

CITY OF RIVERBANK

RESOLUTION NO. 2016-022

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RIVERBANK,
CALIFORNIA, RECOMMENDING APPROVAL OF THE RIVERBANK SUSTAINABLE
AGRICULTURAL STRATEGY DATED FEBRUARY 2016**

WHEREAS, City Council at their Strategic Planning session of March 31, 2015 set forth a goal to study the expansion of the adopted SOI both to the East and West; and

WHEREAS, the Riverbank General Plan 2005-2025 adopted in 2009 identified specific land uses for all areas within the planned growth areas in and surrounding the City of Riverbank; and

WHEREAS, the Riverbank City adopted Resolution No. 2015-081 on September 22, 2015 authorizing staff to proceed with the preparation of a Municipal Service Review Update and Sphere of Influence Plan as well as prepare the necessary applications for submittal of a formal application to Stanislaus LAFCo; and

WHEREAS, the proposed Sustainable Agricultural Strategy is a required policy document to complete the Stanislaus LAFCo filing and is in keeping with the adopted Riverbank General Plan; and

WHEREAS, notice of the City Council's public hearing on the proposed Riverbank Sustainable Agricultural Strategy was published in the *Riverbank News*, a newspaper of general circulation, on March 9, 2016; and

**NOW, THEREFORE, BE IT FURTHER RESOLVED BY THE CITY COUNCIL
OF THE CITY OF RIVERBANK HEREBY:**

1. That, based on the findings set forth in this Resolution, the evidence in the City Staff Report, and such other evidence as received at the public hearings on this matter, the City Council hereby adopts the Riverbank Sustainable Agricultural Strategy dated February 2016 as presented.
2. The City of Riverbank included the proposed SOI expansion as part of its Planning Area in its 2005-2025 General Plan Update ("General Plan"). In addition, future SOI expansions related to the Planning Area (including the proposed SOI expansion) were included as part of the Project Description and analyzed as part of the programmatic environmental review of the General Plan EIR (SCH#2006092051), which the City Council certified in 2009. (General Plan

EIR, p. 3-19, 3-19.) The proposed SOI expansion therefore constitutes a portion of the project that was analyzed under the General Plan EIR.

3. The proposed Agricultural Policy is a mechanism for the preservation of natural resources and the environment through the requirement for mitigation of the probable loss of agriculture and sets opportunities for the conservation of agricultural land through fee interest, easements and other techniques. The proposed action therefore is found to be categorically exempt from CEQA using Class 7, 8 and 17 of the CEQA Guidelines Sections 15307, 15308 and 15317 respectively.
4. Constitutionality, severability. If any section, subsection, sentence, clause, phrase, or word of this resolution is for any reason held by a court of competent jurisdiction to be unconstitutional or invalid for any reason, such decision shall not affect the validity of the remaining portions of the resolution. The City Council of the City of Riverbank hereby declares that it would have passed this resolution and each section, subsection, sentence, clause, phrase, and word thereof, irrespective of the fact that any one or more section(s), subsection(s), sentence(s), clause(s), phrase(s), or word(s) be declared invalid.

PASSED AND ADOPTED by the City Council of the City of Riverbank at a regular meeting held on the 22nd day of March, 2016; motioned by Vice Mayor Jeanine Tucker, seconded by Councilmember Cal Campbell, and upon roll call was carried by the following City Council vote of 5-0:

AYES: Barber-Martinez, Campbell, Jones Cruz, Tucker, and Mayor O'Brien
NAYS: None
ABSENT: None
ABSTAIN: None

ATTEST:


Annabelle H. Aguilar, CMC
City Clerk

APPROVED:


