

# RIVERBANK CITY COUNCIL AGENDA ITEM NO. 5.1

## SECTION 5: PUBLIC HEARING

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| <b>Meeting Date:</b>          | April 22, 2009  |
| <b>Subject/Title:</b>         | <u>General Plan Update and Program Level E.I.R.:</u><br><b>Resolution</b> Certifying a Program Level Environmental Impact Report and a <b>Resolution</b> Adopting a Comprehensive General Plan Update |
| <b>Submitted by:</b>          | J.D. Hightower, Community Development Director  |
| <b>City Manager Approval:</b> | _____   |

### **RECOMMENDATION:**

Re-open public hearing, declare the intention of the City to segment the public hearing for consideration of the Land Use Element as a separate item, open public hearing, close public hearing, motion on (2) two separate resolutions:

- 1) **Resolution** Certifying the Final Environmental Impact Report Prepared for Riverbank General Plan 2005–2025; and,
- 2) **Resolution** Approving and Adopting Riverbank General Plan 2005–2025.

### **STAFF SUMMARY:**

On March 4, 2009, the City Council held a public hearing to certify the Program Level Environmental Impact Report and adopt the General Plan Update. During the public hearing, there was testimony received supporting the idea that the agricultural policy should reflect a farmland mitigation strategy that required new development to purchase an agricultural easement or fee simple for every acre of land converted to urban uses (1:1 mitigation ratio). The proposed General Plan Conservation Element, Policy 3-1 did not refer to a specific mitigation ratio, but rather, using the LESA model as a basis, left a mitigation ratio open for further analysis by committee that would be charged to develop a farmland mitigation ordinance. After closing the public hearing, the City Council gave direction to staff to prepare options for their consideration on agricultural general plan policies.

When reviewing the policies, it is important that the policy implement the City's adopted Vision and Guiding Principles. The guiding principles for development of the General Plan agricultural policy are:

**Community Identity:** In 2025, Riverbank’s unique qualities will be enhanced through a balance between the built environment, the natural environment, and the working agricultural landscape.

- **Agriculture is important to our history, economy, and culture. Riverbank should remain an agricultural center for the region. We should conserve agricultural lands, nurture industries that rely on agriculture, market local agricultural goods, and increase the productivity of local agriculture through research and development.**
- **Riverbank should preserve open green spaces around the City to maintain a distinct identity and create buffers between urban and agricultural uses of land.**
- **Our City will benefit from an appropriate balance between housing, commerce, industry, circulation, and open spaces for agriculture and nature.**
- **The air we breathe and the water we use affect our health and well-being. We want growth and development to maintain the high standards for the quality of our air and water.**

Staff has attempted to develop policies that couple the Council directed 1:1 mitigation ratio with the adopted Vision Statement and Guiding Principles. Subsequent pages of this report contain policy options and a discussion of each policy option.

One additional item has come to the attention of staff as related to the Land Use Diagram of the Land Use Element. A relatively small change to the Land Use Diagram is being proposed along Topeka Street from First Street to the north/south oriented alleyway, just west of Third Street from Higher Density Residential to Medium Density Residential. Germaine to this discussion is the vision statement that, **“Riverbank in 2025 will be a pleasant, quiet, friendly community with a distinct small-town character.”** Due to the limited scale of the Land Use Diagram, the environmental impacts of such a change are insignificant. A discussion of this item is undertaken on a subsequent page of this report.

### **Land Use Map Change**

One clarification is needed on the Land Use Diagram that affects a very small portion of Downtown Riverbank. This applies to an area centered on Topeka Street just east of the railroad. The area extends north and south of Topeka streets, but not past the alleyway that divides these blocks in half. The subject area extends from the railroad right-of-way east to the parcel before 3<sup>rd</sup> Street. The subject area also includes two parcels west of 1<sup>st</sup> Street, east of the RR, and south of Topeka Street past the alley.

In the original Land Use Diagram, this area was shown as Higher-Density Residential. This area is also included within an overlay designation called “Infill Opportunity Area,” which represents portions of the City where redevelopment and revitalization efforts will be focused during General Plan buildout. The Infill Opportunity Area would accommodate “the same variety of land uses and the same overall street layout is anticipated to continue during this General Plan time horizon (through 2025).” The subject area is currently designated in the existing (pre-update) General Plan for Medium to High Density Residential. The current Medium to High Density Residential designation accommodates a maximum building intensity of 20 dwelling units per net acre.

The current zoning in this area includes Neighborhood Commercial for parcels within the subject area west of 1<sup>st</sup> and north of Topeka, which conflicts with the current General Plan designation. For the General Plan update, there are 3 land use designations that could be applied to this area:

- **Medium-Density Residential.** This category includes small-lot, single-family detached homes, attached single-family homes, and other residences developed at a net density of between eight and 16 dwelling units per acre. Lots would be at least 2,500 square feet in size.
- **Higher-Density Residential.** This category allows for all types of attached single-family and multi-family housing, including condominiums, apartment buildings, townhouses, and other similar residential structures developed at a net density of 16 or more dwelling units per acre.
- **Mixed Use.** This designation would accommodate neighborhood-scale retail uses, offices, personal and commercial services, and similar land uses. Areas with the Mixed Use designation in the existing developed City would accommodate a similar mix of land uses as described above. However, this General Plan does not envision that existing neighborhoods would be removed to accommodate new development. Land use change would primarily occur incrementally, and primarily on vacant and underutilized properties. In order to be consistent with the balance of General Plan policy, certain residential neighborhoods with the Mixed Use designation in the existing developed City would not experience land use change during this General Plan update. As described in policies throughout the General Plan, the City is committed to preserving the quality of life in existing developed parts of the City, while also striving to add vibrancy to areas with concentrations of underutilized property.

Staff recommends designating areas west of 1<sup>st</sup> within the subject area as “Mixed Use” and the rest of the area “Medium Density Residential.” Since land use assumptions for the Infill Opportunity Area are based on vacant and underutilized properties, and since the subject area does not include a large amount of vacant/underutilized properties, this change does not affect development assumptions or the EIR.

The following options on agricultural general plan policies are set forth for consideration by the City Council.

## **Option 1**

**Policy CONS-3.1:** Projects, plans, and subdivisions that propose to convert Important Farmland, as designated by maps maintained by the California Department of Conservation, shall mitigate the loss of such lands through conservation easements or other mechanisms that prohibit urban development on agricultural lands of similar quality on a 1:1 acreage basis within Stanislaus County or San Joaquin County (within the Stanislaus River watershed), and on a 1.5:1 basis if land is preserved outside of Stanislaus or San Joaquin County.

**Implementation Strategy CONS-1:** The City will work with the County, other nearby cities, the Department of Conservation, and other interested agencies to establish a regional agricultural land mitigation fee and conservation program. The City will establish and integrate its agricultural land mitigation fee and conservation program with the regional approach, once the regional approach is developed. The City will coordinate with the County and other cities in the area to dedicate established impact fees to support agricultural extensions, research, value added programs, direct marketing of local agricultural products, and other related efforts to support the local practice of agriculture in addition to the land that supports it.

## **ANALYSIS**

The pros to this policy include that it presents the simple 1:1 and 1:5 mitigation ratios. In doing so, the policy directly implements the vision statement idea to, “conserve agricultural lands”. The policy also provided flexibility so that Riverbank’s policy could be amended in the future to be compliant with SB 375 Sustainable Communities Strategy or other regional agricultural preservation efforts.

The con’s to this policy include that while the policy does address land conservation, it is mute on the other ideas expressed by the vision statement in concern to, “nurture industries that rely on agriculture, market local agricultural goods, and increase the productivity of local agriculture through research and development.”. The policy does not address the location of easements to maintain community identity nor does the policy address the concept of balancing competing needs.

While policy requires easements on agricultural lands of similar quality, the policy does not require the use of a quantifiable method for determining similar quality (as does the LESA model). Nor does the policy provide clear and logical local benefits to Riverbank. The location of easements under this policy could range from Acampo to Newman and anywhere in between. It is all stick and no carrot. The policy does not provide incentives for developers and land owners to make smart and efficient land use decisions

## **Option 2**

**Policy CONS-3.1:** The City will prepare a comprehensive Sustainable Agricultural Strategy intended to conserve agricultural production in the Stanislaus River Watershed, herein defined as the area within Stanislaus County and San Joaquin County between the Tuolumne and Calaveras Rivers, attributable to implementation of the 2025 General Plan. This strategy should provide flexibility so that it can be tied to land-use and regional agricultural preservation policies, and is intended to be funded on a fair-share basis by those projects that have a significant impact on the conversion of Important Farmlands, a non-renewable resource, to urban use. In determining a level of significance, it is the intent of the City to use quantifiable, measurable inputs and if a project has a significant impact on Important Farmland resources, then the project will mitigate for this impact.

**Implementation Strategy CONS-1:** Development projects and subdivisions will be consistent with, and implement land use planning and greenhouse gas emission reduction measures developed pursuant to the regional Sustainable Community Strategy (per SB 375 of 2008), and consistent with Countywide and regional agricultural preservation planning, to the maximum extent feasible. The Sustainable Community Strategy will be adopted by a committee approved by the City Council. In determining feasibility, there is a recognized need to balance the importance of agricultural resource conservation with other needs of Riverbank, such as State defined affordable housing, air quality, noise, water usage, and other public resources and services.

It is the City's intent to gather and consider the best practically available scientific information regarding resource areas and farmland in the region and develop conservation measures that will ensure the viability of agriculture within the Stanislaus River Watershed. Riverbank's planning effort will include provisions for the conservation of Important Farmland (as defined by the State Department of Conservation). It is a goal of the City to promote advances in crop yields, marketability of locally produced agricultural products, and advances in labor productivity through education.

The information gathered will be used as inputs within the Land Evaluation and Site Assessment (LESA) system. LESA is a point-based approach that is generally used for rating the relative value of agricultural land resources. In basic terms, a given LESA model is created by defining and measuring two separate sets of factors. The first set, Land Evaluation, includes factors that measure the inherent soil based qualities of land as they relate to agricultural suitability.

The second set, Site Assessment, includes factors that are intended to measure social, economic, and geographic attributes that also contribute to the overall value of agricultural land. While this dual rating approach is common to all LESA models, the individual land evaluation and site assessment factors that are ultimately utilized and measured can vary considerably, and can be selected to meet the needs and conditions of the Stanislaus River Watershed. In short, the LESA methodology lends itself well to

adaptation and customization by the City in determining the level of significance of a project within the Stanislaus River Watershed.

