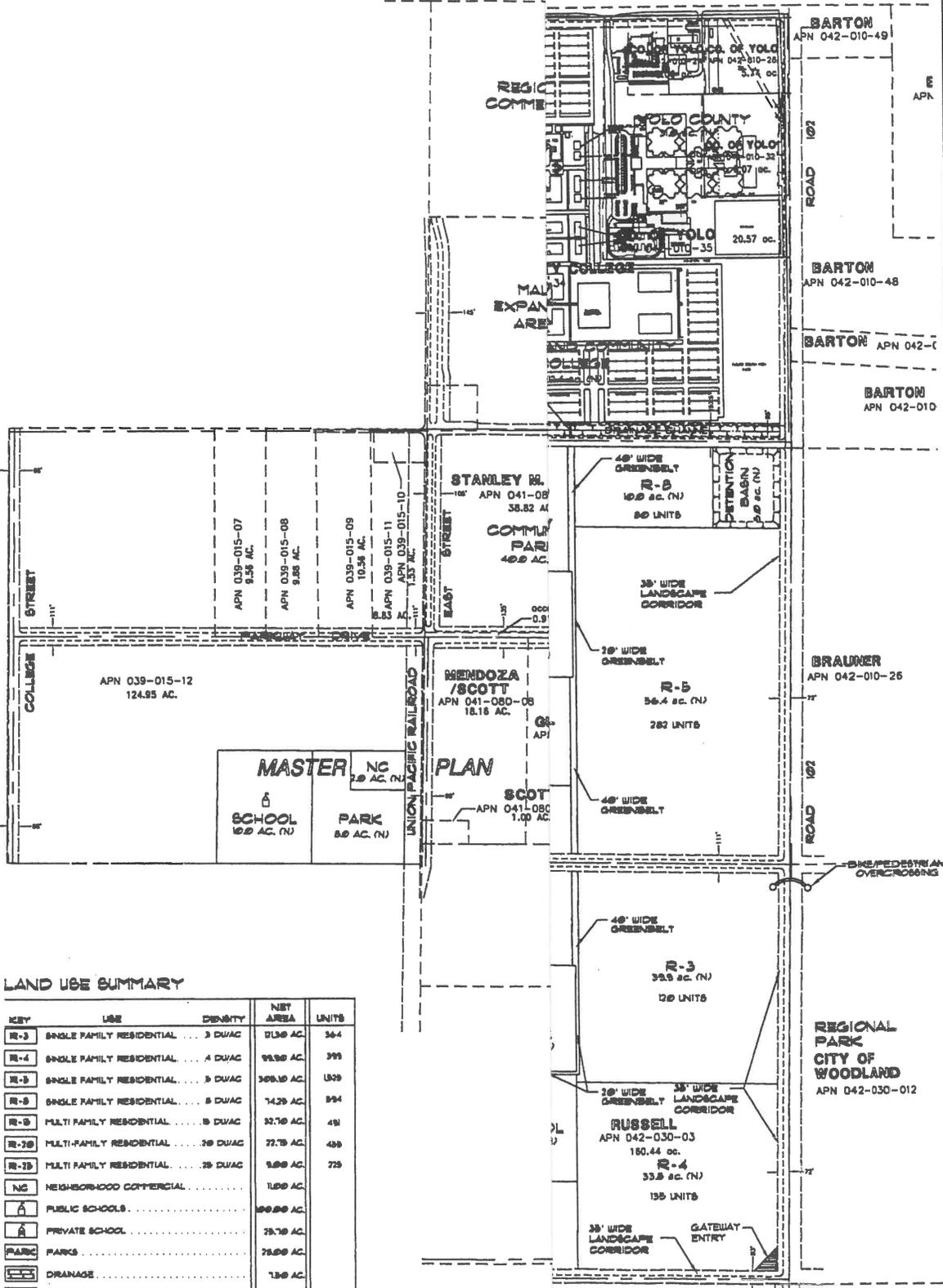
- project-specific traffic and circulation analyses (including timing for installation of signals, timing and installation of other roadway widenings and intersection improvements, recommendations regarding traffic calming (Regulation 4.13), and off-site roadway improvements if applicable)

Appendix A, Mitigation 4.2-1, page 4, 2nd bullet, 2nd line – Delete the word “contiguous”. Clerical error. This word was deleted from the mitigation measure when the Council took their final action and adopted the CEQA findings of fact.

