

RESOLUTION NO. 2005-159

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF HOLLISTER
CERTIFYING A FINAL ENVIRONMENTAL IMPACT REPORT FOR THE 2005-2023
HOLLISTER GENERAL PLAN AND MAKING FINDINGS OF OVERRIDING
CONSIDERATIONS RELATING TO THE MITIGATION MEASURES AND PROJECT
ALTERNATIVES, AND ADOPTING A MITIGATION MONITORING AND
REPORTING PROGRAM**

WHEREAS, in 2003 the City Council of the City of Hollister initiated preparation of a comprehensive update of the long term general plan for the physical development of the city and planning area pursuant to California Government Code Section 65300 et. seq.; and,

WHEREAS, the City of Hollister, in accordance with the requirements of the California Environmental Quality Act (CEQA), the State CEQA Guidelines adopted by the Secretary of Resources, has caused to be prepared an Environmental Impact Report which analyzes the impacts of the proposed project (SCH # 200481147); and,

WHEREAS, a Notice of Preparation was released for public and agency review and comment on March 31, 2004 and a public scoping meeting to receive comments on topics and issues which should be evaluated in the Draft EIR was held by the City on April 9, 2004; and,

WHEREAS, the City of Hollister distributed a Notice of Availability for the 2005-2023 General Plan Draft EIR on August 8, 2005, which started the 45-day public review period, ending on September 21, 2005; and

WHEREAS, the Draft EIR was also submitted to the State Clearinghouse for state agency review; and,

WHEREAS, the Planning Commission of the City of Hollister held a duly noticed public hearing on August 25, 2005, to solicit public comment on the Draft EIR for the 2005 Draft General Plan; and,

WHEREAS, following the close of the 45-day public review period for the Draft EIR on September 21, 2005, the Planning Commission held a duly noticed public hearing on October 27, 2005 and recommended certification of the Final EIR and adoption of the 2005-2023 General Plan to the City Council of the City of Hollister; and,

WHEREAS, the City Council of the City of Hollister held a duly noticed public hearing on November 21, 2005 to consider the Final EIR for the 2005 Draft General Plan; and,

WHEREAS, the City Council of the City of Hollister reviewed all evidence presented both orally and in writing and intends to make certain findings in compliance with CEQA, which are more fully set forth below in Exhibit A, attached hereto and incorporated in its entirety by this reference;

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Hollister as follows:

1. Certification of the Final EIR

- A. The City Council of the City of Hollister hereby certifies that the Final EIR has been completed in compliance with the requirements of the California Environmental Quality Act.
- B. The City Council of the City of Hollister hereby certifies that the Final EIR was presented to the City Council and that the City Council reviewed and considered the information contained in the Final EIR prior to taking action on the Project.
- C. The City Council of the City of Hollister hereby certifies that the Final EIR reflects the independent judgment and analysis of the City Council of the City of Hollister.

2. Findings on Impacts

The City Council finds:

- A. The EIR identifies seven (7) potentially significant impacts that can be mitigated to less-than-significant levels. The City Council makes the findings with respect to significant impacts as set forth in Exhibit A, attached hereto and incorporated herein by reference.
- B. The EIR identifies seven (7) potentially significant impacts that cannot be mitigated to less-than-significant level and are thus considered significant and unavoidable. The City Council makes the findings with respect to these significant and unavoidable impacts as set forth in Exhibit A.

3. Findings on Alternatives

Three (3) project alternatives ("No Project/No Development" "No Project/1995 General Plan," and "Reduced Development,") were evaluated by the City of Hollister during project development and in the EIR. As set forth in the FEIR and Exhibit A, these alternatives result in more severe environmental effects, do not meet the basic project objectives, or do not provide any substantial environmental benefits as compared to the proposed Hollister General Plan. The City Council hereby finds that the proposed 2005-2023 Hollister General Plan, as mitigated by adoption of mitigation measures identified in the EIR, can be feasibly implemented and serves the best interests of the City of Hollister.

4. Statement of Overriding Considerations

Because the adoption of all feasible mitigation measures will not substantially lessen or avoid all significant adverse environmental effects caused by the project, the City Council adopts a Statement of Overriding Considerations concerning the project's unavoidable significant impact to explain why the General Plan's benefits override and outweigh its unavoidable impacts on the environment as set forth in Exhibit A.

5. Adoption of the Mitigation Monitoring and Reporting Program

- A. The City Council hereby finds that the proposed mitigation measures described in the Final EIR and Findings are feasible, and therefore will become binding upon the City and on future applicants. The Mitigation Monitoring and Reporting Program is included as Exhibit B and will involve incorporation of the mitigation measures into the General Plan.

B. The City Council hereby adopts the Mitigation Monitoring and Reporting Program, as set forth in Exhibit B, attached hereto and incorporated herein by reference.