It is the City's intent to use and potentially modify the Land Evaluation and Site Assessment (LESA), as amended, developed by the State Department of Conservation, when considering if a project will have a significant impact upon farmland resources. The LESA Model is used to assess the relative quality of agricultural land based upon specific measurable features. The formulation of the LESA Model is the result of Senate Bill 850 (Chapter 812/1993), which charges the Resources Agency, in consultation with the Governor's Office of Planning and Research, with developing an amendment to Appendix G of the California Environmental Quality Act (CEQA) Guidelines concerning agricultural lands. Such an amendment is intended "to provide lead agencies with an optional methodology to ensure that significant effects on the environment of agricultural land conversions are quantitatively and consistently considered in the environmental review process" (Public Resources Code Section 21095).

The California Agricultural LESA Model is composed of six different factors. Two Land Evaluation factors are based upon measures of soil resource quality. Four Site Assessment factors provide measures of a given project's size, water resource availability, surrounding agricultural lands, and surrounding protected resource lands. For a given project, each of these factors is separately rated on a 100 point scale. The factors are then weighted relative to one another and combined, resulting in a single numeric score for a given project, with a maximum attainable score of 100 points. It is this project score that becomes the basis for making a determination of a project's potential significance, based upon a range of established scoring thresholds. If a project is deemed to have significant impact, then a project shall be responsible for mitigating this impact via applicable components of the Sustainable Agricultural Strategy.

Projects that will lead to the conversion of agricultural land to urban uses, to the extent that it is considered a significant impact, will fund either a single component or a combination of the following described components on a reasonable fair-share basis. The program will minimize the net loss of agricultural production within the Stanislaus River Watershed in the most feasible manner.

The City shall develop a Sustainable Agricultural Strategy to minimize the agricultural production lost to urban development through annexation to Riverbank so that, on a regional level, there is no significant net loss of agricultural production within the Stanislaus River Watershed, . In determining feasibility, the strategy is not intended to be a sole reason why a project that is otherwise desired by the community is not achieved, but rather a reasonable strategy that balances economic, social, and environmental benefits of a project with the need to conserve the agricultural production of the Stanislaus Watershed.

The preparation and update of the Sustainable Agricultural Strategy shall be overseen by a City Council selected committee. The City's Sustainable Agriculture Committee will cooperate with nearby cities, the County, and UC Extension, the Farm Bureau, and other experts and stakeholders. The Riverbank Sustainable Agricultural Strategy should

be consistent with the region's Sustainable Community Strategy, pursuant to SB 375, to the maximum extent feasible, and ensure that there is no significant net loss of agricultural production within the Stanislaus River Watershed, which shall be defined as the annual dollar value of the agricultural commodity taken out of production.

The City's Sustainable Agriculture Committee shall be charged with developing the following components of the Sustainable Agricultural Strategy:

**1) Priority Agricultural Land Inventory Component.** This component is intended to be an inventory of the productivity of land within the Stanislaus River Watershed, conferring with experts in the field. This inventory should use as a reference Department of Conservation (DOC) or other updatable spatially referenced information (such as DOC Important Farmlands GIS). It is intended that the Committee will give direction on the type of information to gather based on any potential local modifications to the LESA model deemed appropriate. The Priority Agricultural Land Inventory Component is targeted for completion by April 2009.

**2) Agricultural Land Conversion Component.** This component is intended to identify the pattern and trends of agricultural lands converted to urban use and lands put into agricultural production within the Stanislaus River Watershed and the acreage and type of agricultural land conversion, as well as the value of this production. The Agricultural Land Conversion Component is targeted for completion by July 2009.

**3) Agricultural Resource Conservation Component.** This component is intended to tie the findings of the Priority Agricultural Land Inventory and Agricultural Land Conversion components with the intent to avoid urban/rural land use conflicts to the maximum extent feasible. The component is expected to include for Planning Commission and City Council consideration such conservation policies as right-to-farm and other ordinances, resolutions, and policies – such as Measure “E” – that minimize urban/rural land use conflicts. Development of this component shall be coordinated with Stanislaus County, as the County controls land use change outside City limits. The Agricultural Resource Conservation Component is targeted for completion by November 2009.

**4) Agricultural Loss Mitigation Component.** This component is intended to establish a systematic approach for mitigating impacts from the loss of farmland, in accordance with the California Environmental Quality Act. The component will use or modify the Land Evaluation and Site Assessment (LESA) model, to determine if the loss of farmland is significant. Potential modifications to the LESA model could include minimizing the “stair step” effect of the rating system; deemphasizing the significance of site size; emphasizing the importance of existing agricultural operations in the area and/or other modifications reasonably necessary because of local agricultural conditions. In cases when the loss of farmland is considered significant, this strategy will investigate methodology for sustained mitigation measures, including potential funding mechanisms that could correlate to land use efficiency benchmarks.

It is envisioned that a matrix utilizing both the LESA score and other development benchmarks could be set for all development types utilizing quantifiable measurements such as dwelling units per acre, floor-to-area ratios, and jobs-to area ratios. The purpose of such a matrix will be to set appropriate standards for graduated land use efficiency measures coupled with the productivity of converted farmland that will result in a fair and reasonable methodology for mitigating the loss of farmland and crop yield, while balancing the corresponding benefits of affordable housing, improved air quality, proximity to transportation infrastructure and transit, community services, workforce development and job creation.

It is the City's intent to avoid unnecessary loss of agricultural lands, in part, by encouraging more compact, efficient developments that accommodate population and employment growth through logical and efficient use of land. The matrix for this Agricultural Loss Mitigation Component should be tied to the City's land use planning policies, rewarding projects developing on the least productive soils at the upper end of the City's density and development intensity standards. Any resulting farmland conversion impact fees (subject to AB 1600 nexus and approval process) applied as a part of this study are intended to be used as a funding mechanism to fund the Agricultural Easement Implementation, Agricultural Preservation, and Educational Outreach components. The Agricultural Loss Mitigation Component is targeted for completion by January 2010.

**5) Agricultural Easement Implementation Component.** This component is intended to result in the consideration of an ordinance for adoption by the City Council. The ordinance for consideration will make the necessary findings and set standards and methodology to determine appropriate acreage, location, and administration of agricultural easements put in place to mitigate for loss of agricultural land annexed to the City of Riverbank, if the impact created is considered significant and the securing of agricultural easements is deemed appropriate by the City Council. The agricultural easement implementation ordinance is intended to be consistent and adaptable to regional efforts, such as the Valley Blueprint and the regional Sustainable Communities Plan (required under 2008 Session SB 375), to the maximum extent feasible.

Where, pursuant to the ordinance, the City requires that agricultural easements be put in place to mitigate for the loss of agricultural land that is subject to a Land Conservation Contract, any agricultural conservation easement put in place as a condition of cancellation of that Land Conservation Contract would count towards the agricultural easement requirement imposed by the City pursuant to the ordinance, so long as it meets the standards of being with the Stanislaus River Watershed and suitability.

The agricultural easement ordinance is intended to allow the City Council to balance the impact to agricultural resources with other community needs such as affordable workforce housing in the community, reduced Vehicle Miles Traveled, mass transit opportunities, economic development potential and other needs, upon consideration by the Planning Commission and City Council. The Agricultural Easement Implementation

Component is targeted to result in consideration of an ordinance by the City Council by January 2010.

**6) Agricultural Marketing Component.** This component is intended to set policies and recommendations for actions that preserve and enhance the long-term economic sustainability of agricultural production within the Stanislaus River Watershed. Such actions may include, but are not limited to, farmers markets, point-of-sale marketing campaigns, community subscription farming programs, and other measures that increase the competitive advantage of agriculture within the Stanislaus River Watershed. This Component should also examine opportunities within the Watershed to maximize agricultural value and sustainability by supporting expansion of value-added-income-earning activities and uses of land. This policy is targeted for completion by January 2010.

**7) Educational Outreach Component.** This component is intended to establish priorities for funding research and development to increase crop production within the Stanislaus Watershed, and supportive agricultural education programs. This Component should involve cooperation with agencies such as University of California and California State University Agricultural Extensions, Soil Conservation Service, and school districts. The City should also reach out to agricultural educational-oriented, private non-profit organizations, such as Future Farmers and 4-H. The Educational Outreach Component is targeted for completion by January 2010.

If the City chooses to initiate a Specific Plan pursuant to Section 65450 of the State Government Code, prior to completion of all components of the Sustainable Agricultural Strategy, then the City Council should give direction upon initiation of the Specific Plan policy direction on how to include and address the intent of each of the above Components as part of such a Specific Plan.

#### **ANALYSIS:**

The pros of this policy include that it directly implements the vision statement that, ***“Agriculture is important to our history, economy, and culture. Riverbank should remain an agricultural center for the region. We should conserve agricultural lands, nurture industries that rely on agriculture, market local agricultural goods, and increase the productivity of local agriculture through research and development.”*** The components of the Sustainable Agricultural Strategy were drafted to specifically implement this vision statement.

By setting a boundary for easements within the defined Stanislaus River watershed area, this policy also reinforces the vision statement that, ***“Riverbank should preserve open green spaces around the City to maintain a distinct identity”***.

The policy states the clear intention of the City to protect agriculture as an industry and mandates comprehensive Sustainable Agricultural Strategy developed by a City Council selected committee to do so. The committee is intended to be comprised of Riverbank

stakeholders in maintaining agriculture as a viable industry in the area, including farmers, business owners, land owners, developers, and conservationists.

The policy gives timelines for completion of the strategy and provides guidance if the City chose to initiate a Specific Plan prior to completion of the Sustainable Agricultural Strategy.

The con of this strategy include that the policy does not mandate the 1:1 mitigation ratio directed by the City Council at the last meeting. Furthermore, the language within the individual components could place restrictions on the direction of the committee and/or how to respond to mandates of the Sustainable Communities Strategy of SB 375.

### **Option 3**

**Policy CONS-3.1:** The City will prepare a comprehensive Sustainable Agricultural Strategy intended to conserve agricultural production in the Stanislaus River Watershed, herein defined as the area within Stanislaus County and San Joaquin County between the Tuolumne and Calaveras Rivers, attributable to implementation of the 2025 General Plan. This strategy should provide flexibility so that it can be tied to land-use and regional agricultural preservation policies, and is intended to be funded on a fair-share basis by those projects that have a significant impact on the conversion of Important Farmlands, a non-renewable resource, to urban use. In determining a level of significance, it is the intent of the City to use quantifiable, measurable inputs and if a project has a significant impact on Important Farmland resources, then the project will mitigate for this impact.

**Implementation Strategy CONS-1:** Development projects and subdivisions will be consistent with, and implement land use planning and greenhouse gas emission reduction measures developed pursuant to the regional Sustainable Community Strategy (per SB 375 of 2008), and consistent with Countywide and regional agricultural preservation planning, to the maximum extent feasible. In determining feasibility, there is a recognized need to balance the importance of agricultural resource conservation with other needs of Riverbank, such as State defined affordable housing, air quality, noise, water usage, and other public resources and services.