Richard D. O'Brien
Mayor

Attachments: Exhibit A – Riverbank Sustainable Agricultural Strategy

SUSTAINABLE AGRICULTURAL STRATEGY

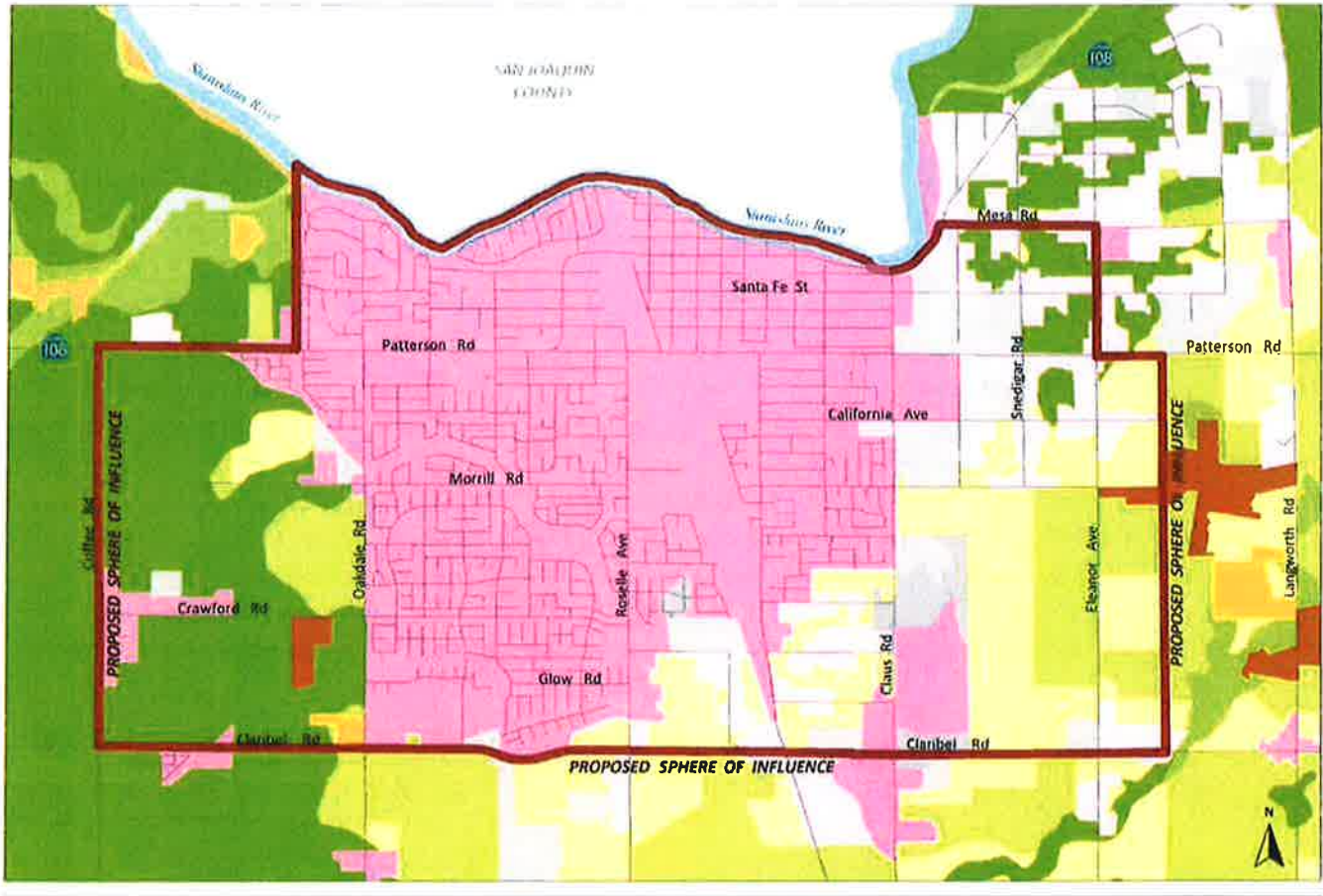
City of Riverbank

The City of Riverbank intends to process an update to the adopted Municipal Service Review (MSR) and increase its Sphere of Influence (SOI) by approximately 1,479 acres. Specific changes to the existing SOI are proposed to include the following:

- Extend the existing Primary Area of Influence boundary west to Coffee Road to include the entirety of the proposed Crossroads West Specific Plan (404± acres) and east to Eleanor Avenue (353 acres) – 758± acres.
- Extend the existing SOI boundary west to Coffee Road and east past Eleanor Avenue – 722 acres.
- Total proposed increase to the SOI – 1,479± acres.
- Total Riverbank SOI would result in 2,187 acres, including the City's existing SOI of 708± acres.
- The City's SOI would contain a total of 4,850 acres (or 2,187± acres beyond the current City limits).

The majority of the lands outside of the City's current limits and Sphere of Influence are designated by the County's General Plan as either agriculture or urban transition. As shown in Figure 1 below, the proposed Primary Area of Influence and SOI are comprised of agriculture lands which are mapped as Prime Farmland, Farmland of Statewide Importance, Unique Farmland and Farmland of Local Importance.