6. Other Findings

- A. The City Council finds that issues raised during the public comment period and written comment letters submitted after the close of the public review period of the Draft EIR do not involve any new significant impacts or "significant new information" that would require recirculation of the Draft EIR pursuant to CEQA Guidelines Section 15088.5.
- B. Since completion of the Final EIR, the Planning Commission and City Council has modified the General Plan Land Use Map and policies contained in the General Plan. The modifications to the General Plan, contained in the Errata, would not result in any new significant environmental impacts, a substantial increase in the severity of an environmental impact or "significant new information" that would require recirculation of the Draft EIR pursuant to CEQA Guidelines Section 15088.5.
- C. The Council finds that the correction of a typo on the top of Page 6-11 of the EIR regarding Reduced Alternative population and housing impacts, correcting the reference from less-than-significant to significant unavoidable, is internally consistent with the Alternatives analysis shown in the Comparison of Alternatives Table 6.5.A page 6-16.

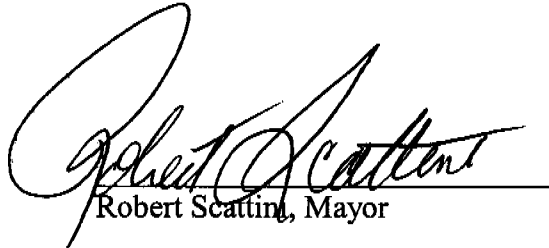
PASSED AND ADOPTED at a regular meeting of the City Council of the City of Hollister on the 5th day of December, 2005 by the following vote:

AYES: Council Members Emerson, Valdivia, Pike, Johnson and Mayor Scattini

NOES: None.

ABSTAIN: None.

ABSENT: None.


Robert Scattini, Mayor

ATTEST:


Geri Johnson, City Clerk

APPROVED AS TO FORM:

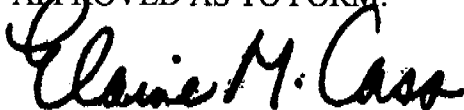

Elaine M. Cass, City Attorney

EXHIBIT "A"

FINDINGS OF FACT AND STATEMENT OF OVERRIDING CONSIDERATIONS FOR THE ADOPTION OF THE FINAL ENVIRONMENTAL IMPACT REPORT FOR THE 2005-2023 HOLLISTER GENERAL PLAN

The California Environmental Quality Act (CEQA) and the State CEQA Guidelines requires that environmental impacts of a project be examined and disclosed prior to approval of the project. CEQA also requires findings of fact for significant project effects and provides that: *"CEQA requires the decision-maker to balance the benefits of a proposed project against its unavoidable adverse risks in determining whether to approve a project. If the benefits of the proposed project outweigh the unavoidable adverse environmental effects, the adverse impacts may be considered acceptable. Where the decisions of the public agency allows the occurrence of significant effects which are identified in the Final Environmental Impact Report (EIR) but are not at least substantially mitigated, the agency must state in writing the reasons to support its action based on the Final EIR and/or other information in the record. This statement may be necessary if the agency also makes the finding under Section 15091 (a)(2) or (a)(3). If an agency makes a statement of overriding considerations, that statement should be included in the record of the project approval and should be mentioned in the Notice of Determination."* (Section 15093 of the State CEQA Guidelines) Pursuant to these Guidelines, and to the extent that any impacts from adoption of the General Plan (the "Project") are significant and have not been mitigated to a level of insignificance, the City of Hollister adopts and makes the following Findings of Fact and Statement of Overriding Considerations regarding the potential significant and unavoidable significant environmental impacts of the Project and the anticipated economic, social, and other benefits or considerations of the project.

I. POTENTIALLY SIGNIFICANT ENVIRONMENTAL EFFECTS

The Final EIR addressed the significant potential environmental effects of the Project in the areas of: 1) land use, population and employment; 2) transportation and circulation; 3) public services and utilities; 4) visual quality; 5) geology and seismicity; 6) hydrology, wastewater and water quality; 7) agricultural resources. After mitigation, the Project has significant unavoidable impacts in the areas of: 1) population and job growth; 2) traffic volume increases and roadway capacity deficiencies; 3) geology and seismicity; 4) farmland conversion. Impacts found not to be significant have not been included. As stated in California Public Resources Code Section 21081(a), the public agency must make one or more of the following findings with respect to each identified significant effect:

- (1)- Changes or alterations are required in, or incorporated into, the project which mitigate or avoid the significant environmental effects thereof 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 social, economic, legal, technological, or other considerations make infeasible the mitigation measures or project alternatives identified in the Final EIR.

Pursuant to Section 15091 of the State CEQA Guidelines the following statements of fact are made regarding each of the significant environmental effects identified in the FEIR.

1. FINDINGS ASSOCIATED WITH SIGNIFICANT EFFECTS WHICH CAN BE MITIGATED TO LESS THAN SIGNIFICANT LEVELS.

Land Use, Population, Employment and Housing

A. Conflict with Applicable Land Use or Other Plans (4.1-1)

Impact. Development under the Draft General Plan would conflict in a minor way with AMBAG forecasts for housing and population through the year 2023. This would be a significant impact.