It is the City's intent to gather and consider the best practically available scientific information regarding resource areas and farmland in the region and develop conservation measures that will ensure the viability of agriculture within the Stanislaus River Watershed. Riverbank's planning effort will include provisions for the conservation of Important Farmland (as defined by the State Department of Conservation). It is a goal of the City to promote advances in crop yields, marketability of locally produced agricultural products, and advances in labor productivity through education.

The information gathered will be used as inputs within Land Evaluation and Site Assessment (LESA) system. LESA is a point-based approach that is generally used for rating the relative value of agricultural land resources. In basic terms, a given LESA

model is created by defining and measuring two separate sets of factors. The first set, Land Evaluation, includes factors that measure the inherent soil based qualities of land as they relate to agricultural suitability.

The second set, Site Assessment, includes factors that are intended to measure social, economic, and geographic attributes that also contribute to the overall value of agricultural land. While this dual rating approach is common to all LESA models, the individual land evaluation and site assessment factors that are ultimately utilized and measured can vary considerably, and can be selected to meet the needs and conditions of the Stanislaus River Watershed. In short, the LESA methodology lends itself well to adaptation and customization by the City in determining the level of significance of a project within the Stanislaus River Watershed.

It is the City's intent to use and potentially modify the Land Evaluation and Site Assessment (LESA), as amended, developed by the State Department of Conservation, when considering if a project will have a significant impact upon farmland resources. The LESA Model is used to assess the relative quality of agricultural land based upon specific measurable features. The formulation of the LESA Model is the result of Senate Bill 850 (Chapter 812/1993), which charges the Resources Agency, in consultation with the Governor's Office of Planning and Research, with developing an amendment to Appendix G of the California Environmental Quality Act (CEQA) Guidelines concerning agricultural lands. Such an amendment is intended "to provide lead agencies with an optional methodology to ensure that significant effects on the environment of agricultural land conversions are quantitatively and consistently considered in the environmental review process" (Public Resources Code Section 21095).

The California Agricultural LESA Model is composed of six different factors. Two Land Evaluation factors are based upon measures of soil resource quality. Four Site Assessment factors provide measures of a given project's size, water resource availability, surrounding agricultural lands, and surrounding protected resource lands. For a given project, each of these factors is separately rated on a 100 point scale. The factors are then weighted relative to one another and combined, resulting in a single numeric score for a given project, with a maximum attainable score of 100 points. It is this project score that becomes the basis for making a determination of a project's potential significance, based upon a range of established scoring thresholds. If a project is deemed to have significant impact, then a project shall be responsible for mitigating this impact via applicable components of the Sustainable Agricultural Strategy.

Projects that will lead to the conversion of agricultural land to urban uses, to the extent that it is considered a significant impact, will fund either a single component or a combination of the following described components on a reasonable fair-share basis. The program will seek to minimize the net loss of agricultural production within the Stanislaus River Watershed in the most feasible manner.

The City shall develop a Sustainable Agricultural Strategy to minimize the agricultural production lost to urban development through annexation to Riverbank so that, on a regional level, there is no significant net loss of agricultural production within the

Stanislaus River Watershed, which shall be defined as the annual dollar value of the agricultural commodity taken out of production. In determining feasibility, the strategy is not intended to be a sole reason why a project that is otherwise desired by the community is not achieved, but rather a reasonable strategy that balances economic, social, and environmental benefits of a project with the need to conserve the agricultural production of the Stanislaus Watershed.

The preparation and update of the Sustainable Agricultural Strategy shall be overseen by a City Council selected committee. The City's Sustainable Agriculture Committee will cooperate with nearby cities, the County, and UC Extension, the Farm Bureau, and other experts and stakeholders. The Riverbank Sustainable Agricultural Strategy should be adaptable with the region's Valley Blueprint and Sustainable Community Strategy, pursuant to SB 375, to the maximum extent feasible, and ensure that there is no significant net loss of agricultural production within the Stanislaus River Watershed.

The City's Sustainable Agriculture Committee shall be charged with developing the following components of the Sustainable Agricultural Strategy:

- 1) **Priority Agricultural Land Inventory Component.**
- 2) **Agricultural Land Conversion Component.**
- 3) **Agricultural Resource Conservation Component.**
- 4) **Agricultural Loss Mitigation Component.**
- 5) **Agricultural Easement Implementation Component.**
- 6) **Agricultural Marketing Component.**
- 7) **Educational Outreach Component.**

The Committee's final report shall be finished by April 1, 2010. The City Council will consider the strategy and shall take action on the strategy after completion of the report. If the City chooses to initiate a Specific Plan pursuant to Section 65450 of the State Government Code, prior to completion of all components of the Sustainable Agricultural Strategy, then the City Council should give direction upon initiation of the Specific Plan policy direction on how to include and address the intent of each of the above Components as part of such a Specific Plan.

## **ANALYSIS**

The pro to this strategy includes that the components are present so that the committee can make recommendations that implement the vision statement that, **"Agriculture is important to our history, economy, and culture. Riverbank should remain an agricultural center for the region. We should conserve agricultural lands, nurture industries that rely on agriculture, market local agricultural goods, and increase the productivity of local agriculture through research and development."**

The policy also provides for a uniform methodology in determining if a project has a significant impact on agricultural resources by mandating the LESA model.

The pro to this policy further include that in not providing precise expectations for each component it allows the committee to explore other options that staff may not be aware of at this time. The required components of the Sustainable Communities Strategy under SB375 are not known and the added flexibility would allow the committee to make appropriate recommendations as these requirements become known. The flexibility allows the committee to make recommendations that are consistent with other agriculturally related vision statements as they are developed.

#### **Option 4**

**Policy CONS 3-1:** Projects, plans, and subdivisions that convert Important Farmland, as designated by maps maintained by the California Department of Conservation, shall mitigate the loss of such lands through the procurement of conservation easements or implementation of sustainable development practices that seek to minimize the effects of urban development on Important Farmland.

**Implementation Measure CONS 3-1:** Any person or entity with a project, plan or subdivision that converts Important Farmland, as designated by maps maintained by the California Department of Conservation, shall mitigate the effects of such urban development on Important Farmland. To the extent that Important Farmlands serve as groundwater recharging areas and act as a natural filtration for protection of water quality, farmland mitigation efforts should seek to maximize water conservation and water quality benefits. Mitigation measures should also attempt to reduce the cumulative climate change that impacts may have on agricultural production. Farmland mitigation measures can be by accomplished by either:

(1) Procuring a conservation easement on farmland of similar quality on the following acreage basis:

(a) On a 1:1 basis within the Stanislaus River watershed, hereby defined as the area within Stanislaus and San Joaquin counties between the Tuolumne and Calaveras Rivers; or

(b) On a 1.5:1 basis if land is preserved outside of Stanislaus River watershed.

- Or -

(2) Implementing approved sustainable development practices, which at a minimum require all of the following:

(a) **Density.** All residential buildings must be built in the upper twenty-five percent of the lower density land use designation, upper fifty percent of the medium density land use designation or above the minimum density of the higher density land use designation; and all non-residential buildings must be developed at or greater than a Floor Area Ratio of 0.25; and

(b) **Water Conservation.** All residential and/or non-residential buildings must be designed to conserve at least ten percent (10%) more water than required under the applicable building code; and all aspects of landscaping from the selection of plants to soil preparation and the installation of irrigation systems shall be designed to reduce water demand by installing native landscaping. New development shall be encouraged to retain runoff, decrease flooding, and recharge groundwater; and install purple pipe in anticipation of the future availability of recycled water; and

(c) **Water Quality.** New development shall implement Low Impact Development (LID) strategies and techniques. One of LID's primary goals is to reduce runoff volume by infiltrating rainfall water to groundwater, evaporating rainwater back to the atmosphere after a storm and finding beneficial uses for water rather than exporting it as a waste product down storm sewers. The result is a landscape functionally equivalent to predevelopment hydrologic conditions, which means less surface runoff and less pollution damage to the Stanislaus River and ground water resources. In demonstration of meeting this requirement, at least ten percent (10%) of all driveways, streets and parking areas must be permeable surfaces; and

(d) **Energy.** All residential and/or non-residential buildings must be built, plumbed and ready for installation of solar energy technology; and

(e) **Rating / Score.** All residential buildings must be rated by Build It Green, California Green Builder or another recognized residential green building program, and/or all non-residential buildings must be scored using the U.S. Environmental Protection Agency's Energy Star program.

The goal of these practices is to lessen the effects of urban development on Important Farmland through conservation or sustainable development.

### **ANALYSIS:**

The pro's to this policy option include that by providing the option of either protecting agricultural production via land protection or protecting agriculture through density, water resources and climate change actions, and implementation of sustainable development this policy option directly implements the Vision Statement that, "**Our City will benefit from an appropriate balance between housing, commerce, industry, circulation, and open spaces for agriculture and nature.**".

The importance that water plays in agricultural production cannot be over stated. Air quality degradation also impacts agricultural production yields. By addressing water conservation, water quality and air quality via encouragement of solar and other renewable energy sources in new home, this policy option directly implements the Vision Statement that, "**The air we breathe and the water we use affect our health and well-being. We want growth and development to maintain the high standards for the quality of our air and water.**".

The end result of this policy, is that, **“In 2025, Riverbank’s unique qualities will be enhanced through a balance between the built environment, the natural environment, and the working agricultural landscape.”**

The downside of this policy is that it is just a policy. An inevitable consequence of urban growth in the Central Valley is the conversion of agricultural lands. Important farmlands are a non-renewable resource. The most important choice is how we use this resource.

## **CONCLUSION**

The four options above constitute alternative agricultural general plan implementation policies and are presented for consideration by the City Council. They are presented as alternative ways to mitigate the loss of Important Farmland caused by urbanization of the City in accordance with the City’s adopted Vision and Guiding Principles. In adopting one of these options, the City Council is determining that the selected option is consistent with the City’s adopted Vision and Guiding Principles, that the selected option does not constitute information new or different from that addressed in the Final EIR, and that the selected option is intended to mitigate the effects of the City’s urbanization and growth on the City’s agricultural heritage and production.

In summation, regardless of the policy chosen, the words of Theodore Roosevelt ring especially true, **“The object of government is the welfare of the people.”** **“Conservation means development as much as it does protection. I recognize the right and duty of this generation to develop and use the natural resources of our land; but I do not recognize the right to waste them, or to rob, by wasteful use, the generations that come after us.”** It is dependent upon the City to insure our actions are consistent with our resident’s welfare.