Figure 1 – Stanislaus County Farmland



**City of Riverbank
Stanislaus County
Farmland (2014)**

*Data: California Dept of Conservation
Farmland Mapping & Monitoring Program*

- | | | | |
|-----------------|----------------------------------|------------------------------|---|
| Prime Farmland | Farmland of Statewide Importance | Farmland of Local Importance | Grazing Land |
| Unique Farmland | Confined Animal Agriculture | Urban & Built-up Land | Rural Residential Land |
| Water | Vacant or Disturbed Land | | Nonagricultural or Natural Vegetation |
| | | | Semi-Agricultural & Rural Commercial Land |

The purpose of this Sustainable Agricultural Strategy is to assist the LAFCO Commission in determining how the proposed SOI expansion and the creation of the "Area of Concern" meet the stated goals of Stanislaus LAFCo's Agricultural Preservation Policy.

This Strategy for Agricultural Preservation includes:

1. A detailed analysis of direct and indirect impacts to agricultural resources on the proposed SOI and the surrounding area, including a detailed description of the agricultural resources affected and information regarding Williamson Act lands (Section 1);
2. A discussion on existing and proposed densities (Section 2);
3. A description of relevant County and City General Plan policies and proposed Specific Plans and Master Plan (Section 3);
4. A discussion on consistency with regional planning efforts (Section 4);
5. An analysis of environmental impacts identified with the Riverbank 2005-2025 GP and possible mitigation measures that could offset impacts to agricultural resources (Section 5);
6. The methods/strategies proposed to minimize the loss of agricultural lands (Section 6); and,
7. A discussion on alternative lands located within the sphere of influence (Section 7).

SECTION 1. DETAILED ANALYSIS OF DIRECT AND INDIRECT IMPACTS TO AGRICULTURAL RESOURCES FOR LANDS IN THE PROPOSED SOI AS WELL AS THE SURROUNDING AREAS:

As found in Figure 1 above, the entire proposed SOI of 2,187 acres contains lands mapped as Prime Farmland, Farmland of Statewide Importance, Unique Farmland and Farmland of Local Importance. The full buildout of the proposed SOI would result in the entire area being converted to non-agricultural land uses.

The Riverbank 2005-2025 General Plan includes goals, policies and implementation programs that aim to sustain and preserve existing and future agricultural lands. The Riverbank General Plan Policy states:

Goal LAND-1 – Managed Urban Growth that Benefits the Entire Community.

Policy LAND-1.1 – The City will only allow annexation of land that is: 1) adjacent to existing developed portions of the City, or 2) adjacent to lands with available urban services and located within an area designated in the General Plan for urban development.

Policy LAND-1.2 – The City supports LAFCO policy to develop vacant and underutilized land within the City prior to entertaining any annexation, if such land can meet the same need as the land proposed for annexation.

Goal CONS-3 – Support the Practice of Agriculture and the Resources Associated with Farming in the Riverbank Planning Area and Beyond.

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 Farmland resources, then the project will mitigate for this impact.

Policy CONS-3.2 – Ongoing agricultural practices on fertile lands in the western portion of the Riverbank Planning Area shall be protected from encroachment of urban use through the use of buffers. The buffers should also protect residential development from the effects of existing agricultural operations. The buffer shall be designed to protect the feasibility of ongoing agricultural activities on nearby lands and reduce the effects of noise, dust and the application of agricultural chemicals on residential development. The width of the buffer shall be 300 feet, except that the width of the buffer may be reduced where a project applicant demonstrates that a narrower buffer would protect the feasibility of ongoing agricultural activities on nearby lands and reduce the effects of noise, dust, and the application of agricultural chemicals on residential development. Buffer areas may remain as open space or may be used for storm water management; renewable energy production; community recreation amenities; or any other allowed use consistent with this policy.