Attachments:

Figure 2.1, Specific Plan Land Use Map (revision date April 1, 2002)

Table 2.1, Specific Plan Land Use Table (revision date October 12, 2002)

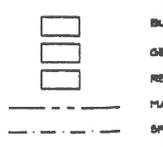


LAND USE SUMMARY

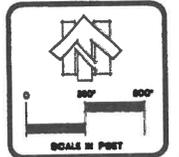
| KEY | USE | DENSITY | NET AREA | UNITS |
|---------------|----------------------------|----------|-------------------|--------------|
| R-3 | SINGLE FAMILY RESIDENTIAL | 3 DU/AC | 11.36 AC | 344 |
| R-4 | SINGLE FAMILY RESIDENTIAL | 4 DU/AC | 99.89 AC | 399 |
| R-5 | SINGLE FAMILY RESIDENTIAL | 5 DU/AC | 309.10 AC | 1529 |
| R-8 | SINGLE FAMILY RESIDENTIAL | 8 DU/AC | 14.25 AC | 114 |
| R-9 | MULTI FAMILY RESIDENTIAL | 8 DU/AC | 37.70 AC | 41 |
| R-20 | MULTI-FAMILY RESIDENTIAL | 20 DU/AC | 27.75 AC | 430 |
| R-2B | MULTI FAMILY RESIDENTIAL | 25 DU/AC | 9.80 AC | 225 |
| NC | NEIGHBORHOOD COMMERCIAL | | 11.00 AC | |
| A | PUBLIC SCHOOLS | | 60.00 AC | |
| A | PRIVATE SCHOOL | | 79.70 AC | |
| PARK | PARKS | | 76.00 AC | |
| DR | DRAINAGE | | 1.30 AC | |
| DB | DETENTION BASIN | | 5.00 AC | |
| GB | GREENBELTS | | 8.42 AC | |
| FS | FIRE STATION | | 1.00 AC | |
| MR | MAJOR ROADS AND STREETS | | 150.00 AC | |
| WCC | WOODLAND COMMUNITY COLLEGE | | 12.48 AC | |
| YCO | YOLO COUNTY | | 31.00 AC | |
| TOTALS | | | 1,970.9 AC | 4,993 |

NOTES: NET ACRES DOES NOT INCLUDE STREETS WITH RIGHT OF WAYS EQUAL TO OR LARGER THAN 66'.
 * ACRESAGE DOES NOT INCLUDE BIKE PATHS WITHIN ROAD RIGHT-OF-WAYS OR BETWEEN THE HIGH SCHOOL/MIDDLE SCHOOL AND COLLEGE.

LEGEND



**SPECIFIC PLAN
 PLAN
 CALIFORNIA**



**Table 2.1
 SPRING LAKE SPECIFIC PLAN
 Revised Specific Plan Land Use Table**

| Category | Maximum Density | Units | | | Net Acres ^{1,2} | | |
|-----------------------------|-----------------|---------------------|--------------------|-----|--------------------------|--------------------|------|
| | | Adopted 12/18/01 | Revised 10/2002 | Net | Adopted 12/18/01 | Revised 10/2002 | Net |
| R-3 | 3 du/ac | 364 | 364 | 0 | 121.1 | 121.3 | +0.2 |
| R-4 | 4 du/ac | 407 | 399 | -8 | 101.9 | 99.9 | -2.0 |
| R-5 | 5 du/ac | 1,512 | 1,525 | +13 | 302.7 | 305.1 | +2.4 |
| R-8 | 8 du/ac | 583 | 594 | +11 | 73.2 | 74.3 | +1.1 |
| R-15 | 15 du/ac | 491 | 491 | 0 | 32.7 | 32.7 | 0 |
| R-20 | 20 du/ac | 455 | 455 | 0 | 24.3 | 22.8 | -1.5 |
| R-25 | 25 du/ac | 225 | 225 | 0 | 9.0 | 9.0 | 0 |
| <i>Subtotal Residential</i> | | 4,037 | 4,053 | +16 | 664.9 | 665.1 | -0.2 |
| Neighborhood Park | | | | | 24.0 | 24.0 | 0 |
| Central Park | | | | | 4.0 | 4.0 | 0 |
| <i>Subtotal Parks</i> | | | | | 28.0 | 28.0 | 0 |
| Elementary School | | | | | 30.0 | 30.0 | 0 |
| Middle School | | | | | 20.0 | 20.0 | 0 |
| High School | | | | | 50.0 | 50.0 | 0 |
| Private School | | | | | 25.7 | 25.7 | 0 |
| Woodland College | | | | | 112.4 | 112.4 | 0 |
| <i>Subtotal Schools</i> | | | | | 238.1 | 238.1 | 0 |
| Office/Commercial/Retail | | | | | 11.0 | 11.0 | 0 |
| Fire Station | | | | | 1.0 | 1.0 | 0 |
| Yolo County | | | | | 31.0 | 31.0 | 0 |
| Streets | | | | | 106.3 | 106.1 | +0.2 |
| Greenbelts | | | | | 4.2 | 4.2 | 0 |
| Drainage/Detention | | | | | 12.5 | 12.5 | 0 |
| TOTALS | | 4,037 | 4,053 | +16 | 1,096.9 | 1,096.9 | 0 |