**City of Riverbank**

**Resolution**

**A Resolution of the City Council of the City of Riverbank  
Certifying the Final Environmental Impact Report Prepared for Riverbank  
General Plan 2005–2025**

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**WHEREAS**, The City of Riverbank is considering adoption of Riverbank General Plan 2005–2025; and,

**WHEREAS**, The Planning Commission and the City Council have held 19 separate public workshops and meetings on setting community expectations and to update the General Plan of the City; and,

**WHEREAS**, The Planning Commission held a public hearing on the matter on July 18, 2006, where the Commission duly considered alternatives to the General Plan; and,

**WHEREAS**, The Planning Commission did recommend a preferred land use alternative that the Commission found best reflects the City’s vision statement and guiding principles, subject to certain stipulations; and,

**WHEREAS**, On August 14, 2006, at a regularly scheduled public hearing the City Council did affirm the Planning Commission recommendation and selected a preferred land use alternative for Riverbank General Plan 2005–2025; and,

**WHEREAS**, Since the selection of Land Use Alternative 5, the preferred land use alternative, and adoption of the City of Riverbank Vision Statement, staff has diligently prepared a General Plan that reflects the preferred land use alternative and Vision Statement and the Planning Commission has held three workshops on the various elements of the General Plan; and,

**WHEREAS**, Riverbank General Plan 2005–2025 is a project subject to environmental review under the California Environmental Quality Act (Pub. Res. Code §§21000 et seq.) (“CEQA”); and,

**WHEREAS**, A Notice of Preparation was filed for a Draft Program Level Environmental Impact Report (“EIR”) on September 18, 2006; and,

**WHEREAS**, A Draft Program Level EIR was prepared for the General Plan Update; and,

**WHEREAS**, The Environmental Review Committee issued a Notice of Availability and the Draft EIR was made available to the public on January 15, 2008; and,

**WHEREAS**, The State Clearinghouse commenced review on February 14, 2008, and ended review on April 1, 2008; and,

**WHEREAS**, In response to concerns voiced at the April 17, 2008, Environmental Review Committee meeting responding to comments regarding the Draft EIR, the Environmental Review Committee decided to recirculate certain sections of the Draft EIR; and,

**WHEREAS**, A Notice of Availability was issued for the partial recirculation of the Draft EIR on July 7, 2008; and,

**WHEREAS**, Staff has prepared written responses to all comments received during the public comment periods for the Draft EIR required by CEQA; and,

**WHEREAS**, Staff has prepared a Final EIR, incorporated herein by this reference as Exhibit "A" hereto, consisting of a revision of the original Draft EIR and the partly recirculated Draft EIR; the comments and responses to comments; a list of persons, organizations, and public agencies submitting comments received by the City prior to the end of the public review period; and revisions to the Draft EIR as reflected in the responses to comments and the revised Draft EIR; and,

**WHEREAS**, Notice of a public hearing of the Planning Commission of the City of Riverbank on the matter of Riverbank General Plan 2005–2025 and the Final EIR was given in accordance with applicable law; and,

**WHEREAS**, On October 8, 2008, the Planning Commission of the City of Riverbank, in accordance with Government Code Section 65353 and CEQA Guidelines Section 15202(b), held a public hearing on the matter of the proposed Riverbank General Plan 2005–2025 and the Final EIR, and at the public hearing the Planning Commission of the City of Riverbank considered all of the information, testimony, and evidence presented; and,

**WHEREAS**, On October 8, 2008, following closure of the public hearing held by the Planning Commission of the City of Riverbank, the Planning Commission of the City of Riverbank adopted Planning Commission Resolution No. 2008-014, recommending that the City Council certify the EIR and approve and adopt Riverbank General Plan 2005–2025, and such resolution was transmitted to the City Council as provided therein; and,

**WHEREAS**, Written proposed responses were provided in November 2008 to all public agencies that submitted comments on Riverbank General Plan 2005–2025 and the EIR; and,

**WHEREAS**, No significant new information has been added to the EIR after public notice was given of the availability of the partly recirculated Draft EIR for public review; and,

**WHEREAS**, Notice of a public hearing of the City Council of the City of Riverbank on January 26, 2009, on the matter of Riverbank General Plan 2005–2025 and the Final EIR was given in accordance with applicable law; and,

**WHEREAS**, On January 26, 2009, the City Council of the City of Riverbank, in accordance with Government Code Section 65355 and CEQA Guidelines Section 15202(b), opened a public hearing on the matter of the proposed Riverbank General Plan 2005–2025 and the Final EIR, and at the public hearing the City Council considered all of the information, testimony, and evidence presented; and,

**WHEREAS**, At the January 26, 2009, hearing, the City Council voted to continue the public hearing to February 4, 2009; and,

**WHEREAS**, On February 4, 2009, the City Council continued the public hearing on Riverbank General Plan 2005–2025 and the Final EIR, and at the public hearing the City Council considered all of the information, testimony, and evidence presented, and closed the public hearing; and,

**WHEREAS**, Notice of a second public hearing of the City Council of the City of Riverbank on March 4, 2009, on the matter of Riverbank General Plan 2005–2025 and the Final EIR was given in accordance with applicable law; and,

**WHEREAS**, On March 4, 2009, the City Council of the City of Riverbank, in accordance with Government Code Section 65355 and CEQA Guidelines Section 15202(b), held a public hearing on the matter of the proposed Riverbank General Plan 2005–2025 and the Final EIR and considered all of the information, testimony, and evidence presented; and,

**WHEREAS**, All actions required to be taken precedent to the adoption of this Resolution have been duly and regularly taken in accordance with applicable law; and,

**WHEREAS**, As a result of the circulation and recirculation of the Draft Program Level EIR and the associated Riverbank General Plan 2005–2025, mitigation measures and policies have been refined to insure that Riverbank General Plan 2005–2025 will reflect the community vision, expectations and desires; and,

**WHEREAS**, Staff has prepared proposed CEQA Findings of Fact and Statement of Overriding Considerations of the City of Riverbank for the Riverbank 2025 General Plan Environmental Impact Report attached hereto as Exhibit “B” and by this reference incorporated herein.

**NOW, THEREFORE, BE IT RESOLVED** that the City Council of the City of Riverbank hereby resolve as follows:

Section 1. Recitals Incorporated. The foregoing Recitals to this Resolution are true and correct and are incorporated herein and made a part hereof.

Section 2. Certification of the Final EIR.

A. The City Council finds and determines as follows:

1. The City Council has read and considered the Final EIR, which consists of a revision of the original Draft EIR and the partly recirculated Draft EIR, and appendices thereto; the comments received within the public review period of which notice was given and review provided as required by CEQA; a list of persons, organizations, and public agencies commenting on the Draft EIR through comments received by the City prior to the end of the public review period; the written responses to comments which were prepared; and revisions to the Draft EIR as reflected in the responses to comments and the revised Draft EIR.

2. The City Council has reviewed and considered the Final EIR, which is incorporated herein and made a part hereof. The Final EIR considers all potentially significant environmental impacts of Riverbank General Plan 2005–2025, and the Final EIR is complete and adequate and fully complies with CEQA.

3. Because the Final EIR identifies one or more significant environmental effects of the project, the City Council hereby adopts the Findings of Fact set forth in sections 1.1–1.6 and 1.9 of the CEQA Findings of Fact and Statement of Overriding Considerations of the City of Riverbank for the Riverbank 2025 General Plan Environmental Impact Report attached hereto as Exhibit “B”.

4. The City Council has considered all significant impacts, mitigation measures, and project alternatives identified in the Final EIR. The City Council finds that the benefits of adopting Riverbank General Plan 2005–2025 outweigh the unavoidable adverse environmental impacts and adopts the Statement of Overriding Considerations set forth in sections 1.7 and 1.9 of the CEQA Findings of Fact and Statement of Overriding Considerations of the City of Riverbank for the Riverbank 2025 General Plan Environmental Impact Report attached hereto as Exhibit “B”.

5. The City Council hereby adopts the Mitigation Monitoring and Reporting Program set forth in sections 1.8 and 1.9 of the CEQA Findings of Fact and Statement of Overriding Considerations of the City of Riverbank for the Riverbank 2025 General Plan Environmental Impact Report attached hereto as Exhibit “B”.

6. The foregoing findings and determinations, which reflect the independent analysis of the City Council of the matters in the record pertaining thereto and are the independent judgment of the City Council, are based on the information in the record, including but not limited to the findings set forth in Exhibit “B”. The City Council further finds that substantial evidence exists in the record for each and every finding made in Exhibit “B”.

B. The City Council hereby approves and certifies the Final EIR.

C. The City Council hereby identifies that the location of record with respect to the Final EIR and other documents and material constituting the record of proceedings with respect to the certification of the Final EIR is as specified in section 1.5 of Exhibit "B" hereto. Pursuant to the requirements of State law, within one working day of the date of adoption of this Resolution, the City Clerk shall make available at City Hall for public review a copy of Riverbank General Plan 2005–2025 and Final EIR.

D. The City Council directs the Community Development Department to prepare a Notice of Determination for the Final EIR that is consistent with State CEQA Guidelines Section 15094(b) and to promptly file the Notice of Determination with the County Clerk of the County of Stanislaus and the State Clearinghouse, including making any payment required under Fish & Game Code Section 711.4.

**PASSED AND ADOPTED** by the City Council of the City of Riverbank at a regular meeting held on the 4<sup>th</sup> day of March, 2009, by the following vote:

**AYES:**

**NAYS:**

**ABSENT:**

**ABSTAIN:**

**ATTEST:**

**APPROVED:**

\_\_\_\_\_  
**Linda Abid-Cummings, CMC**  
**City Clerk**

\_\_\_\_\_  
**David I. White**  
**Mayor**

Attachments: Exhibit "A": Final EIR for City of Riverbank General Plan 2005–2025  
Exhibit "B": CEQA Findings of Fact and Statement of Overriding Considerations of the City of Riverbank for the Riverbank 2025 General Plan Environmental Impact Report

**EXHIBIT "A"**

**TO RESOLUTION No. 2009-\_\_\_\_\_**

**Final EIR for City of Riverbank General Plan 2005–2025**

[UNDER SEPARATE COVER]

AVAILABLE FOR REVIEW AT

<http://www.riverbank.org/Depts/CommunityDevelopment/GeneralPlanUpdate/default.aspx>

**EXHIBIT "B"**

**TO RESOLUTION No. 2009-\_\_\_\_\_**

**CEQA Findings of Fact and Statement of Overriding Considerations  
of the City of Riverbank for the  
Riverbank 2025 General Plan Environmental Impact Report**

[UNDER SEPARATE COVER]

AVAILABLE FOR REVIEW AT

<http://www.riverbank.org/Depts/CommunityDevelopment/GeneralPlanUpdate/default.aspx>