Williamson Act Contracts

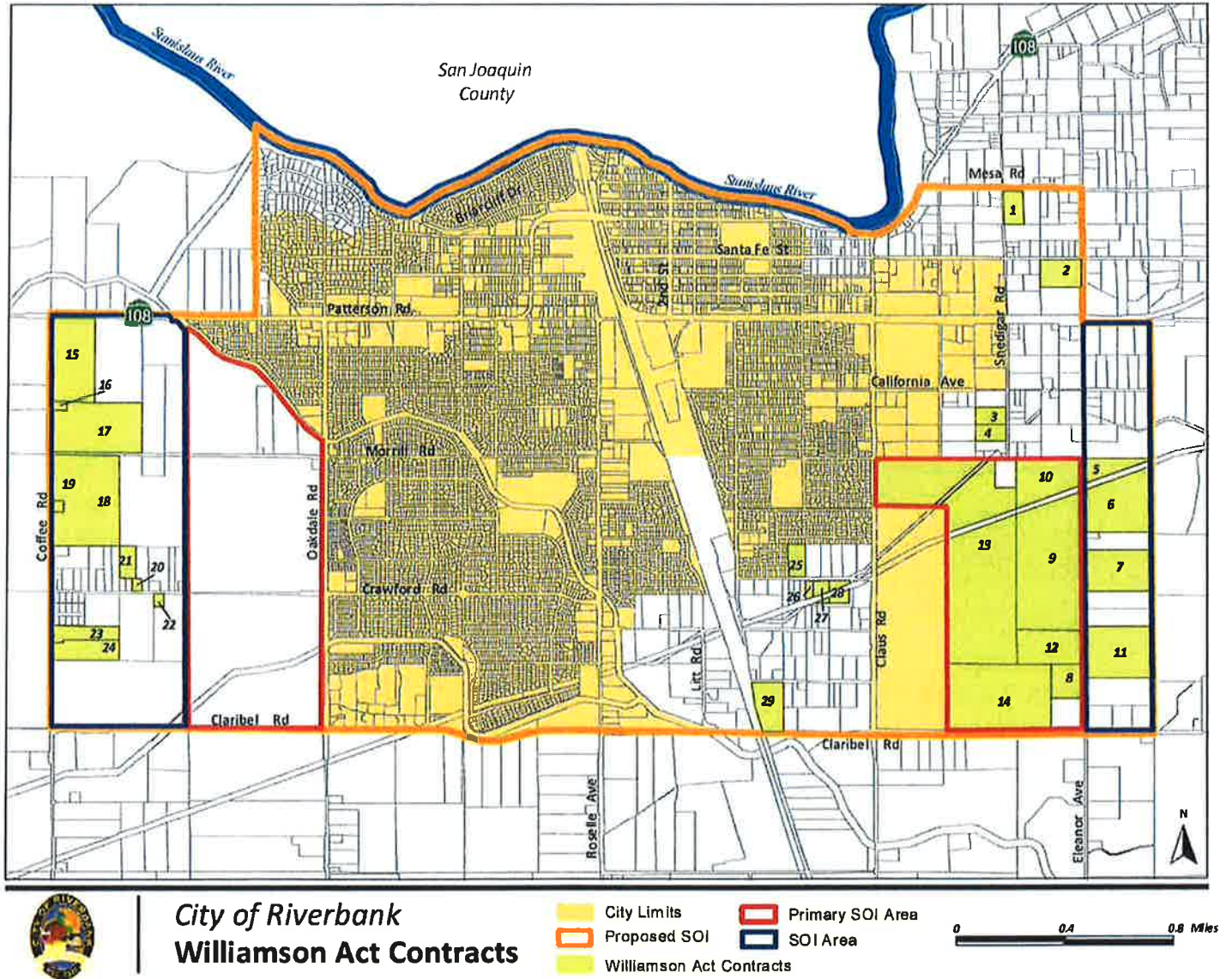
Within the City's current Sphere of Influence, scattered parcels totaling approximately 50-acres are encumbered by Williamson Act contracts. Approximately 20 acres of this area are either in the non-renewal process or have previously been protested by the City and upheld by LAFCO at their initiation. Larger areas of Williamson Act contracted lands exist just outside the City's Sphere of Influence east of the Riverbank Army Ammunition Plant Specific Plan area and west of the proposed Crossroads West Specific Plan consistent with the agricultural uses in these areas. These areas are located within the proposed SOI expansion. Figure 2 below displays lands in which have an active Williamson Act Contract.

Table 1 – Williamson Act Contract by Parcel

Site ID	Assessor's Parcel Number	Acres	Site ID	Assessor's Parcel Number	Acres
1	062-017-001	5.34	2	062-018-005	9.65
3	062-022-010	4.71	4	062-022-011	4.71
5	062-030-001	7.3	6	062-030-003	31.19
7	062-030-006	24	8	062-030-012	9.7
9	062-030-014	73.28	10	062-030-016	21.12
11	062-030-022	29.3	12	062-030-023	19.7
13	062-031-003	139	14	062-031-004	58.78
15	074-006-018	30.526	16	074-006-019	1
17	074-006-020	37.7	18	074-011-010	51.15
19	074-011-011	1	20	074-012-016	0.96
21	074-012-027	4.4	22	074-014-011	1.1
23	074-014-013	8.097	24	074-014-014	11.221
25	075-019-007	4.85	26	075-022-033	1
27	075-022-034	2.3	28	075-022-037	3.06
29	075-024-001	10.86			
Total			607.0		

As shown above in Table 1, there are a total of 607 acres of land within the proposed SOI which are encumbered by Williamson Act contracts.