¹ Acreage figures are estimates. Application information regarding parcel size is inconsistent. Land survey information is not yet available.

² "Net" excludes roadways cross-sections ≥ 68 feet in width.

Spring Lake Specific Plan (as adopted December 18, 2001; Resolution No. 4330) – Settlement Agreement Amendments

Page 2-31, Regulation 2.1 – In order to implement the Settlement Agreement amendment requested below, delete the following text in favor of new Regulation 2.1.1:

2.1 DISCLOSURES – All units/lots within 500-feet of active (interim or long term) agricultural uses, the regional park site, the sports park ...

Page 2-31, Regulation 2.1 – Pursuant to the Settlement Agreement, add the following new regulation after Regulation 2.1:

2.1.1 AGRICULTURAL DISCLOSURE – In order to facilitate the ability of landowners within and adjoining the Specific Plan area to continue agricultural operations, at their discretion, notwithstanding urban development of other areas within the Specific Plan area, the following notice shall be provided as a condition of obtaining a building permit from the City and shall be provided to each landowner at the time of sale:

You are hereby notified that the Spring Lake Specific Plan area includes land within and adjoining the Plan area that has historically been devoted to agricultural operations. Landowners within and adjoining the Spring Lake Specific Plan area, may at their discretion, continue ongoing agricultural operations on their land. The City of Woodland allows the continuation of such ongoing, properly conducted agricultural operations within the Spring Lake Specific Plan area and sphere of influence areas. You may be subject to inconvenience or discomfort from lawful agricultural or agricultural processing facilities operations within and adjoining the Spring Lake Specific Plan area. Discomfort and inconvenience may include, but are not limited to noise, odors, fumes, dust, smoke, burning, vibrations, insects, rodents, and/or the operation of machinery (including aircraft) during any 24-hour period. Agricultural operations shall not be considered a nuisance unless such operations are deemed to be a nuisance under California Civil Code sections 3482.5 and 3482.6. Agricultural and agricultural processing operations shall comply with all State, federal, and local laws and regulations applicable to the operations.

If you allege that an agricultural operation or agricultural processing operation has interfered with your private property or personal well-being or is otherwise considered a nuisance, you must notify the property owner and offer to resolve the dispute through mediation and/or arbitration prior to the filing of any court action.

If the offer to mediate/arbitrate is rejected or not responded to within 10 days, then a court action may be filed. If the offer is accepted, then the parties shall have 45 days to submit the matter to a mediator/arbitrator for a decision. The mediator/arbitrator ruling shall not be binding on the parties unless the parties have previously agreed that such decision shall be binding. If the mediator/arbitrator does not rule within 20 days after having been submitted then a court action may be filed.

Page 7-4, Regulation 7.2 – Pursuant to the Settlement Agreement, amend this regulation as follows:

7.2 Mitigate, as prescribed in Pursuant to the Mitigation Monitoring Plan, mitigate at a 1:1 ratio for each acre of Swainson's hawk foraging land and/or agricultural land converted to development. (TOC EIR MM 4.2-1 and 4.5-4) Each acre can mitigate for both impacts given appropriate land management commitments, and with approval of responsible state and federal agencies.