Mitigation. *The following program mitigation measures have been included in the Project to address consistency between AMBAG and General Plan projections:*

- 1) **Initiate a process to amend the AMBAG Forecasts.** Initiate a process to amend the 2004 AMBAG Population, Housing Unit and Employment Forecasts for San Benito County to make them consistent with the City of Hollister Draft General Plan and Regional Housing Needs Determinations. *Mitigation Measure 4.1-1-1 (new program)*

Finding. Inclusion of this program, as proposed in this EIR, to address a minor conflict between AMBAG population projections and the General Plan, will avoid or substantially lessen the significant environmental impact described above to a **less than significant level**.

Public Services and Utilities

B. Landfill Capacity (4.5-7)

Impact. Development consistent with the Draft General Plan 2020 will result in increased solid waste generation. Depending on the accuracy of the population projections and business growth for both the City of Hollister and County of San Benito, there is expected to be sufficient landfill capacity until approximately 2016. This could be a potentially significant impact unless plans are made for future countywide refuse disposal needs.

Mitigation. *The following program mitigation measures have been included in the Project to reduce impacts to landfill capacity:*

- 1) **Coordination with San Benito County on Solid Waste Management.** Coordinate with the County of San Benito in addressing solid waste management needs consistent with the Hollister General Plan. *Mitigation Measure 4.5-7-1 (new program)*
- 2) **Coordinate with San Benito County on landfill capacity needs.** Coordinate with San Benito County and San Benito County Integrated Waste Management to expand landfill capacity beyond the currently expected life of the John Smith Road Landfill. *Mitigation Measures 4.5-7-2 (new program)*

Finding. The implementation of policies and programs contained in the Draft General Plan, including the addition of the mitigation proposed in this EIR – calling for coordination with San Benito County to reduce long-term impacts on landfill capacity by

assuring appropriate planning for and construction of adequate solid waste facilities – will avoid or substantially lessen this significant environmental impact to a **less than significant level**.

Visual Quality

C. *Nighttime Lighting and Glare (4.7-4)*

Impact. Development consistent with the Draft General Plan could create new sources of light or glare and increase nighttime lighting in the area. This would be a significant impact.

Mitigation. *The following program mitigation measure has been included in the Project to avoid or reduce impacts to visual resources from nighttime lighting:*

- 1) **Develop guidelines for the preparation of lighting plans.** In order to minimize light trespass and greater overall light levels in the city, new development and projects making significant parking lot improvements or proposing new lighting shall be required to prepare a lighting plan for review by City planning staff. Require design guidelines to include the following provisions for lighting plans: *Mitigation Measure 4.7-4-1 (new program)*
 - a. All light sources should be fully shielded from off-site view.
 - b. All lights to be downcast except where it can be proved to not adversely affect other parcels.
 - c. Escape of light to the atmosphere should be minimized.
 - d. Low intensity, indirect light sources should be encouraged, except where other types of lighting is warranted for public safety reasons.
 - e. On-demand lighting systems should be encouraged.
 - f. Mercury, metal halide, and similar intense and bright lights should not be permitted except where their need is specifically approved and their source of light is restricted.

Finding. Inclusion of a new program, as proposed in this EIR, to address nighttime lighting and glare in new development would avoid or substantially lessen the significant environmental impact to a **less than significant level**.

Hydrology, Drainage And Flood Hazards, Wastewater Treatment, Water Quality, and Water Supply

D. *Wastewater Treatment Capacity (4.10-1)*

Impact. The planned treatment capacity of the City of Hollister Wastewater Treatment Plant will be consistent with the development projections under the Draft General Plan.

Mitigation. *The following program mitigation measures have been included in the Project calling for coordination with San Benito County and the San Benito County Water District to ensure sufficient waste treatment facilities, water supplies, and groundwater management:*

1. **Coordinate with the San Benito County Water District, San Benito County and the Sunnyslope County Water District in water and wastewater system expansion needs.** As a follow-up to the Memorandum of Understanding (MOU) between the City of Hollister, San Benito County, and San Benito County Water

District, the City will work with the San Benito County Water District and San Benito County to develop and implement plans for meeting the water needs of the City of Hollister consistent with the General Plan. Issues to be addressed include:

- (1) Implementation of the Groundwater Management Plan, including:
 - a. Purchasing of additional water supplies.
 - b. Percolation of the San Felipe Project water into the underlying aquifers.
 - c. Obtaining access to water from the San Felipe Project.
 - d. Monitoring groundwater levels and the quantities of water recharged to and extracted from the underlying sub-basins.
 - e. Sharing water resources data between the agencies to allow for responsible decisions regarding water supply development and land use planning.
 - f. Developing policies regarding the provision of service to community water systems and small local water systems.
- (2) Develop and implement the Hollister Urban Water and Wastewater Master Plan, including:
 - a. Purchasing of additional water supplies.
 - b. Percolation of the San Felipe Project water into the underlying aquifers.
 - c. Obtaining access to water from the San Felipe Project.
 - d. Monitoring groundwater levels and the quantities of water recharged to and extracted from the underlying sub-basins.
 - e. Sharing water resources data between the agencies to allow for responsible decisions regarding water supply development and land use planning.
 - f. Developing policies regarding the provision of service to community water systems and small local water systems.