**City of Riverbank**

**Resolution**

**A Resolution of the City Council of the City of Riverbank  
Approving and Adopting Riverbank General Plan 2005–2025**

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**WHEREAS**, Section 65300 of the State of California Government Code states that each planning agency shall prepare and the legislative body of each city shall adopt a comprehensive, long-term general plan for the physical development of the city, and any land outside its boundaries which in the planning agency’s judgment bears relation to its planning; and,

**WHEREAS**, Goal I of the existing, adopted General Plan of the City of Riverbank states a desire, “To maintain an up-to-date Land Use Element of the General Plan and to ensure compatibility with the Zoning and Subdivision Ordinances”; and,

**WHEREAS**, Policy 1a of the existing, adopted General Plan states that, “A comprehensive review of the land use element will be made at least every 5 years to ensure that it remains responsive to changing conditions”; and,

**WHEREAS**, The Implementation Measure for Policy 1a, states that, “A comprehensive review of the land use element will be conducted no later than 1991”; and,

**WHEREAS**, The City of Riverbank last updated its General Plan Land Use and Circulation elements in 1988, its Conservation Element and Open Space elements in 1988, its Noise Element in 1985 and its Safety Element in 1984 (collectively the “1988 General Plan”); and,

**WHEREAS**, Section 65040.5 of the State of California Government Code states that the Governor’s Office of Planning and Research shall notify a City with a General Plan that has not been revised within eight years and notify the Attorney General if a General Plan of a City has not been revised within ten years; and,

**WHEREAS**, The City has been notified by the Governor’s Office of Planning and Research that the current General Plan and has notified the Attorney General of such; and,

**WHEREAS**, Section 65401 of the State Government Code states that a coordinated Capital Improvement Program shall be prepared and reviewed for conformity to the policies of the General Plan; and,

**WHEREAS**, The General Plan governs the need for public facilities and directs the public's investment in the development of the complex urban infrastructure that is necessary to support the physical operation of the City; and,

**WHEREAS**, The General Plan sets the policies for location, size, timing and financing of major streets, water, sewer, drainage systems, parks and playgrounds, public safety facilities, libraries, school facilities, and public health facilities well in advance of their construction; and,

**WHEREAS**, The General Plan sets policies that are essential to minimizing costs, optimizing project need and usefulness, and maximizing public benefit and private sector support; and,

**WHEREAS**, The General Plan identifies forecasted population and improvements needed to meet this forecasted population so that community expectations are met; and,

**WHEREAS**, The Planning Commission and City Council have held 19 separate public workshops and meetings on setting community expectations and to update the General Plan of the City; and,

**WHEREAS**, The result has been background reports, vision statement and guiding principles for the preparation of a General Plan update; and,

**WHEREAS**, The vision statement and guiding principles state a desire to accomplish and implement the vision statement of the City; and,

**WHEREAS**, The vision of Riverbank is:

Riverbank in 2025 has a small-town character where residents can live, work, and play locally. The City has a thriving downtown that offers a variety of retail opportunities, services, and functions as the social and cultural heart of the community. Riverbank has a healthy and diversified industrial base served by its railroad, safe and walkable/bikable neighborhoods, and a wide range of employment and housing opportunities for its diverse population. Although we welcome automobiles, Riverbank is a place for PEOPLE. Those who choose not to drive can easily and safely walk, bicycle, or use public transit to get to work, school, shopping, or a local park. Riverbankers' strong sense of community identity is reflected in its public gathering places and activities, architectural variety, and the ways in which the City's riverfront location, railroad-oriented history, agricultural heritage, and other unique qualities are celebrated in the built environment. Riverbank in 2025 has succeeded in creating a BALANCE between housing and jobs for its residents, commerce and industries that support the local economy, and the protection of agriculture and natural resources.

**WHEREAS**, Staff has presented five land use alternatives for consideration of the General Plan update all of which could implement the vision of Riverbank; and,

**WHEREAS**, After due consideration of the alternatives presented, Land Use Alternative 5 has been selected the preferred Land Use Alternative; and,

**WHEREAS**, In the development of a General Plan utilizing Land Use Alternative 5, the following guiding principles shall be implemented:

**A. Small-Town Character: Riverbank in 2025 will be a pleasant, quiet, friendly community with a distinct small-town character.**

1. Public spaces in Riverbank where people can meet and interact with friends and neighbors are essential to our community.

2. Our neighborhoods are best served by attractive, safe, tree-lined, pedestrian-friendly streetscapes.

3. Our children should be able to safely walk or bike to school.

4. Downtown should be the social and cultural heart of our community, and must not be left behind as the City grows.

5. Small, locally owned businesses are an important part of the unique character of Riverbank and essential to a healthy local economy.

6. Our streets and public spaces should be designed with people in mind, not only for the convenience of cars.

7. Commercial corridors, such as Patterson Road, should be attractive, unique, pedestrian-friendly centers of commerce to enhance the City's character.

8. Our City can grow without being overcome by traffic, noise, air quality, or other impacts that would sacrifice the small-town character.

**B. Community Identity: In 2025, Riverbank's unique qualities will be enhanced through a balance between the built environment, the natural environment, and the working agricultural landscape.**

1. The Stanislaus River is a wonderful community asset, the natural beauty and function of which we should protect as we increase public access to the River and its views.

2. Agriculture is important to our history, economy, and culture. Riverbank should remain an agricultural center for the region. We should conserve agricultural lands, nurture industries that rely on agriculture, market local agricultural goods, and increase the productivity of local agriculture through research and development.

3. Riverbank's historic roots in agriculture, the railroad, and the River, should be recognized, celebrated, and respected as we create the City's future.

4. Downtown should remain a walkable, pedestrian-scaled commercial center that best reflects our community's unique identity and our desire to maintain our small town image.

5. Riverbank should preserve open green spaces around the City to maintain a distinct identity and create buffers between urban and agricultural uses of land.

**C. Choice and Diversity: In 2025, Riverbank will enjoy a variety of entertainment opportunities, retail and commercial services, housing types, job opportunities, and activity destinations that are easily accessible by car, transit, on foot, or bicycle. Choices and opportunities will be available to the greatest extent possible regardless of the physical or developmental abilities, needs, preferences, backgrounds, and incomes of our residents.**

1. We value the opportunities to live, shop, work, and recreate locally if we choose.

2. We will design our community so that people can walk, bicycle, or use public transit if they choose not to drive.

3. Existing and future residents should have local housing choices that best meet their needs.

4. The City is, and will be, home to all generations. Riverbank is a community where children can grow, raise families, and stay in the community as they age.

5. We will encourage a diversity of jobs and economic opportunities as the City grows.

6. We value education and skills that provide residents an opportunity for economic advancement. Our schools are vital to the social and economic well being of Riverbank. We will seek employers who can offer living wages and well-paying jobs for our residents.

**D. Improved Quality of Life as the City Grows: In 2025, growth and change have been managed to benefit existing and future residents.**

1. Our City will benefit from an appropriate balance between housing, commerce, industry, circulation, and open spaces for agriculture and nature.

2. The future health of Riverbank requires that older neighborhoods be improved at the same time that new areas develop.

3. Those that benefit from development should compensate for the public costs of serving such development.

4. A healthy community requires that its citizens feel a sense of connection. Physical, economic, or social barriers that prevent us from living as one community should be removed whenever possible.

5. New development should increase, not impede, our sense of being connected as one community.

6. Our City government, guided by the public interest, should be an active leader in improving the quality of life in Riverbank.

7. Economic and fiscal sustainability are important to Riverbank's future and our citizens' quality of life. Development decisions should contribute to the economic health and fiscal sustainability of the City.

**E. Safe, Healthy, and Secure Environment: In 2025, Riverbank's citizens will travel, work, live, and participate in activities confident of their personal and their families' safety and security.**

1. Our community should provide for a diversity of safe and lawful economic, social, and civic opportunities for people of all ages to nurture and enhance each other's quality of life.

2. Our City should be safe and healthy for all our residents.

3. Community design should encourage people to look out for one another, to view and monitor public spaces, and to feel ownership and interest in our community's safety and security.

4. Pedestrians and bicyclists should be as confident in their ability to travel safely in Riverbank, as do our drivers.

5. The air we breathe and the water we use affect our health and well-being. We want growth and development to maintain the high standards for the quality of our air and water.

6. Maintaining and improving our urban tree canopy is important to our air quality, climate, aesthetic enjoyment, and overall quality of life; and

**WHEREAS**, The Planning Commission held a public hearing on the matter on July 18, 2006, where the Commission duly considered alternatives to the General Plan; and,

**WHEREAS**, The Planning Commission did recommend that Land Use Alternative 5 best reflects the City's vision statement and guiding principles with the following stipulations:

1. The eastern and urbanized areas of the Land Use Alternative shall be co-terminus with the Riverbank Unified School District and Sylvan School District boundaries, respectively.

2. The entire Land Use Alternative area shall be placed within the City of Riverbank Sphere of Influence.

3. The Urban Reserve designation shall be an overlay designation to be placed over underlying land use designations in which specific criteria and benchmarks shall be set prior to the removal of the Urban Reserve overlay.

4. Objective, performance based criteria and benchmarks shall be identified for each area designated Urban Reserve.

5. All areas east of Eleanor Road shall be placed under the Urban Reserve Overlay designation.

6. The Urban Reserve designation that is within the area of the Scenic 108 Corridor Agreement signed by the cities of Riverbank and Oakdale shall not be removed prior to 2011.