Page 8-3, Regulation 8-2 – Pursuant to the Settlement Agreement, amend this Regulation as follows:

8.2 Neighborhood parks shall be triggered at 60 percent build-out of each neighborhood. Additionally, neighborhood park construction shall be tied to the overall level of single-family equivalent building permits issued throughout the Specific Plan as follows:

Single Family Dwelling Unit Equivalent For Park Construction Calculation

| Unit Type | Number DUs | Factor | Single Family Dwelling Unit Equivalent (DUE) |
|---------------|------------|--------|--|
| Single Family | 2,866 DUs | 1.0 | 2,866 DUEs |
| Multifamily | 1,171 DUs | 0.833 | 975 DUEs |
| Totals | 4,037 DUs | | 3,841 DUEs |

- a. With the issuance of the building permit authorizing the 650th DUE, construction of the first neighborhood park, which shall be located in the neighborhood with the most building permits issued at that time, shall be triggered and subsequently completed within 15 months.
- b. With the issuance of the building permit authorizing the 1,950th DUE, the second neighborhood park shall be triggered and subsequently completed within 15 months. The second neighborhood park shall be located in whichever of the two remaining neighborhoods in the Specific Plan containing parks has the most building permits issued at that time.
- c. With the issuance of the building permit authorizing the 3,250th DUE, the third neighborhood park shall be triggered and subsequently completed within 15 months.

Appendix A, Mitigation 4.2-3(b), page 5 – Pursuant to the Settlement Agreement, amend the text of this measure as follows:

4.2-3(b) *The City of Woodland shall consider adopting a Right to Farm Ordinance to address interim land use conflicts that could occur between new development and planned growth areas that may remain in agricultural uses until future conversion. In considering a Right to Farm Ordinance, the City shall consider requiring grievance and dispute resolution procedures similar to those adopted by the County of Yolo.*

Appendix A, Mitigation 4.5-4(a), page 12 – Pursuant to the Settlement Agreement, amend the text of this measure as follows:

4.5-4 (a) *Prior to approval of each tentative map, the project applicant shall develop a plan in consultation with CDFG to compensate for loss of Swainson’s hawk foraging habitat resulting from development of the project site. This agreement shall set aside in perpetuity, an equivalent amount of Swainson’s hawk foraging land elsewhere in Yolo County (as specified below) through the purchase of development rights and execution of irreversible conservation or agricultural easement. If mitigation occurs within the target area the required mitigation ratio is 1:1 and total mitigation required at build-out is 939 acres for conversion of foraging land within the Plan Area plus foraging habitat converted for offsite infrastructure (e.g. drainage basins) and other associated land uses (e.g. sports park). If mitigation occurs outside of the target area, the required mitigation ratio will range from 1.2:1 to 2:1 as specified below.*

Target Area for 1:1 Mitigation:

- South of CR 25A between CR 98 and CR 102; south of CR 25 between CR 102 and CR 103
- North of CR 29
- West of CR 103
- East of CR 98

Mitigation Outside Target Area:

- *Shall be on the valley floor of Yolo County*
- *Shall not be on lands within the Yolo County Flood Control Basin or Cache Creek Settling Basin*
- *Ratios shall be per grid-cell ratings set forth in Smallwood et.al (1998) as follows (see map of grid cells in Attachment B):*
 - *1.2:1 within grid cells rated 5 or 6*
 - *1.5:1 within grid cells rated 3 or 4*
 - *2:1 within grid cells rated 1 or 2*

Appendix A, Mitigation 4.5-4, page 13 – Pursuant to the Settlement Agreement, add a new subparagraph (c) as follows:

(c) At build-out of the Specific Plan area, not less than 350 acres of the Mitigation Land shall be located within the Target Area. The Mitigation Land within the Target Area shall be provided as the Specific Plan area builds out, with milestones at the 33% and 67% build-out levels. Thus, at the point at which the Specific Plan acreage subject to the Habitat mitigation requirement is 33% and 67% built out, 33% and 67% of the Mitigation Land within the Target Area, respectively, must be provided. This requirement must be satisfied at the point at which a developer submits an application for a tentative map that causes the cumulative number of acres of land subject to the Habitat mitigation requirement for which map applications have been submitted to exceed the 33% and 67% milestones. The following table summarizes the build-out levels and corresponding target-area mitigation requirement:

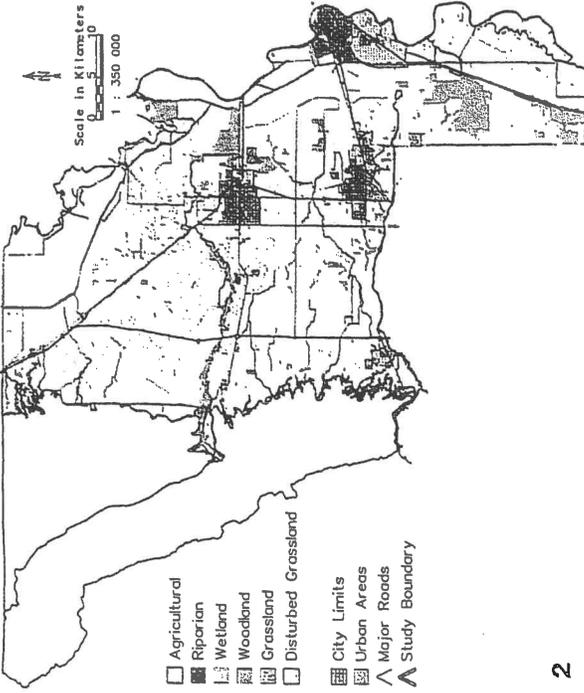
| <i>Number of acres of land within Specific Plan area subject to hawk mitigation requirement</i> | <i>Amount of hawk Mitigation Land that must be within Target Area</i> |
|---|---|
| <i>33% -- 313</i> | <i>33% -- 117</i> |
| <i>67% -- 626</i> | <i>67% -- 234</i> |
| <i>100% -- 939</i> | <i>100% -- 350</i> |

Appendix A, page 32 – Pursuant to the Settlement Agreement add Attachment A (Map of Target Area for Swainson’s Hawk Mitigation), Attachment B (Map of Grid Cells for Swainson’s Hawk Mitigation), and Attachment C (Sample Swainson’s Hawk Mitigation Land Monitoring Form).

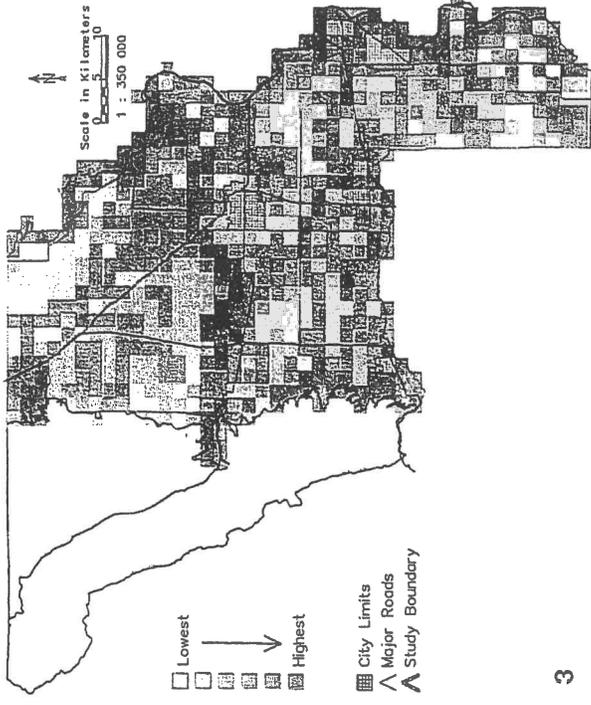
Attachments:

Attachment A (Map of Grid Cells for Swainson’s Hawk Mitigation)

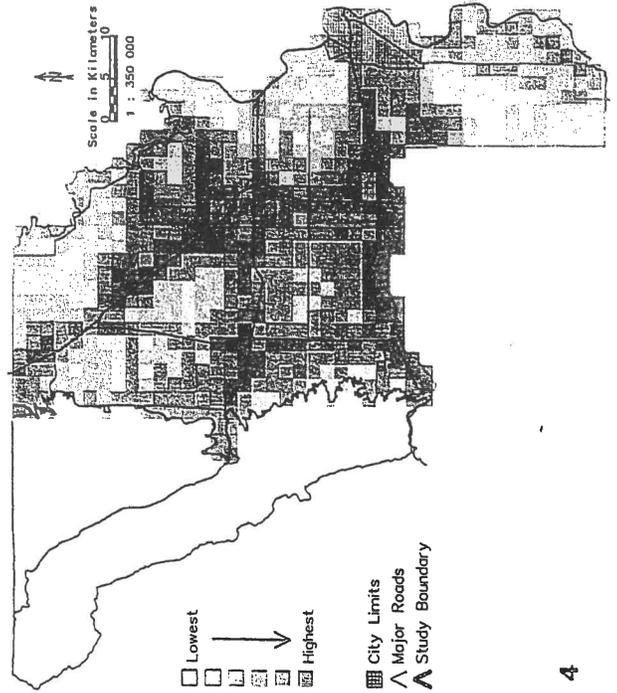
Attachment B (Sample Swainson’s Hawk Mitigation Land Monitoring Form)