Upon completion of the Hollister Urban Water and Wastewater Master Plan the City will reassess the population, employment and other growth projections of the General Plan to be consistent with the adopted Urban Water and Wastewater Master Plan and in compliance with State law requirements for future water supplies. *Mitigation Measure 4.10-1-1 (modifications to Program CSF.F)*

Finding. Implementation of Draft General Plan policies and programs related to water and wastewater, with the additional mitigation measure 4.10-1-1 proposed in this EIR requiring master planning for wastewater and water supplies in coordination with the San Benito County Water District and San Benito County, would avoid or substantially lessen the significant environmental impact to a **less than significant level**.

E. Water Supply (4.10-2)

Impact. Development under the Draft General Plan would increase the demand for water in the Planning Area. Growth projections for Hollister are consistent with adopted AMBAG forecasts except for a minor technical adjustment (see mitigation measure 4.1-1-1).

Mitigation. See Section 6(A)(1), above, for discussion of the Project's program mitigation measures for impacts to water supply. *Mitigation Measure 4.10-1-1 (modifications to Program CSF.F) also applies to this impact.*

Finding. Implementation of Draft General Plan policies and programs related to water supply, with the additional mitigation measure proposed in this EIR requiring master planning for wastewater and water supplies in coordination with the San Benito County Water District and San Benito (see mitigation measure 4.10-1-1), would avoid or substantially lessen the significant environmental impact described above to a **less than significant level**.

F. Water Quality Standards (4.10-3)

Impact. Development under the Draft General Plan would result in an increase in the loading of petrochemical contaminants, heavy metals and pesticide, and herbicide residues to natural and artificial drainage-ways and could contribute to groundwater quality degradation and/or contamination within the Planning Area.

Mitigation. See Section 6(A)(1), above, for discussion of the Project's program mitigation measures for impacts to water quality. Mitigation Measure 4.10-1-1 (modifications to Program CSF.F) also applies to this impact.

Finding. Implementation of Draft General Plan policies and programs related to water quality, with the additional mitigation measure proposed in this EIR requiring master planning for wastewater and water supplies in coordination with the San Benito County Water District and San Benito (see mitigation measure 4.10-1-1), would avoid or substantially lessen the significant environmental impact described above to a **less than significant level**.

G. Groundwater (4.10-4)

Impact. Development consistent with the Draft General Plan could result in overall incremental increases in impervious surface cover in some Planning Area watersheds. These increases would be minimal and would not affect groundwater resources. Use of groundwater for future water supply will have a significant effect on groundwater resources.

Mitigation. See Section 6(A)(1), above, for discussion of the Project's program mitigation measures for impacts to groundwater. Mitigation Measure 4.10-1-1 (modifications to Program CSF.F) also applies to this impact.

Finding. Implementation of Draft General Plan policies and programs related to groundwater and future water supply and treatment, with the additional mitigation measure proposed in this EIR requiring master planning for wastewater and water supplies in coordination with the San Benito County Water District and San Benito (see mitigation measure 4.10-1-1), would reduce this potentially significant impact to a less-than-significant level.

2. FINDINGS ASSOCIATED WITH SIGNIFICANT EFFECTS WHICH CANNOT FEASIBLY BE MITIGATED TO LESS THAN SIGNIFICANT LEVEL.

Land Use, Population, Employment and Housing

A. Growth and Concentration of Population (4.1-3)

Impact. Development consistent with the Draft General Plan would induce substantial growth and concentration of the City's population. This would be a significant unavoidable impact.

Mitigation: None

Findings: The implementation of the 2005-2023 General Plan would induce growth and concentration of the City's population. Population and housing growth are necessary to provide for a healthy jobs/housing balance and to meet state mandated housing needs. Increasing population densities within the City of Hollister also allows for the efficient use of public infrastructure, such as water and wastewater facilities, and should serve to direct development away from agricultural and biologically sensitive areas in the County. These considerations are consistent with the goals of the General Plan and make mitigation of this impact infeasible. Therefore, impacts to growth and population remain **significant and unavoidable**.

B. Employment Growth Rate (4.1-5)

Impact. Development under the Draft General Plan would result in an expected increase in employment of 8,970 jobs over 2000 U.S. Census figures. This would be a significant unavoidable impact.