7. The western boundary shall be defined by a multi-use transition area edge while the eastern boundary shall be defined by a soft edge of rural cluster land uses; and

**WHEREAS**, On August 14, 2006, at a regularly scheduled public hearing the City Council did affirm the Planning Commission recommendation and selected Land Use Alternative 5 as the preferred land use alternative for the General Plan update; and,

**WHEREAS**, since the selection of Land Use Alternative 5 and adoption of the City of Riverbank Vision Statement, staff has diligently prepared a General Plan that reflects the preferred land use alternative and Vision Statement and the Planning Commission has held three workshops on the various elements of the General Plan; and,

**WHEREAS**, Section 15097(a) of the California Environmental Quality Act (“CEQA”) Guidelines (14 Cal. Code Regs. § 15097(a)), states that a local agency must prepare a mitigation monitoring and reporting program to ensure that the mitigation measures and project revisions identified in the EIR are implemented; and,

**WHEREAS**, Section 15097(b) of the CEQA Guidelines, states that in cases of General Plan adoption the monitoring plan shall apply to policies and any other portion of the General Plan that is a mitigation measure of adopted alternative; and,

**WHEREAS**, The policies contained in the City of Riverbank General Plan 2005–2025 and the proposed mitigation measures identified in the environmental impact report (“EIR”) prepared by the City would mitigate significant environmental impacts to the greatest extent feasible; and,

**WHEREAS**, Pursuant to Section 15097(c) of the CEQA Guidelines the City of Riverbank will choose to monitor mitigation, report on mitigation or both as deemed appropriate, depending on the complexity of the impact; and,

**WHEREAS**, Notice of a public hearing of the Planning Commission of the City of Riverbank on the matter of Riverbank General Plan 2005–2025 and the EIR was given in accordance with applicable law; and,

**WHEREAS**, On October 8, 2008, the Planning Commission of the City of Riverbank, in accordance with Government Code Section 65353 and CEQA Guidelines Section 15202(b), held a public hearing on the matter of the proposed Riverbank General Plan 2005–2025 and the draft EIR, and at the public hearing the Planning Commission of the City of Riverbank considered all of the information, testimony, and evidence presented; and,

**WHEREAS**, At the public hearing on October 8, 2008, the Planning Commission considered several alternatives to the proposed agricultural mitigation policy and implementation strategy and the proposed agricultural buffer policy, including alternatives reflected in Policy CONS-3.1, Policy CONS-3.2, and Implementation Strategy CONS-1 as set forth in Riverbank General Plan 2005–2025; and,

**WHEREAS**, On October 8, 2008, following closure of the public hearing held by the Planning Commission of the City of Riverbank, the Planning Commission of the City of Riverbank adopted Planning Commission Resolution No. 2008-014, recommending that the City Council certify the EIR and approve and adopt Riverbank General Plan 2005–2025, and such resolution was transmitted to the City Council as provided therein; and,

**WHEREAS**, Notice of a public hearing of the City Council of the City of Riverbank on January 26, 2009, on the matter of Riverbank General Plan 2005–2025 and the Final EIR was given in accordance with applicable law; and,

**WHEREAS**, On January 26, 2009, the City Council of the City of Riverbank, in accordance with Government Code Section 65355 and CEQA Guidelines Section 15202(b), opened a public hearing on the matter of Riverbank General Plan 2005–2025 and the Final EIR, and at the public hearing the City Council considered all of the information, testimony, and evidence presented; and,

**WHEREAS**, At the January 26, 2009, hearing, the City Council voted to continue the public hearing to February 4, 2009; and,

**WHEREAS**, On February 4, 2009, the City Council continued the public hearing on Riverbank General Plan 2005–2025 and the Final EIR, and at the public hearing the City Council considered all of the information, testimony, and evidence presented, and closed the public hearing; and,

**WHEREAS**, Notice of a second public hearing of the City Council of the City of Riverbank on March 4, 2009, on the matter of Riverbank General Plan 2005–2025 and the Final EIR was given in accordance with applicable law; and,

**WHEREAS**, On March 4, 2009, the City Council of the City of Riverbank, in accordance with Government Code Section 65355 and CEQA Guidelines Section 15202(b), held a public hearing on the matter of the proposed Riverbank General Plan 2005–2025 and the Final EIR and considered all of the information, testimony, and evidence presented; and,

**WHEREAS**, All actions required to be taken precedent to the adoption of this Resolution have been duly and regularly taken in accordance with applicable law; and,

**WHEREAS**, Riverbank General Plan 2005–2025, attached hereto as Exhibit “A” and by this reference incorporated herein, is composed of the following elements: Land Use, Circulation, Conservation and Open Space, Economy, Air Quality, Community Character and Design, Noise; and Public Services and Facilities, thereby complying with Section 65302 of the State of California Government Code; and,

**WHEREAS**, The City, by and through its Planning Commission and Community Development Department, prepared Riverbank General Plan 2005–2025 as a comprehensive revision to, and updating of the 1988 General Plan; and,

**WHEREAS**, Riverbank General Plan 2005–2025 was prepared pursuant to Government Code Section 65350 et. seq., and is intended to supersede the 1988 General Plan in its entirety, excepting and incorporating the Housing Element update adopted in December of 2004 (Res. No. 2004-147); and,

**WHEREAS**, Riverbank General Plan 2005–2025 and the associated EIR have provided Riverbank residents with opportunities to articulate their vision of the future of Riverbank, both qualitative and quantitative; and,

**WHEREAS**, The Draft General Plan and the associated EIR have identified the fundamental issues and the need for a proactive response to the changes that growth will inevitably bring to Riverbank; and,

**WHEREAS**, The Draft General Plan and the associated EIR contain policies and mitigation measures that ensure orderly development that best serves the common interests of the people of both Riverbank and neighboring Stanislaus County; and,

**WHEREAS**, The City will undertake such steps as are necessary to implement Riverbank General Plan 2005–2025, including the designation of a citizens advisory panel to assist in developing implementing ordinances in a process and manner that the Mayor, City Council, and Planning Commission deem appropriate; and,

**WHEREAS**, The Planning Commission will monitor progress towards full implementation of Riverbank General Plan 2005–2025 and may recommend revisions from time to time to address changing circumstances, priorities or conditions in a manner that is consistent with State law:

**NOW, THEREFORE, BE IT RESOLVED** that the City Council of the City of Riverbank hereby resolve as follows:

Section 1. Recitals Incorporated. The foregoing Recitals to this Resolution are true and correct and are incorporated herein and made a part hereof.

Section 2. Approval and Adoption of Riverbank General Plan 2005–2025.

A. The City Council has read and considered Riverbank General Plan 2005–2025 and all of the documentation comprising the foregoing, as presented to the City Council concurrent with this Resolution, and finds that Riverbank General Plan 2005–2025, which is incorporated herein and made a part hereof as though fully set forth, is consistent with the requirements of State law, specifically Government Code Section 65300 et seq.

B. The City Council hereby approves and adopts Riverbank General Plan 2005–2025 in its entirety, subject to the mitigation measures specified in sections 1.7.4 and 1.7.5 of the CEQA Findings of Fact and Statement of Overriding Considerations of the City of Riverbank for the Riverbank 2025 General Plan Environmental Impact Report attached as Exhibit “B” to Riverbank City Council Resolution No. 2009-\_\_\_\_\_ (A Resolution of the City Council of the City of Riverbank, California, Certifying the Final Environmental Impact Report Prepared for Riverbank General Plan 2005–2025); Riverbank General Plan 2005–2025, in conjunction with the Housing Element adopted in December 2004, shall henceforth constitute the General Plan of the City of Riverbank, subject to such amendments as may occur in the future pursuant to the requirements and procedures of applicable law relating to the amendment of general plans.

C. The City Council hereby approves and adopts the Mitigation Monitoring and Reporting Program for Riverbank General Plan 2005–2025, as set forth in Exhibit “B” attached hereto and incorporated herein by this reference.

C. Pursuant to the requirements of State law, within one working day of the date of adoption of this Resolution, the City Clerk shall make available at City Hall for public review a copy of Riverbank General Plan 2005–2025 and Final EIR.

**PASSED AND ADOPTED** by the City Council of the City of Riverbank at a regular meeting held on the 4<sup>th</sup> day of March, 2009, by the following vote:

**AYES:**

**NAYS:**

**ABSENT:**

**ABSTAIN:**

**ATTEST:**

**APPROVED:**

\_\_\_\_\_  
**Linda Abid-Cummings, CMC**  
**City Clerk**

\_\_\_\_\_  
**David I. White**  
**Mayor**

Attachments: Exhibit "A": Draft City of Riverbank General Plan 2005–2025  
Exhibit "B": Mitigation Monitoring and Reporting Program

**EXHIBIT "A"**

**TO RESOLUTION No. 2009-\_\_\_\_\_**

**Draft City of Riverbank General Plan 2005–2025**

[UNDER SEPARATE COVER]

AVAILABLE FOR REVIEW AT

<http://www.riverbank.org/Depts/CommunityDevelopment/GeneralPlanUpdate/default.aspx>

## EXHIBIT "B"

### TO RESOLUTION No. 2009-\_\_\_\_\_

#### Mitigation Monitoring and Reporting Program

##### 1.1 CEQA Requirement

Section 21081.6 of the Public Resources Code requires a Lead Agency that approves or carries out a project, where a CEQA document has identified significant environmental effects, to adopt a "reporting or monitoring program for the changes to the project which it has adopted or made a condition of a project approval in order to mitigate or avoid significant effects on the environment."

This Environmental Mitigation Monitoring and Reporting Program (MMRP) has been prepared to provide for the monitoring of mitigation measures required of the Riverbank 2025 General Plan (the Project), as set forth in the Final Environmental Impact Report (FEIR). The City of Riverbank (City) is the Lead Agency that must adopt the MMRP for development and operation of the Project. This report will be kept on file with the City of Riverbank Community Development Department, 6617 Third Street, Riverbank, CA.

The CEQA statutes and Guidelines provide direction for clarifying and managing the complex relationships between a Lead Agency and other agencies with implementing and monitoring mitigation measures. In accordance with CEQA Guidelines Section 15097(d), "each agency has the discretion to choose its own approach to monitoring or reporting; and each agency has its own special expertise." This discretion will be exercised by implementing agencies at the time they undertake any of portion of the Project, as identified in the EIR.

The Riverbank General Plan contains the seven elements mandated by State law plus optional elements, as accommodated under State law. Together these Elements represent Riverbank's overarching policy and planning document. The General Plan contains the community's long-range objectives for conservation and physical development in the City. The General Plan provides decision makers, City staff, property owners, and the public at large with the City's policy direction for managing land use change. The General Plan is comprehensive in scope, addressing land use, transportation, housing, economic development, public facilities and infrastructure and open space preservation, among many other subjects. The General Plan includes land use designations that represent future development potential. The General Plan also includes narrative policies, many of which would mitigate potential environmental impacts. There is a detailed description of mitigating policies in each section of the EIR. Although these policies would mitigate or avoid impacts, they are not mitigation measures, but rather are parts of the Project, just as land use designations are part of the Project. Therefore, General Plan policies are not included in this MMRP.

##### 1.2 Project Monitoring and Reporting Plan

The matrix presented later in this MMRP includes those mitigation measures for the Project identified in the EIR and the party responsible for verification. The table, which constitutes the monitoring and reporting plan, includes the following:

- ▶ A listing of every mitigation measure contained in the EIR.

- ▶ Timing of implementation for each mitigation measure.
- ▶ Identification of individuals or organizations responsible for monitoring and/or reporting.
- ▶ Identification of individuals or organizations responsible for verifying compliance.

### **1.3 Changes to Mitigation Measures**

Any substantive change in the MMRP shall be reported in writing. Modifications to the mitigation measures may be made by the City subject to one of the following findings, documented by evidence included in the record:

- ▶ The mitigation measure included in the FEIR and the MMRP is no longer required because the significant environmental impact identified in the FEIR has been found not to exist, or to occur at a level, which makes the impact less than significant because of changes in the Project, changes in conditions of the environment, or other factors.