Figure 2 – Williamson Act Contracts



SECTION 2. EXISTING AND PROPOSED DENSITIES:

The Stanislaus County General Plan Land Use Element designates much of the proposed Sphere of Influence as Urban Transition (UT) and Agriculture (A), and these lands are zoned by Stanislaus County as A-2-10 and A-2-40. The density for A-2-10 is 0.2 dwelling units per acre while the density for A-2-40 is 0.05 dwelling units per acre.

Current City of Riverbank Plans

The City of Riverbank's long-range growth and future improvement needs are based upon the 2005-2025 General Plan, adopted on April 22, 2009. The City's General Plan projects the locations and land use types for future growth for the City of Riverbank and the General Plan Area, including the City's current and proposed SOI.

As shown below, the General Plan anticipated a mix of land uses within the General Plan Area and SOI, including the proposed SOI expansion. Land uses include residential, commercial, industrial/business park, open space, and buffer/greenspace.

Potential Build-Out of Riverbank

The following tables represent the potential build-out of lands within the City limits of Riverbank. The inventory includes vacant and underutilized parcels as well as lands within the Downtown Specific Plan area (including the Cannery Site).

Table 2 below represents the vacant residential parcels within the City. As shown below, there are 84.34 acres of parcels within the City limits that are vacant, accounting for a potential population of 1,352 persons.

Table 2 – Vacant Residential Parcels within the City Limits

General Plan Designation	Average Density	Gross Acres	Net Buildable Acres	Dwelling Units	Population (3.42 per HH)
Clustered Rural Residential (RR)	0.2 units per acre	0.00	0.00	0.00	0.00
Lower-Density Residential (LDR)	5 units per acre	64.72	45.30	226.52	774.70
Medium-Density Residential (MDR)	10 units per acre	13.99	9.79	97.93	334.92
Higher-Density Residential (HDR)	18 units per acre	5.63	3.94	70.94	242.61
Mixed-Use (MU)	18 units per acre	0.00	0.00	0.00	0.00
Total		84.34	59.04	395.39	1,352

Table 3 represents the underutilized parcels within the City. Excluded parcels include sites which meet one or more of the following categories:

- Are located such that the provision of public services and infrastructure would be problematic and have significant environmental constraints;
- Have Williamson Act contracts;
- Are planned for schools, parks, or other public uses;
- Are larger than one-half (1/2) acre in size; and
- Have existing structures or improvements that cannot be easily removed without incurring a significant cost (for example, sites containing more than a few outbuildings or a single dwelling).

As shown below, underutilized parcels within the City include 53 acres and have the potential to increase the population by 1,138 persons.

Table 3 – Underutilized Parcels within the City

General Plan Designation	Average Density	Gross Acres	Net Buildable Acres	Dwelling Units	Population (3.42 per HH)
Clustered Rural Residential (RR)	0.2 units per acre	0.00	0.00	0.00	0.00
Lower-Density Residential (LDR)	5 units per acre	36.79	25.75	128.77	440.38
Medium-Density Residential (MDR)	10 units per acre	1.01	0.71	7.07	24.18
Higher-Density Residential (HDR)	18 units per acre	13.38	9.37	168.59	576.57
Mixed-Use (MU)	18 units per acre	2.24	1.57	28.22	96.53
Total		53.42	37.39	332.65	1,138

Table 4 presented below represents vacant and underutilized land within the Downtown Specific Plan (“DTSP”). Most notably, the Cannery Site, which is a 28 acre Mixed Use plan area. These sites within the Downtown Specific Plan can potentially increase the population by 1,404 persons.

Table 4 – Vacant and Underutilized Parcels within the DTSP

General Plan Designation	Average Density	Gross Acres	Net Buildable Acres	Dwelling Units	Population (3.42 per HH)
Clustered Rural Residential (RR)	0.2 units per acre	0.00	0.00	0.00	0.00
Lower-Density Residential (LDR)	5 units per acre	0.00	0.00	0.00	0.00
Medium-Density Residential (MDR)	10 units per acre	0.22	0.15	1.54	5.27
Higher-Density Residential (HDR)	18 units per acre	0.55	0.39	6.93	23.70
Mixed-Use (MU)	18 units per acre	31.90	22.33	401.94	1,374.63
Total		32.67	22.87	410.41	1,404

In total, the vacant and underutilized parcels, including those parcels located within the Downtown Specific Plan, could potentially increase the population by 3,893 persons at build-out. Table 5 below represents the total acres and population increase as a result of the build-out of vacant and underutilized sites within the City.