Mitigation: None

Findings: The implementation of the 2005-2023 General Plan would increase employment in the City of Hollister. Increasing employment and jobs within the City of Hollister is necessary to diversify the City's tax base and improve the economic health of the community. Increased jobs within the City will also improve the quality of life for residents by providing employment options close to home which can result in reduced stress, more family time, and increased multi-modal commuters. These considerations are consistent with the goals of the General Plan and make mitigation of this impact infeasible. Therefore, impacts to the employment growth rate remain **significant and unavoidable**.

Transportation and Circulation

C. Increases in Traffic Volumes (4.2-1)

Impact. Increases in traffic volumes will result in unacceptable levels of service at two intersections — San Benito Street and Fourth Street; and Airline Highway (SR 25) and Sunnyslope Road. This would be a significant unavoidable impact.

Mitigation: None

Findings: Population and employment growth will result in the increase in traffic within the City. Two main intersections in town have been identified as dropping in levels of service (LOS) to unacceptable levels by the year 2023. San Benito Street and Fourth Street would go from LOS D to E in the PM, and Airline Highway and Sunnyslope Road would go from LOS C to D in both the AM and PM peaks. Programs within the 2005-2023 General Plan encourage improved connectivity and multi-modal transportation options within the City. An increased employment base should also decrease reliance on commute by automotive vehicle. The Council finds that population and employment growth are necessary for the economic health of the community. These considerations are consistent with the General Plan and make mitigation of this impact infeasible. Therefore, impacts to the increases in traffic volumes remain **significant and unavoidable**.

D. Roadway Capacity Deficiencies (4.2-2)

Impact. Roadway capacity deficiencies were identified in several areas. These deficiencies are directly related to the future land use designations shown on the updated

General Plan Map. The deficiencies can be grouped into several categories of roadway capacity needs. These include: (a) regional commuting; (b) Northwest Hollister circulation needs; (c) Southeast Hollister circulation needs; and, (d) additional roadway capacity serving the Industrial Park. This would be a significant unavoidable impact.

Mitigation: None

Findings: The implementation of the 2005-2023 General Plan would result in roadway capacity deficiencies in four areas which primarily relate to an increased commuting population. These deficiencies are the unavoidable result of building new housing and accommodating new jobs, which are important General Plan goals. Planned road improvements, however, are expected to keep pace with population increases. Therefore, with the exception of the two intersections identified in item D above, roads within City of Hollister and San Benito County are still expected to function at LOS C or better. The General Plan contains policies to encourage coordination between the City of Hollister, San Benito County, and CalTrans, through the San Benito County COG Board, to make timely improvements to the road system within the City and County. General Plan programs specify that fees shall be collected from developers and other sources as provided by law to fund the needed improvements. Additionally, the employment growth projected by the General Plan will also provide residents with local job options that can reduce a proportion of the commuter population and minimize the anticipated deficiencies. Further mitigation of this impact is infeasible. Therefore, impacts to the roadway capacities remain **significant and unavoidable**.

Geology, Soils, and Seismicity

E. Seismic Ground Shaking (4.9-1)

Impact. Seismic hazards in the Hollister Planning Area will expose people and structures to potential, substantial adverse seismic effects, including the potential risk of loss, injury, or death involving strong seismic ground shaking. A similar potential for seismically-induced damage affects most areas located near major active faults within California. The Draft General (Health and Safety) contains numerous policies and programs to reduce these potential impacts to what is defined as an "acceptable level of risk," as determined by the City, even if the impacts of the Draft General Plan should be considered significant and unavoidable.

Mitigation: None

Findings: The City of Hollister was established on the Hayward/Calaveras Fault and the San Andreas Fault runs within two and a half miles of the City. Much of the downtown is within the Alquist-Priolo Special Studies Zone and the whole town is within an active seismic environment. The City has experienced large scale magnitude earthquakes in the past and is extremely likely to experience more in the future. Building new housing and accommodating new jobs necessarily means exposing more residents and workers to some level of seismic risk. State law requires geological studies for development within the Special Studies Zone, and the Draft General Plan (Health and Safety) contains policies and programs to reduce these potential impacts to what is defined as an "acceptable level of risk," as determined by the City. Further mitigation of this impact is infeasible. Therefore, impacts from seismic ground shaking remain **significant and unavoidable**.

F. Seismic Related Ground Failure (4.9-2)

Impact. Seismic hazards in the Hollister Planning Area will expose people and structures to potential substantial adverse seismic effects, including the risk of loss, injury, or death from seismic-related ground failures of liquefaction, lateral spreading, lurching, differential settlement, and flow failures. The Draft General (Health and Safety) contains numerous policies and programs to reduce these potential impacts to what is defined as an "acceptable level of risk," as determined by the City, even if the impacts of the Draft General Plan should be considered significant and unavoidable.