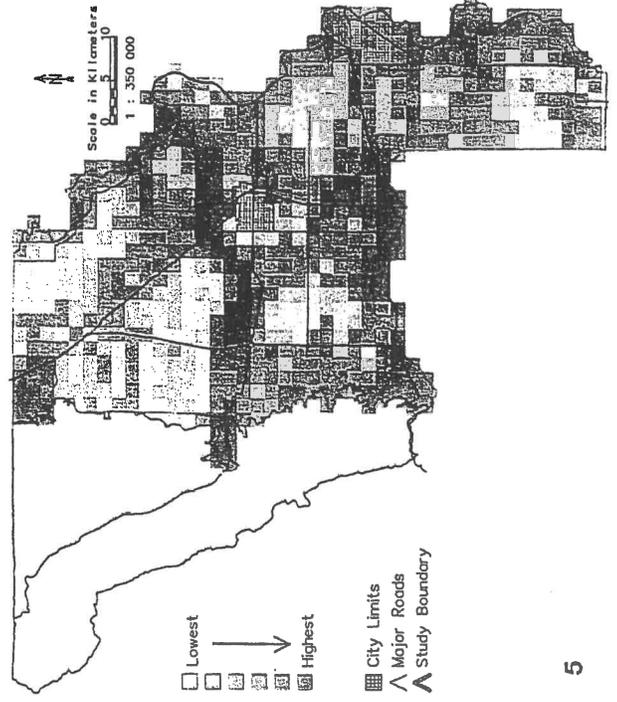
2



3



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5

ATTACHMENT B – Comparison of 15162 CEQA Requirements and Project

| TABLE 10 COMPARISON OF 15162 CEQA REQUIREMENTS AND PROJECT | |
|--|---|
| CEQA Requirement (Section 15162) | Relationship to Request |
| <p>(a) <i>When an EIR has been certified or negative declaration adopted for a project, no subsequent EIR shall be prepared for that project unless the lead agency determines, on the basis of substantial evidence in light of the whole record, one or more of the following:</i></p> | <p>The Turn of the Century (TOC) Specific Plan (SP) Environmental Impact Report (EIR) was certified by the Woodland City Council on August 15, 2000 (Resolution No. 4215). Section 15090 findings were made at that time. Section 15091, 15092, and 15093 findings were subsequently made on December 18, 2001 in conjunction with adoption of the Spring Lake Specific Plan.</p> <p>The information provided in this Addendum identifies the substantial evidence in support of the City's determination that the preparation of a subsequent EIR is not required for the subject project and that the preparation of an Addendum is appropriate.</p> |
| <p>(1) <i>Substantial changes are proposed in the project which will require major revisions of the previous EIR or negative declaration due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects;</i></p> | <p>The proposed changes to the project are identified within the body of this Addendum document. These changes are not substantial. They involve correction, minor modifications, and changes to add greater specificity to the mitigation measures. These changes are environmentally neutral or beneficial. An increase of 16 units results from the modification of the intersection of Parkway and Pioneer that is contemplated by the Plan. This change is consistent with the SLSP, was contemplated by and required by the SLSP, and falls substantially within the scope of analysis of the prior CEQA review.</p> <p>No revisions of the previous EIR are required. No new environmental effects will result. The severity of previously identified impacts would not substantially increase</p> <p>This section does not apply.</p> |