OR,

- ▶ The modified or substitute mitigation measure provides a level of environmental protection equal to, or greater than that afforded by the mitigation measure included in the FEIR and the MMRP; and,
- ▶ The modified or substitute mitigation measure or measures do not have significant adverse effects on the environment in addition to, or greater than those which were considered by the responsible hearing bodies in their decisions on the FEIR and the proposed Project; and,
- ▶ The modified or substitute mitigation measures are feasible, and the City, through measures included in the MMRP or other City procedures, can ensure implementation.

### **1.4 Support Documentation**

Findings and related documentation supporting the findings involving modifications to mitigation measures shall be maintained in the Project file with the MMRP and shall be made available to the public upon request.

**Table 1-1  
Summary of Mitigation Measures, Responsible Parties, and Timing**

| Mitigation Measure  | Party Responsible for Implementing  | Timeframe for Implementation       | Party Responsible for Verifying Compliance   |
|---|---|------------------------------------|--|
| <p><b>Mitigation Measures 4.4-1a:</b> In addition to the measures required by the SJVAPCD ISR rule, each project applicant shall implement the following measures to further reduce construction-related equipment exhaust emissions:</p> <ul style="list-style-type: none"> <li>▶ Provide commercial electric power to the project site in adequate capacity to avoid or minimize the use of portable electric generators and the equipment.</li> <li>▶ Where feasible, replace/substitute fossil-fueled (e.g., diesel) equipment with electrically driven equivalents (provided they are not run via a portable generator set).</li> <li>▶ To the extent feasible, use alternate fuels and emission controls to further reduce NOX and PM10 exhaust emissions above the minimum requirements set for in the ISR rule.</li> <li>▶ When not in use, on-site equipment shall not be left idling.</li> <li>▶ Limit the hours of operation of heavy-duty equipment and/or the amount of equipment in use at any one time.</li> <li>▶ Curtail construction during periods of high ambient pollutant concentrations; this may include ceasing of construction activity during the peak-hour of vehicular traffic on adjacent roadways or on Spare the Air Days.</li> </ul> | <p>As specific development projects are proposed within the City, project applicants shall implement relevant aspects of Mitigation Measures 4.4-1a and 1b.</p> | <p>During project construction</p> | <p>Community Development Department, San Joaquin Valley Air Pollution Control District</p> |

**Table 1-1  
Summary of Mitigation Measures, Responsible Parties, and Timing**

| Mitigation Measure   | Party Responsible for Implementing | Timeframe for Implementation | Party Responsible for Verifying Compliance |
|--|------------------------------------|------------------------------|--|
| <ul style="list-style-type: none"> <li>▶ Staging areas for heavy-duty construction equipment shall be located as far as possible from sensitive receptors.</li> <li>▶ Before construction contracts are issued, the project applicants shall perform a review of new technology, in consultation with SJVAPCD, as it relates to heavy-duty equipment, to determine what (if any) advances in emissions reductions are available for use and are economically feasible. Construction contract and bid specifications shall require contractors to utilize the available and economically feasible technology on an established percentage of the equipment fleet. It is anticipated that in the near future, both NOX and PM10 control equipment will be available.</li> </ul> <p><b>Mitigation Measure 4.4-1b:</b> The following SJVAPCD-recommended enhanced and additional control measures shall be implemented by each project applicant to further reduce fugitive PM10 dust emissions.</p> <ul style="list-style-type: none"> <li>▶ Install sandbags or other erosion control measures to prevent silt runoff to public roadways from adjacent project areas with a slope greater than 1%.</li> <li>▶ Suspend excavation and grading activity when winds exceed 20 mph.</li> </ul> |                                    |                              |  |

**Table 1-1  
Summary of Mitigation Measures, Responsible Parties, and Timing**

| Mitigation Measure   | Party Responsible for Implementing   | Timeframe for Implementation  | Party Responsible for Verifying Compliance  |
|--|--|---|---|
| <ul style="list-style-type: none"> <li>▶ Limit area subject to excavation, grading, and other construction activity at any one time.</li> </ul>  |  |   |   |
| <p><b>Mitigation Measure 4.4-3:</b> The following SJVAPCD-recommended mitigation measure shall be applied, as appropriate, at the project level as the City considers development applications under the General Plan update:</p> <ul style="list-style-type: none"> <li>▶ Area Source: Provide electric maintenance equipment, use solar, low-emissions, or central water heaters (residential and commercial), increase wall and attic insulation beyond Title 24 requirements (residential and commercial), and orient buildings to take advantage of solar heating and natural cooling and use passive solar designs (residential, commercial, and industrial), and eliminate or limit the amount of traditional fireplaces installed (e.g., natural gas fireplaces/inserts or at least EPA certified wood stoves or inserts instead of open hearth fireplaces), energy efficient windows (double pane and/or Low-E), highly reflective roofing materials, cool paving, radiant heat barrier, install photovoltaic cells, programmable thermostats for all heating and cooling systems, awnings or other shading mechanisms for windows, porch, patio, and walkway overhangs, ceiling and whole house</li> </ul> | <p>As specific development projects are proposed within the City, project applicants shall implement relevant aspects.</p> | <p>Incorporated into project application materials, project design, improvements planning, conditions of approval, and project construction, as appropriate</p> | <p>Community Development Department,, San Joaquin Valley Air Pollution Control District</p> |

**Table 1-1  
Summary of Mitigation Measures, Responsible Parties, and Timing**

| Mitigation Measure  | Party Responsible for Implementing   | Timeframe for Implementation                  | Party Responsible for Verifying Compliance |
|---|--|---|--|
| <p>fans, utilize passive solar cooling and heating designs, utilize day lighting systems such as skylights, light shelves, interior transom windows, and electrical outlets around the exterior of the units to encourage use of electric landscape maintenance equipment.</p> <ul style="list-style-type: none"> <li>▶ Projects shall include as many clean alternative energy features as possible to promote energy self-sufficiency (e.g., photovoltaic cells, solar thermal electricity systems, small wind turbines).</li> <li>▶ The project shall require that all diesel engines be shut off when not in use on the premises to reduce idling emissions.</li> </ul> |  |   |  |
| <p><b>Mitigation Measure 4.4-5.</b> The only measure available to completely mitigate the impact—completely separating emission sources (diesel vehicles associated with commercial trucking activities at commercial and industrial land uses) from all sensitive receptors—is not feasible. The best available alternatives to reduce the impact are the following:</p> <ul style="list-style-type: none"> <li>▶ Orient loading dock activities as far away and downwind from existing or proposed sensitive receptors as feasible.</li> <li>▶ Incorporate idle reduction strategies that reduce the main propulsion engine idling time</li> </ul>                        | <p>Specific projects proposed under the General Plan are responsible for implementing mitigation</p> | <p>During project design and construction</p> | <p>Community Development Department</p>    |

**Table 1-1  
Summary of Mitigation Measures, Responsible Parties, and Timing**

| Mitigation Measure   | Party Responsible for Implementing  | Timeframe for Implementation           | Party Responsible for Verifying Compliance |
|--|---|--|--|
| through alternative technologies such as, IdleAire, electrification of truck parking, and alternative energy sources for TRUs to allow diesel engines to be completely turned off.   |   |  |  |
| <p><b>Mitigation Measure 4.4-6:</b> The following mitigation measures shall be implemented by the applicant at the project level during General Plan build out:</p> <ul style="list-style-type: none"> <li>▶ The deeds to all properties of proposed sensitive uses located within two miles of the WWTF within the Planning Area shall include a disclosure clause (odor easement), prepared by an attorney with expertise in the field, and approved by the City of Riverbank, advising buyers and tenants of the potential adverse odor impacts from the WWTF and surrounding agricultural operations.</li> <li>▶ Odor control devices shall be installed at the emitter to reduce the exposure of receptors to objectionable odorous emissions if an odor-emitting facility is to occupy space in a proposed commercial land use area.</li> <li>▶ The odor-producing potential of land uses shall be considered when the exact type of facility that would occupy commercial areas is determined.</li> </ul> | Specific projects proposed under the General Plan are responsible for implementation. | During project design and construction | Community Development Department           |

**Table 1-1  
Summary of Mitigation Measures, Responsible Parties, and Timing**

| Mitigation Measure   | Party Responsible for Implementing                 | Timeframe for Implementation                   | Party Responsible for Verifying Compliance         |
|--|--|--|--|
| <p><b>Mitigation Measure 4.7-1</b></p> <ul style="list-style-type: none"> <li>▶ The City will coordinate with Modesto Irrigation District, PG&amp;E, and other responsible companies to provide for the continued maintenance, development, and expansion of energy efficient electricity and natural gas systems.</li> <li>▶ The City will participate in regional siting plans for energy facilities.</li> <li>▶ The City will use local utilities infrastructure planning and financing strategies to promote energy efficient land use practices. The City’s goal for energy conservation strategies will be to reduce energy demand generated by infrastructure to serve new development and offset remaining demand through generation of renewable sources within the development.</li> <li>▶ The City will identify opportunities and support programs to reduce electricity demand related to the water supply system during peak hours and opportunities to reduce the energy needed to operate water conveyance and treatment systems.</li> </ul> | Community Development and Public Works Departments | Following General Plan adoption, ongoing       | Community Development and Public Works Departments |
| <p><b>Mitigation Measure 4.9-3:</b> Establish a Vector Prevention and Control Program. The City shall develop a Vector Prevention and Control Program.</p>   | City of Riverbank – various                        | Following General Plan adoption – target: 2011 | City and East Side Mosquito Abatement              |

**Table 1-1  
Summary of Mitigation Measures, Responsible Parties, and Timing**

| Mitigation Measure  | Party Responsible for Implementing   | Timeframe for Implementation                  | Party Responsible for Verifying Compliance |
|---|--|---|--|
| <p>This program shall be coordinated with and reviewed by the East Side Mosquito Abatement District. This plan shall include applicable prevention and control measures, and address created (e.g., storm drainage features) mosquito vector habitat. Prevention and control measures within the program may include, but not be limited to, one or more of the following: the use of biological controls (natural predators) in wetlands and other standing water features, provide outreach and education information on vectors to homeowners, and utilize storm drainage features that are self-draining.</p> | <p>departments could be involved including Community Development and/or Public Works</p>             |   | <p>District, as appropriate</p>            |
| <p>Mitigation Measure 4.12-2: The City shall require all construction projects to implement the following mitigation measure to reduce short-term construction noise levels.<br/>All construction equipment shall be properly maintained and equipped with noise control, such as mufflers, in accordance with manufacturers' specifications.</p>   | <p>Specific projects proposed under the General Plan are responsible for implementing mitigation</p> | <p>During project design and construction</p> | <p>Community Development Department</p>    |
| <p><b>Mitigation Measure 4.12-3:</b> Newly constructed commercial and multi-family development projects that involve construction of surface parking lots shall provide at least a 10-foot wide landscaped setback between the edge of the parking lot surface and the edge of the nearest proposed</p>   | <p>Specific projects proposed under the General Plan are responsible for</p>                         | <p>During project design and construction</p> | <p>Community Development Department</p>    |