Mitigation: None

Findings: As stated in item E above, the City of Hollister is located within an extremely active seismic environment and cannot provide new housing and jobs without some seismic risk. Mitigation to the extent of the law and to an "acceptable level of risk" has been provided in the General Plan policies and programs. Further mitigation of this impact is infeasible. Therefore, impacts from seismic ground shaking remain **significant and unavoidable**.

Agriculture

G. Farmland Conversion (4.11-1)

Impact. Development consistent with the Draft General Plan would result in the irrevocable conversion of Prime Farmland to urban development. While the Draft General Plan proposes a significantly reduced area of development of farmland as compared to 1995 General Plan, this would still be a significant unavoidable impact.

Mitigation: None

Findings: The full implementation of the 2005-2023 General Plan would contribute to the loss of farmland in San Benito County. The San Benito Valley is very fertile with superior growing conditions, and the State Department of Conservation has identified that about 50% of the planning area contains Prime farmland. The General Plan seeks to protect Prime Farmland in the following ways: 1) by significantly reducing the planning area from the existing 1993-2010 Hollister General Plan; 2) increasing densities within the downtown and underutilized lands within the City; 3) encouraging clustering of development on constrained lands; and, 4) implementation of a Transfer of Development Credit (TDC) program in association with San Benito County. However, no reasonable development pattern can make room for housing and jobs to meet important General Plan goals without some loss of Prime Farmland. Impacts to farmland cannot be off-set by the creation of new farmland and further mitigation of this impact is infeasible. Therefore, impacts to farmland remain **significant and unavoidable**.

II. FINDINGS CONCERNING ALTERNATIVES TO THE PROJECT

CEQA requires that an EIR identify alternatives to a project as proposed. The CEQA Guidelines specify that the EIR describe a range of reasonable alternatives to 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". The purpose of this section is to determine whether there are alternatives of design, scope or location which would substantially lessen the significant

impacts, even if those alternatives "impede to some degree the attainment of the project objectives" or are more expensive (CEQA Guidelines Section 15126.6).

The EIR examines three alternatives to the project as presently proposed. The alternatives have been developed to the extent that the level of impact relative to the proposed plan can be described. The range of alternatives considered are labeled as follows: (1) No Project/No Development; (2) No Project/No Action/1995 General Plan; and, (3) a Reduced Development alternative.

On the basis of the discussion of the proposed project and the three alternatives, the EIR finds that Alternative 1 (*No Project / No Development*) would be the environmentally superior alternative because it would avoid most of the environmental impacts associated with increased development. The *Guidelines* also state that, if the environmentally superior alternative is the No Project Alternative, the EIR shall also identify an environmentally superior alternative among the other alternatives. Based on a comparison of the of the significant environmental impacts of all the development alternatives in this exhibit, Alternative 3 (Reduced Development) and the Draft General Plan would result in a similar number of significant unavoidable adverse impacts and less-than-significant impacts. The proposed project (Draft General Plan) actually results in one fewer significant unavoidable adverse impacts and therefore would be the environmentally superior alternative.

1. NO PROJECT/NO DEVELOPMENT ALTERNATIVE

Description. This alternative would reflect the existing conditions with no additional Development within the City of Hollister Planning Area and current conditions in the City of Hollister Planning Area would remain. The environmental impacts are described by the existing conditions as reflected by the Draft City of Hollister General Plan, dated March 2005. This alternative reflects the least amount of development of the alternatives analyzed.

Comparison to the Proposed Project. The No Project / No Development alternative would be the environmentally superior alternative with respect to land use, population, employment, and housing. This alternative would not induce substantial population growth or a concentration of population, nor would it displace any residents. Under this alternative, however, it would be impossible for the community's vision to be achieved or for the City to meet its regional housing needs, especially for lower income.

Finding. This alternative is hereby rejected for the following reasons: the No Project/ No Development alternative would make it impossible for the City to meet many of its goals including employment and regional housing needs (especially for lower income).

2. NO PROJECT / NO ACTION / 1995 GENERAL PLAN ALTERNATIVE

Description. Alternative 2 (No Project/No Action/1995 General Plan) assumes that no General Plan is adopted for the City, and future development would continue to be guided by the existing General Plan, adopted in 1995, and zoning. This alternative reflects growth under existing General Plan policies, assuming feasible infrastructure improvements and community services. The existing land use concept designates large tracts of land for single family and rural residential development with the expectation that only a portion of these areas would develop during the planning period. There is more land area designated to accommodate anticipated residential development through the year 2010 than demand will justify.

Comparison to the Proposed Project. Under the No Project/1995 General Plan alternative there would be few changes to the existing zoning in Hollister. Development under this alternative would be higher than that under the Draft General Plan, and higher than development under the other alternatives. In addition, the planning area is significantly larger

and more spread-out. The No Project/1995 General Plan alternative would not result in efficient, transit-supportive, infill land use patterns that take full advantage of planned investments in infrastructure. Because of the increased level of development, there are increased opportunities for land use conflicts, particularly in the areas outside of Downtown. This would result in significant land use impacts. With the increased development there would also be an increase in population, employment, and housing. These increases would result in significant growth and they would result in significant secondary impacts related to public services and utilities.