Table 5 – Total Vacant and Underutilized Parcels within the City

General Plan Designation	Average Density	Gross Acres	Net Buildable Acres	Dwelling Units	Population (3.42 per HH)
Clustered Rural Residential (RR)	0.2 units per acre	0.00	0.00	0.00	0.00
Lower-Density Residential (LDR)	5 units per acre	101.51	71.06	355.29	1215.07
Medium-Density Residential (MDR)	10 units per acre	15.22	10.65	106.54	364.37
Higher-Density Residential (HDR)	18 units per acre	19.56	13.69	246.46	842.88
Mixed-Use (MU)	18 units per acre	34.14	23.90	430.16	1471.16
Total		170.43	119.30	1138.45	3,893

Effects of the Build-Out of Riverbank (Lands within the City Limits)

The potential increase in population as a result of the build-out of vacant and underutilized parcels within the City, as shown in Table 5 above, is 3,893 persons. The current population, as estimated by the Department of Finance and shown in Table 1 is 23,485. Including the potential build-out of lands within the City limits, as shown in the tables above, the population could increase to 27,378. Taking into account the population projections for the City included in Table 1 (Current and Projected

Population), the City could reach this point in population by the year 2020. The proposed SOI expansion includes the expansion of the City's Primary Area of Influence and would ensure that the City has adequate land to reasonably expand beyond the date above. As discussed below, the Primary Area of Influence includes areas within the proposed Crossroads West Specific Plan and areas east of the Riverbank Industrial Complex. There is a mixture of land uses in both of these areas that would accommodate Riverbank's growth, including residential, industrial and commercial.

Crossroads West Specific Plan

The Crossroads West Specific Plan is a proposed specific plan containing approximately 386 acres, located west of Oakdale Road, on the western edge of the City, in unincorporated Stanislaus County. This area is in addition to the existing specific plan known as the Crossroad Specific Plan.

The proposed Crossroads West Specific Plan area is generally bounded by Modesto Irrigation District ("MID") Lateral #6 to the north, Oakdale Road to the east, Claribel Road to the south and ranch/agriculture properties to the west. It is identified in the 2025 General Plan as a mix of land uses, including commercial, civic, low density to high density residential and the location of a Regional Sports Complex along Eleanor Avenue. The proposed 386-acre specific plan accommodates this mix of land uses and is an area of future growth for the City. The proposed Crossroads West Specific Plan area is located within the Primary Area of Influence in the proposed SOI expansion.

Sphere of Influence Capacity

The City of Riverbank has projected land use demands through the City's 2025 General Plan and is shown in Tables 6 through 11. This acreage is categorized by the expansion of the Primary Area, proposed SOI expansion and total SOI as a result. As a result, the following land use assumptions intend to accommodate the City's long-term demands over the next 20 years and beyond. Each land use density is determined by the General Plan build-out assumptions and population totals are calculated utilizing the U.S. Census, 2010 Census for persons per household. The following tables are organized and result in the following:

- Current SOI – 708 acres
- Expansion of Primary Area – 758 acres
 - *Crossroads West - 404 acres*
 - *East Industrial Area – 353 acres*
- Expansion of Sphere of Influence – 722 acres
 - *West to Coffee Road – 485 acres*
 - *East past Eleanor Avenue – 237 acres*
- Total SOI, including current SOI – 2,187 acres

Population projections below utilize the City's General Plan build-out assumptions as well as U.S. Census, 2010 census data. The following list of assumptions was used:

- Average Density for each General Plan Designation matches the City's General Plan assumptions for General Plan build-out.
- Total gross acres include all properties within the Sphere of Influence, including Primary Area and Future Growth Area. Street Right-of-Way is assumed to be 98 acres within the current SOI. The calculated right-of-way within the Primary SOI and SOI is 163.39 acres.
- Net Buildable Acres is calculated as seventy (70) percent of the Gross Acres and assumes no net loss of acres for land uses such as Buffer/Greenway/Open Space and Parks.
- Population is calculated utilizing the U.S. Census, 2010 Census data for persons per household (3.42).
- Building square footage matches the City's General Plan build-out density of 0.25 FAR.
- Square footages were determined through the Stanislaus County Geographical Information System ("GIS") and Assessor's Parcel Number ("APN").

Population projections for the proposed SOI expansion are detailed below. The City's current SOI, as shown in Table 6 below, includes 708 acres. At build-out, this could equate to an increase in population of 7,442 in addition to a new industrial/business park and commercial square footage of 838,639 square feet. Out of the 708 acres, 59.5 acres are currently developed to full potential, including the River Heights Subdivision and parcels located within the eastern section of Riverbank.