**Table 1-1  
Summary of Mitigation Measures, Responsible Parties, and Timing**

| Mitigation Measure   | Party Responsible for Implementing  | Timeframe for Implementation           | Party Responsible for Verifying Compliance |
|--|---|--|--|
| building.  | implementing mitigation   |  |  |
| Mitigation Measure 4.12-4: Require, as a condition of approval, that any project that places sensitive receptors within 100 feet of a railroad analyze and mitigate for any potential vibration impacts. | Specific projects proposed under the General Plan are responsible for implementing mitigation | During project design and construction | Community Development Department           |

**Table 1-1  
Summary of Mitigation Measures, Responsible Parties, and Timing**

| Mitigation Measure  | Party Responsible for Implementing   | Timeframe for Implementation                    | Party Responsible for Verifying Compliance                                  |
|---|--|---|---|
| <p><b>Mitigation Measure 4.15-1</b></p> <ul style="list-style-type: none"> <li>▶ The City will continue to participate with other regional jurisdictions in the Stanislaus County North County Corridor Joint Powers Authority, according to the terms of this Joint Powers arrangement. The Joint Powers Arrangement is intended to result in the planning and implementation of a new regional east-west expressway serving northern Stanislaus County.</li> </ul>  | <p>City of Riverbank Community Development and Public Works Departments</p>                      | <p>Following General Plan adoption, ongoing</p> | <p>City of Riverbank Community Development and Public Works Departments</p> |
| <p><b>Mitigation Measure 4.15-2</b></p> <ul style="list-style-type: none"> <li>▶ Widen SR 108 to four lanes as new development occurs and include applicable improvements as a part of the City’s traffic impact fee program.</li> </ul>  | <p>City of Riverbank Community Development and Public Works Departments</p>                      | <p>Following General Plan adoption, ongoing</p> | <p>City of Riverbank Community Development and Public Works Departments</p> |
| <p><b>Mitigation Measure 4.15-3</b></p> <ul style="list-style-type: none"> <li>▶ Any future specific plans proposed in the western half of the Riverbank Planning Area shall provide analysis of future traffic volumes using refined land use plans and a project-specific level of detail for traffic generation and distribution. A high degree of east-west (as well as north-south) connectivity shall be provided with the goal of achieving the City’s prevailing level of service standard using City-approved roadway segment level of service analysis</li> </ul> | <p>Specific plan proponents involved in western Riverbank are responsible for implementation</p> | <p>Following General Plan adoption, ongoing</p> | <p>City of Riverbank Community Development and Public Works Departments</p> |

**Table 1-1  
Summary of Mitigation Measures, Responsible Parties, and Timing**

| Mitigation Measure   | Party Responsible for Implementing | Timeframe for Implementation | Party Responsible for Verifying Compliance |
|--|------------------------------------|------------------------------|--|
| <p>methodology.</p> <ul style="list-style-type: none"> <li>▶ Landowners and developers with property interests described in City specific plans shall fund roadway facilities, according to City direction, including Morrill Road and the other roadways, and shall contribute on a fair-share basis to roadways and intersections outside specific plan areas affected by future specific plan development.</li> </ul> |                                    |                              |  |

**Table 1-1  
Summary of Mitigation Measures, Responsible Parties, and Timing**

| Mitigation Measure   | Party Responsible for Implementing                 | Timeframe for Implementation                  | Party Responsible for Verifying Compliance  |
|--|--|---|---|
| <p><b>Mitigation Measure 4.15-4</b></p> <ul style="list-style-type: none"> <li>▶ The City will plan, analyze, and mitigate vehicular transportation using LOS D as the minimum acceptable standard.</li> </ul>   | Community Development and Public Works Departments | Following General Plan adoption, ongoing      | Community Development and Public Works Departments  |
| <p><b>Mitigation Measure 4.15-5</b></p> <ul style="list-style-type: none"> <li>▶ The City of Riverbank will update its traffic impact mitigation fee program as part of a Streets Master Plan to identify the locations where improvements are needed and spread those costs among benefiting parties.</li> </ul>  | Community Development and Public Works Departments | Following General Plan adoption, ongoing      | Community Development and Public Works Departments  |
| <p><b>Mitigation Measure 4.15-6</b></p> <ul style="list-style-type: none"> <li>▶ The City will participate in an area wide roadway mitigation fee program, in coordination with the City of Oakdale, Stanislaus County, the City of Modesto, and other agencies with shared transportation planning issues.</li> <li>▶ The City will evaluate inter-city and city-county components of Stanislaus County’s public facilities fees and will update the reciprocal fee collection agreement. This agreement would be designed to collect impact fees when development occurs within the City in the amount necessary to fund roadway improvements outside of the City limits, on a pro-rata, or fair-share basis.</li> </ul> | Community Development and Public Works Departments | Following General Plan adoption, ongoing      | Community Development and Public Works Departments, City of Oakdale, City of Modesto, and Stanislaus County, as appropriate |
| <p><b>Mitigation Measure 4.15-7</b></p>  | Community  | Following General Plan adoption – target 2011 | Community   |

**Table 1-1  
Summary of Mitigation Measures, Responsible Parties, and Timing**

| Mitigation Measure  | Party Responsible for Implementing              | Timeframe for Implementation | Party Responsible for Verifying Compliance      |
|---|---|------------------------------|---|
| <p>The City will update the Traffic Impact Fee Program to be consistent with the following improvements. Approved specific plans shall provide the following improvements within proposed specific plan areas or shall fund on a pro-rata basis the following improvements, or those shown to achieve prevailing City level of service standards (following adoption of the LOS D standard, for example) and approved by the City following project level traffic impact analysis.</p> <ul style="list-style-type: none"> <li>▶ <b>SR 108 / Coffee Road:</b> Add separate right turn lanes on SR 108 and dual northbound left turn lanes. This level of improvement is expected to yield LOS C.</li> <li>▶ <b>Oakdale Road / Morrill Road:</b> Add a separate eastbound right turn lane and a dual northbound left turn lane. This level of improvement is expected to yield LOS C.</li> <li>▶ <b>Claribel Road / Oakdale Road:</b> Add separate right turn lanes on all approaches; widen Claribel Road to provide three through lanes in each direction and widen Claribel Road to provide dual left turn lanes in both directions. This level of improvement is expected to yield LOS D on a six-lane Claribel Road. To reduce this impact to a less-than-significant level according to the current LOS standard, it would be necessary to widen Oakdale Road to provide three through lanes in each</li> </ul> | <p>Development and Public Works Departments</p> |                              | <p>Development and Public Works Departments</p> |

**Table 1-1  
Summary of Mitigation Measures, Responsible Parties, and Timing**

| Mitigation Measure  | Party Responsible for Implementing | Timeframe for Implementation | Party Responsible for Verifying Compliance |
|---|------------------------------------|------------------------------|--|
| <p>direction. With the adoption of the LOS D standard, the impact would be less than significant without the need for a six-lane Oakdale Road.</p> <ul style="list-style-type: none"> <li>▶ <b>Patterson Road / Claus Road.</b> Expected improvements are consistent with two lanes in each direction on Claus Road and on Patterson Road, and this level of improvement yields LOS D. To reduce this impact to a less-than-significant level using the current LOS C standard, it would be necessary to add a northbound right turn lane on Claus Road along Riverbank High School. With the adoption of the LOS D standard, the impact would be less than significant without the need for this northbound right turn lane on Claus Road along Riverbank High School.</li> <li>▶ <b>Claribel Road / Roselle Avenue:</b> Widen Claribel Road to provide three through lanes in each direction and add separate right turn lanes on each approach. This level of improvement is expected to yield LOS C.</li> <li>▶ <b>Claribel Road / Terminal Avenue:</b> Widen Claribel Road to provide three through lanes in each direction and add separate right turn lanes on the southbound, eastbound, and westbound approaches. This level of improvement is expected to yield LOS C.</li> <li>▶ <b>Claribel Road / Claus Road:</b> Widen Claribel Road to provide three through lanes in each direction; add</li> </ul> |                                    |                              |  |

**Table 1-1  
Summary of Mitigation Measures, Responsible Parties, and Timing**

| Mitigation Measure  | Party Responsible for Implementing | Timeframe for Implementation | Party Responsible for Verifying Compliance |
|---|------------------------------------|------------------------------|--|
| <p>separate right turn lanes on each approach and add dual left turn lanes on both Claribel Road approaches. This level of improvement is expected to yield LOS D. To reduce this impact to a less than significant level under the current LOS C threshold it would be necessary to either add a second northbound left turn lane, OR widen Claus Road to provide three through lanes in each direction. With the adoption of the LOS D standard, the impact would be less than significant without the need for the second northbound left turn lane and a six-lane Claus Road.</p> <ul style="list-style-type: none"> <li>▶ <b>Claribel Road / Coffee Road:</b> Widen Claribel Road to provide three through lanes in each direction; add separate right turn lanes on each approach and add dual left turn lanes on all approaches. This level of improvement would yield LOS C.</li> <li>▶ <b>Coffee Road / Morrill Road:</b> Add northbound and westbound right turn lanes. This level of improvement would yield LOS C.</li> </ul> |                                    |                              |  |

**Table 1-1  
Summary of Mitigation Measures, Responsible Parties, and Timing**

| Mitigation Measure  | Party Responsible for Implementing                        | Timeframe for Implementation                         | Party Responsible for Verifying Compliance                |
|---|---|--|---|
| <p><b>Mitigation Measure 4.15-8</b></p> <ul style="list-style-type: none"> <li>▶ The City will proactively coordinate with BN&amp;SF Railroad and the PUC to identify applicable strategies and funding for improved at-grade crossings or new grade separation.</li> <li>▶ The City will pursue realignment of Terminal Avenue, where determined necessary, to provide proper spacing relative to the railroad and cross streets.</li> </ul>                     | <p>Community Development and Public Works Departments</p> | <p>Following General Plan adoption, ongoing</p>      | <p>Community Development and Public Works Departments</p> |
| <p><b>Mitigation Measure 4.15-9</b></p> <ul style="list-style-type: none"> <li>▶ Because the General Plan must deal with both new growth areas and the existing developed area of the community, the City of Riverbank will need to establish guidelines for permissible traffic volumes on streets with fronting development. These guidelines may either be part of the specific plan process or as part of the City’s street improvement standards.</li> </ul> | <p>Community Development and Public Works Departments</p> | <p>Following General Plan adoption – target 2012</p> | <p>Community Development and Public Works Departments</p> |