Finding. This alternative is hereby rejected for the following reasons: the No Project/No Action/1995 General Plan Alternative is not environmentally superior to the proposed project.

3. REDUCED DEVELOPMENT ALTERNATIVE

Description. The Alternative 3 (Reduced Development) land use concept shows the potential impact of lower-density development in Hollister with a reduced planning area boundary. The general organization of land uses is the same as the preferred land use concept, but the intensity of residential and commercial uses is reduced. The concept supports a smaller build-out population and places less of a burden on infrastructure (recreational systems, street networks, water and sewer treatment) than the preferred land use concept, though the developable areas are similar.

Comparison to the Proposed Project. Development under this alternative would be lower than that under the Draft General Plan. This decreased development would also result in a slightly smaller population in the Planning Area but the same number of jobs. Land use impacts for this alternative would be slightly less than those identified for the Draft General Plan, due to the decreased level of development, but not to a significant level. Many impacts of the Reduced Development Alternative, both less than significant and significant unavoidable, would be similar to Draft General Plan land use impacts. Population and employment impacts would also be significant. However, the jobs-to-housing ratio under this alternative and the potential for housing development, since it is less, would make it less likely that the City could meet its regional housing needs, especially for lower income housing.

Finding. This alternative is hereby rejected for the following reasons: The Reduced Development Alternative would not support the City's goals for jobs/housing balance and it is not environmentally superior to the proposed project.

III. MITIGATION MONITORING AND REPORTING PROGRAM

Section 21081.6 of the California Public Resources Code requires the City Council to adopt a monitoring and reporting program regarding changes in the Project or mitigation measures imposed to lessen or avoid significant effects on the environment.

The Mitigation and Monitoring Program, in form presented to the City Council, is adopted because it effectively fulfills the CEQA mitigation monitoring requirement:

- A. The mitigation measures are specific and, as appropriate, define performance standards to measure compliance under the program and subsequent implementation as part of the General Plan.
- B. Compliance with the Program is itself a requirement of the project through implementation of the General Plan.

IV. STATEMENT OF OVERRIDING CONSIDERATIONS

In approving the City of Hollister General Plan, which is evaluated in the Final Environmental Impact Report (FEIR), the City makes the following Statement of Overriding Considerations in support of the findings on the FEIR. The City has considered the information contained in the FEIR (Draft EIR and Response to Comments on the Draft EIR) and has fully reviewed and considered the public testimony and record in this proceeding.

The City has carefully balanced the benefits of the project against and adverse impacts identified in the EIR that could not be feasibly mitigated to a level of insignificance. Notwithstanding the identification and analysis of the impacts that are identified in the EIR as being significant which have not been eliminated, lessened or mitigated to a level of insignificance, the City, acting pursuant to Section 15093 of the CEQA Guidelines, hereby determines that the benefits of the project outweigh the unmitigated adverse impacts and the project should be approved. The EIR describes certain environmental impacts that cannot be avoided if the project is implemented. This Statement of Overriding Considerations applies specifically to those impacts found to be significant and unavoidable as set forth in the EIR and the public hearing records.

Seven significant and unavoidable impacts have been identified in the EIR.

1. **Growth and Concentration of Population. 4.1-3.** Development consistent with the Draft General Plan would induce substantial growth and concentration of the City's population.
2. **Employment Growth Rate. 4.1-5** Development under the Draft General Plan would result in an expected increase in employment of 8,970 jobs over the 2000 U.S. Census figures.
3. **Increases in Traffic Volumes. 4.2-1** Increase in traffic volumes will result in unacceptable levels of service at two intersections – San Benito Street and Fourth Street; and Airline Highway (SR 25) and Sunnyslope Road.
4. **Roadway Capacity Deficiencies. 4.2-2** Roadway capacity deficiencies were identified in several areas. These deficiencies are directly related to the future land use designations shown on the updated General Plan Map. The deficiencies can be grouped into several categories of roadway capacity needs. These include a) regional commuting; b) Northwest Hollister circulation needs; c) Southeast Hollister circulation needs; and, d) additional roadway capacity serving the Industrial Park.
5. **Seismic Ground Shaking. 4.9-1** Seismic hazards in the Hollister Planning Area will expose people and structures to potential, substantial adverse seismic effects, including the potential risk of loss, injury, or death involving strong seismic ground shaking. A similar potential for seismically-induced damage affects most areas located near major active faults within California. The Draft General (Health and Safety) contains numerous policies and programs to reduce these potential impacts to what is defined as an "acceptable level of risk," as determined by the City, even if the impacts of the Draft General Plan should be considered significant and unavoidable.