**TABLE 10
COMPARISON OF 15162 CEQA REQUIREMENTS AND PROJECT**

| CEQA Requirement (Section 15162) | Relationship to Request |
|--|--|
| <p>(2) <i>Substantial changes will occur with respect to the circumstances under which the project is undertaken which will require major revisions of the previous EIR or negative declaration due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects; or</i></p> | <p>The circumstances under which the project will be undertaken remain unchanged from the time of adoption. The proposed changes reflect: 1) modifications to the intersection of Parkway and Pioneer as required by the Plan itself; 2) minor corrections, deletions, and additions entirely consistent with the Plan as adopted; and 3) modifications as a result of the Settlement Agreement, that serve to increase the specificity of several mitigation measures.</p> <p>These changes are neutral or beneficial in terms of the environmental analysis. There are no new significant environmental effects associated with the proposed revisions. There is no change in the severity of previously identified significant effects. The potential impacts from the project are less than or substantively equal to the original project, and thus fall within the range of impacts analyzed in the EIR.</p> <p>This section does not apply.</p> |
| <p>(3) <i>New information of substantial importance, which was not known and could not have been known with the exercise of reasonable diligence at the time the previous EIR was certified as complete or the negative declaration was adopted, shows any of the following:</i></p> | <p>No new information has been identified. These changes involve minor clean-up of the Plan, and beneficial modifications resulting from execution of the Settlement Agreement.</p> <p>This section does not apply.</p> |
| <p>(A) <i>The project will have one or more significant effects not discussed in the previous EIR or negative declaration;</i></p> | <p>All impacts were analyzed in the certified EIR, the proposed revised project makes neutral or beneficial changes as compared to the project analyzed in the EIR. This section does not apply.</p> |
| <p>(B) <i>Significant effects previously examined will be substantially more severe than shown in the previous EIR;</i></p> | <p>The revised project will not result in the significance level of any impacts previously identified, being more severe than initially described in the EIR. This section does not apply.</p> |
| <p>(C) <i>Mitigation measures or alternatives previously found not to be feasible would in fact be feasible and would substantially reduce one or more significant effects of the project, but the project proponents decline to adopt the mitigation measure or alternative; or</i></p> | <p>No mitigation measures or alternatives have been determined to be infeasible. No new mitigation measures have been identified that would substantially reduce one or more significant effects of the project. This section does not apply.</p> |

**TABLE 10
COMPARISON OF 15162 CEQA REQUIREMENTS AND PROJECT**

| CEQA Requirement (Section 15162) | Relationship to Request |
|--|---|
| <p>(D) <i>Mitigation measures or alternatives which are considerably different from those analyzed in the previous EIR would substantially reduce one or more significant effects on the environment, but the project proponents decline to adopt the mitigation measure or alternative.</i></p> | <p>No new or different mitigation measures or alternatives have been identified beyond those analyzed in the EIR. The Settlement Agreement changes would serve to add further specificity to previously identified mitigations of the Plan. This has a beneficial result in terms of supporting no premature conversion of agricultural land, specifying more detailed timing for Swainson's hawk mitigation, specifying more details regarding the preferred location of Swainson's hawk mitigation, and specifying funding for monitoring.</p> <p>All mitigation measures of the SLSP are considered conditions of the approval and must be implemented by the City and developers.</p> <p>This section does not apply.</p> |
| <p>b) <i>If changes to a project or its circumstances occur or new information becomes available after adoption of a negative declaration, the lead agency shall prepare a subsequent EIR if required under subsection (a). Otherwise the lead agency shall determine whether to prepare a subsequent negative declaration, and addendum, or no further documentation.</i></p> | <p>A negative declaration was not prepared or adopted for the project, therefore, this section does not apply.</p> |
| <p>c) <i>Once a project has been approved, the lead agency's role in project approval is completed, unless further discretionary approval on that project is required. Information appearing after an approval does not require reopening of that approval. If after the project is approved, any of the conditions described in Subsection (a) occurs, a subsequent EIR or negative declaration shall only be prepared by the public agency which grants the next discretionary approval for the project, if any. In this situation no other responsible agency shall grant an approval for the project until the subsequent EIR has been certified or subsequent negative declaration adopted.</i></p> | <p>The SLSP was approved December 18, 2001. The adoption of these proposed amendments are subsequent discretionary actions for which a CEQA determination must be made. However, as noted herein, none of the conditions described in Subsection (a) have been triggered, hence a subsequent EIR is not required. Rather, the City has concluded that an Addendum is appropriate.</p> |
| <p>d) <i>A subsequent EIR or subsequent negative declaration shall be given the same notice and public review as required under Section 15087 or Section 15072. A subsequent EIR or negative declaration shall state where the previous document is available and can be reviewed.</i></p> | <p>A subsequent EIR has been determined not to be required; therefore, this section is not applicable.</p> |