Table 6 – Current Sphere of Influence

General Designation	Plan	Average Density	Gross Acres	Net Buildable Acres	Dwelling Units	Population (3.42 per HH)	Building Sq. Ft.
Clustered Residential (RR)	Rural	0.2 units per acre	0.00	0.00	0.00	0.00	N/A
Lower-Density Residential (LDR)		5 units per acre	246.85	172.79	863.97	2954.79	N/A
Medium-Density Residential (MDR)		10 units per acre	131.24	91.87	918.70	3141.97	N/A
Higher-Density Residential (HDR)		18 units per acre	26.27	18.39	331.00	1132.03	N/A
Mixed-Use (MU)		18 units per acre	4.95	3.47	62.41	213.43	29,054.30
Parks (P)		N/A	5.00	N/A	N/A	N/A	N/A
Buffer/Greenway/Open Space (B/G/OS)		N/A	12.05	N/A	N/A	N/A	N/A
Civic		N/A	10.39	N/A	N/A	N/A	N/A
Multi-Use Recreation/Resource Management (MUR/R)		N/A	4.02	N/A	N/A	N/A	N/A
Community Commercial (CC)		0.25 FAR	0.00	0.00	N/A	N/A	0.00
Industrial / Business Park (I/BP)		0.25 FAR	109.33	76.53	N/A	N/A	809,584.42
BNSF and ROW		N/A	98.10	N/A	N/A	N/A	N/A
River Heights (Developed)		N/A	52.37	N/A	N/A		
East Riverbank Parcels (Developed)		N/A	7.13	N/A	N/A	N/A	N/A
Total			707.70	363.05	2,176	7,442	838,639

As described in Table 6, the proposed SOI expansion includes expanding the City's SOI Primary Area by 758 acres. Table 7 represents the General Plan Land Use Designations of the properties within the proposed expansion and population is calculated as an increase of 8,476 persons at build-out. General Plan Land Uses within the proposed expansion of the Primary Area include a mix of residential at varying densities, commercial and industrial / Business Park.

Table 7 – Proposed Expansion of Primary Area of Influence

General Plan Designation	Average Density	Gross Acres	Net Buildable Acres	Dwelling Units	Population (3.42 per HH)	Commercial Sq. Ft.
Clustered Rural Residential (RR)	0.2 units per acre	0.00	0.00	0.00	0.00	N/A
Lower-Density Residential (LDR)	5 units per acre	203.18	142.23	711.13	2432.06	N/A
Medium-Density Residential (MDR)	10 units per acre	209.26	146.48	1464.83	5009.71	N/A
Higher-Density Residential (HDR)	18 units per acre	18.92	13.24	238.39	815.30	N/A
Mixed-Use (MU)	18 units per acre	5.08	3.56	64.03	218.98	29,809.40
Parks (P)	N/A	48.67	N/A	N/A	N/A	N/A
Buffer/Greenway/Open Space (B/G/OS)	N/A	8.57	N/A	N/A	N/A	N/A
Civic	N/A	34.89	N/A	N/A	N/A	N/A
Multi-Use Recreation/Resource Management (MUR/R)	N/A	13.80	N/A	N/A	N/A	N/A
Community Commercial (CC)	0.25 FAR	87.31	61.12	N/A	N/A	658,373.00
Industrial / Business Park (I/BP)	0.25 FAR	98.76	69.13	N/A	N/A	731,347.43
Right-of-Way	N/A	29.22	N/A	N/A	N/A	N/A
Total		757.66	435.76	2,478.38	8,476	1,419,830

SECTION 3. RELEVANT RIVERBANK GENERAL PLAN POLICIES:

The Riverbank 2005-2025 General Plan includes goals and policies that aim to sustain and preserve existing and future agricultural lands. The Riverbank General Plan Policy states:

Goal LAND-1 – Managed Urban Growth that Benefits the Entire Community.

Policy LAND-1.1 – The City will only allow annexation of land that is: 1) adjacent to existing developed portions of the City, or, 2) adjacent to lands with available urban services and located within an area designated in the General Plan for urban development.

Policy LAND-1.2 – The City supports LAFCO policy to develop vacant and underutilized land within the City prior to entertaining any annexation if such land can meet the same need as the land proposed for annexation.

Goal CONS-3 – Support the Practice of Agriculture and the Resources Associated with Farming in the Riverbank Planning Area and Beyond.

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 Farmland resources, then the project will mitigate for this impact.