6. **Seismic Related Ground Failure. 4.9-2** Seismic hazards in the Hollister Planning Area will expose people and structures to potential, substantial adverse effects, including the potential risk of loss, injury, or death from seismic-related ground failures of liquefaction, lateral spreading, lurching, differential settlement, and flow failures. The Draft General (Health and Safety) contains numerous policies and programs to reduce these potential impacts to what is defined as an "acceptable level of risk," as determined by the City, even if the impacts of the Draft General Plan should be considered significant and unavoidable.
7. **Farmland Conversion. 4.11-1** Development consistent with the Draft General Plan would result in the irrevocable conversion of Prime Farmland to urban development. While the Draft General Plan proposes a significant reduced area of development of farmland as compared to the 1995 General Plan, this would still be a significant unavoidable impact.

SPECIFIC FINDINGS

Project Benefits Outweigh Unavoidable Impacts.

The City hereby finds that the remaining significant and unavoidable impacts of the Project are acceptable in light of the long-term social, environmental, land-use and other considerations set forth herein. Specifically, these detrimental changes are outweighed by the following Project benefits.

- 1 **The Project would maintain and enhance Hollister's small town charm and identity.** Land use designations and policies of the proposed General Plan support orderly and balanced growth within the City while encouraging well-designed development that is compatible with the surroundings, and promote an attractive and positive image.
- 2 **The Project would provide for an environment that encourages healthy living.** The 2005-2023 General Plan includes policies which, when implemented will expand recreational opportunities and facilities to address the social, health, and recreational needs of Hollister's residents, and encourage design and site planning conducive to physical activities.
- 3 **The Project would maintain the stability of existing neighborhoods.** The General Plan includes policies to maintain and enhance existing neighborhoods, and ensure that new development within existing neighborhoods is compatible with the existing character of the area.
- 4 **The Project would provide for future City housing needs.** The General Plan contains a number of policies which, when implemented, would serve to diversify and expand the City's affordable housing stock to serve the needs of the residents of Hollister, provide necessary housing for future conditions, and help the City satisfy its regional housing needs.
- 5 **The Project would provide additional employment opportunities in the City.** Land use designations and policies of the proposed General Plan encourage the establishment of uses that will generate employment opportunities for the residents of Hollister and improve the jobs/housing balance of the City. The Plan supports the development of business and research parks and other high employment uses within the City's industrial designation.

- 6 **The Project would promote revitalization of the City's downtown.** Land use designations and policies of the General Plan promote a diverse mix of land uses downtown, while creating an appealing pedestrian friendly environment for living, working and shopping.
- 7 **The Project would provide a diversity of economic development.** Land use designations and policies of the General Plan provide for development that assures availability and diversity of resident-serving goods and services. The Plan supports a vital and diverse economic base in the downtown, while promoting neighborhood serving uses within the Mixed Use designations throughout the community and along the West Gateway corridor. The Plan also promotes the North Gateway corridor as a big box and auto related commercial center providing new retail opportunities for Hollister's residents.
- 8 **The Project would promote economic and environmental sustainability.** Land use designations and policies of the proposed General Plan encourage development patterns that promote energy efficiency and conservation of natural resources, and require new development to mitigate economic and public services impacts.
- 9 **The Project would encourage multiple modes of transportation.** The General Plan contains policies to strengthen physical infrastructure connections throughout neighborhoods, support bike-pedestrian-oriented development and circulation systems, and create a supportive environment for transit use.
- 10 **The Project would facilitate infrastructure planning in the City.** The General Plan contains policies that will provide for the systematic, continual upgrade and improvement of City infrastructure in cooperation with other agencies.
- 11 **The Project would assist the City to make appropriate land use decisions.** The land use designations and policies of the proposed General Plan will allow decision makers to approve development within the City consistent with the City's vision for growth.

Balance of Competing Goals.

The City hereby finds it is imperative to balance competing goals in approving the Project and the environmental document of the project. Not every environmental concern has been fully satisfied because of the need to satisfy competing concerns to a certain extent. The City has chosen to accept certain environmental impacts because complete eradication of impacts would unduly compromise some other important community goals.

The City hereby finds and determines that the project proposal and the supporting environmental; documentation provide for a positive balance of the competing goals and that the social, environmental, land use, and other benefits to be obtained by the project outweigh any remaining environmental and related potential detriment of the project.

OVERRIDING CONSIDERATIONS

Based upon the objectives identified for the project and through the extensive public participation, the City has determined that the project should be approved and that any remaining unmitigated environmental impacts attributable to the project are outweighed by the specific social, environmental, land use and other overriding considerations. These include the project providing

additional affordable housing opportunities, commercial opportunities, and the ability to control land use decisions and guide the development of the City.

The City has determined that any environmental detriment caused by the General Plan has been minimized to the extent feasible, has been outweighed and counterbalanced by the significant social, educational, environmental, and land use benefits to be generated to the City.

(End of Exhibit A – 2005-2023 General Plan FPEIR)