Statement of Overriding Considerations

Pursuant to Public Resources Code Section 21081 and CEQA Guidelines Section 15093, the Town Council has balanced the economic, legal, social, technological, and other benefits of the project against the significant and unavoidable impacts associated with the project and has adopted all feasible mitigation measures. The Town Council has also examined potentially feasible alternatives to the project, none of which would both meet most of the project objectives and result in substantial reduction or avoidance of the project's significant and unavoidable impacts. The Town Council hereby adopts and makes the following Statement of Overriding Considerations regarding the significant and unavoidable impact of the project and the anticipated benefits of the project.

A. Significant and Unavoidable Impacts

Based on information contained in the record and in the Supplemental Environmental Impact Report (SEIR), the Town Council has determined that the project would result in significant and unavoidable impacts to: (1) agricultural resources due to conversion of Prime Farmland, Unique Farmland or Farmland of Statewide Importance; (2) transportation and circulation hazards due to Vehicle Miles Traveled impacts; and (3) wildfire hazards due to the potential to expose residents and structures to wildfire risks.

B. Finding

The Town Council has considered all potentially feasible mitigation measures to substantially lessen or avoid the project's significant and unavoidable impacts. The Council finds that there are no feasible mitigation measures that would reduce the identified significant and unavoidable impacts to a less-than-significant level. The Town Council has also considered all potentially feasible alternatives to the project. The Town Council finds that there are no feasible alternatives that would reduce the above significant and unavoidable impacts to a less-than-significant level. The project's impacts discussed above, therefore, remain significant and unavoidable.

C. Overriding Considerations

After review of the entire administrative record, including, but not limited to, the SEIR, the staff report, and the oral and written testimony and evidence presented at public hearings, the Town Council finds that specific anticipated benefits of the project outweigh the significant and unavoidable impacts, and therefore justify the approval of this Project notwithstanding the identified significant and unavoidable impacts. (Pub. Resources Code, § 21081; CEQA Guidelines, § 15093.) The benefits are addressed in detail below. The Town Council specifically adopts and makes this Statement of Overriding Considerations that this Project has eliminated or substantially lessened all significant effects on the environment where feasible (including the incorporation of feasible mitigation measures) and finds that the remaining significant unavoidable impacts of the Project are acceptable because the benefits of the project set forth below outweigh them. The Town Council finds that the overriding considerations expressed as benefits and set forth below constitutes a separate and independent ground for such a finding. Any one of the reasons for approval cited below is sufficient to justify approval of the project. Thus, even if a court were to conclude that not every reason is supported by substantial evidence, the Town Council

will stand by its determination that each individual reason is sufficient by itself. The substantial evidence supporting the various benefits can be found in the findings, which are incorporated by reference into this Statement of Overring Considerations.

D. Benefits of the Project

The Town Council has considered the SEIR, the public record of proceedings on the project and other written materials presented to and prepared by the Town, as well as oral and written testimony received, and does hereby determine that implementation of the project as specifically provided in the project documents would result in the following substantial public benefits:

New High-Quality Housing

Development facilitated by the Estates at Ross Ranch Project will provide high quality new housing that will complement the existing housing stock and built environment and will help the Town achieve its regional housing goals.

Development Consistent with the 2040 General Plan and Town Zoning Ordinance

The project would provide housing opportunities consistent with the project's Estate Residential (ER) land use designation and ER zoning pursuant to the Town's Zoning Ordinance. The ER land use designation provides for a large-lot single-family home neighborhood with a density range of 0.2 to 3.0 dwelling units/acre.

Improved Circulation for Pedestrians and Vehicles

The project would include an extension from Prince George Way to the east, intersecting with a new section of Jensen Lane, which would be constructed along the project's eastern property line. A new proposed roadway, Portland Way, would bisect the project site from north to south and connect to Vinecrest Road with a mini roundabout and continue to Prince George Way. The mini roundabout would reduce speeds around the project site and improve traffic safety conditions along Vinecrest Road. Sidewalks would be constructed along proposed and extended roadways on the project site, which would improve pedestrian connectivity to and from the project site.

E. Determination and Adoption of Statement of Overriding Considerations

The Town Council has weighed the benefits of the project against the significant unavoidable impacts of the project identified in the SEIR.

The Town Council hereby determines that those benefits outweigh the risks and adverse environmental impacts of the project, and further determines that the project's significant unavoidable impacts are acceptable.

Accordingly, the Town Council adopts the Statement of Overriding Considerations, recognizing that significant unavoidable impacts will result from implementation of the project. Having (i) adopted all feasible mitigation measures, as discussed in the SEIR; (ii) rejected alternatives to the project, as discussed in the SEIR; and (iii) recognized the significant unavoidable impacts of the project, the Town Council hereby finds that each of the separate benefits of the project, as stated herein, is determined to be unto itself an overriding consideration, independent of other benefits, that warrants approval of the

project and outweighs and overrides its significant unavoidable impacts, and thereby justifies the approval of the Estates at Ross Ranch project.