Policy CONS-3.2 – Ongoing agricultural practices on fertile lands in the western portion of the Riverbank Planning Area shall be protected from encroachment of urban use through the use of buffers. The buffers should also protect residential development from the effects of existing agricultural operations. The buffer shall be designed to protect the feasibility of ongoing agricultural activities on nearby lands and reduce the effects of noise, dust and the application of agricultural chemicals on residential development. The width of the buffer shall be 300 feet, except that the width of the buffer may be reduced where a project applicant demonstrates that a narrower buffer would protect the feasibility of ongoing agricultural activities on nearby lands and reduce the effects of noise, dust, and the application of agricultural chemicals on residential development. Buffer areas may remain as open space or may be used for storm water management; renewable energy production; community recreation amenities; or any other allowed use consistent with this policy.

In addition, Riverbank anticipates the adoption of a Right to Farm Ordinance, which would contain performance standards for protection of farming uses from encroaching urban uses and establishes that farming uses are not a nuisance but allowed within the context of communities that are developing more non-agricultural uses.

All future annexations to Riverbank will have established agricultural land mitigation programs in accordance with Riverbank General Plan policy and the Stanislaus LAFCO Agricultural Preservation Policy, as described in Section 6, below.

SECTION 4. CONSISTENCY WITH REGIONAL PLANNING EFFORTS:

The proposed Sphere of Influence is consistent with the Riverbank 2005-2025 General Plan, implements the General Plan goals, policies, and objectives, and is essential to accomplishing the General Plan policies related to economic development, job creation, and adequate housing provision.

In addition, the proposed project follows the guidelines of the San Joaquin County Regional Blueprint (the Blueprint), and follows principles of smart growth that are reflected in the Riverbank General Plan itself. The Blueprint allows for increases in

development densities over time to accommodate a growth that is consistent with realities in both communities and the marketplace overall. In addition to this added growth across the region, the Blueprint recognizes that more compact development can be utilized as a more cost effective and sustainable approach to managing urban growth. Specifically, the Riverbank General Plan is consistent with the following Smart Growth Principles that the Blueprint is based upon: creating a range of housing opportunities and choices; creating walkable neighborhoods; fostering distinctive, attractive communities with a strong sense of place; containing a mix of land uses; strengthening and directing development towards existing communities; taking advantage of compact building design; enhancing the economic vitality of the region; and supporting actions that encourage environmental resource management.

SECTION 5. ANALYSIS OF AGRICULTURAL RESOURCES IN THE RIVERBANK 2005-2025 GENERAL PLAN EIR TO OFFSET POTENTIAL IMPACTS:

IMPACT 4.3-1

Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland) to Non-Agricultural Use. Approximately 5,351 acres (62%) of the Riverbank Planning Area consists of important farmland, of which approximately 3,431 acres (40%) is Prime Farmland. Build-out of the proposed General Plan would result in conversion of important farmland resources. This impact would be significant and unavoidable.

Conversion of Prime soils to nonagricultural production uses is considered a significant adverse impact under CEQA. The proposed General Plan allows for the development of urban uses on undeveloped land within the Planning Area, large areas of which are classified by the California Department of Conservation as Prime Farmland, Farmland of Statewide Importance and Unique Farmland. Implementation of the land uses proposed within the Planning Area would result in the conversion of Prime Farmland, Farmland of Statewide Importance, and Unique Farmland to nonagricultural use.

Approximately 5,351 acres (62%) of the Riverbank Planning Area consists of important farmland (Prime Farmland, Unique Farmland, and Farmland of Statewide Importance), of which 3,431 acres (40%) consists of Prime Farmland soils.

Proposed General Plan goals, policies, and implementation programs seek to balance goals for urban growth and development with goals for resource conservation, including agricultural resource conservation. The General Plan update describes anticipated population and employment increases, much of which would occur through growth of the City outward. Riverbank, like most central valley communities, is surrounded by high-quality farmland. Outward urban development of the City in any direction would involve some loss of farmland. Overall, the City's General Plan goals and policies are designed to promote orderly and compact development, that overall reduces the level of unnecessary conversion of agricultural land. The General Plan includes goals and policies that prevent leap-frog development, require clustered development in certain locations, prevent urban sprawl, encourage compact and mixed-use development, promote infill development and revitalization, and protect ongoing agricultural operations from nuisance complaints. Relevant policies are found in the Conservation and Open Space Element and the Land Use Element of the City's General Plan Update. For example:

- ▶ (Policy CONS-3.2) Ongoing agricultural practices on fertile lands in the western portion of the Riverbank Planning Area shall be protected from encroachment of urban use through the use of buffers. Buffers shall be designed to reduce complaints of new residents attributable to noise, dust, odor, and other typical complaints.
- ▶ Policy LAND-1.1: The City will only allow annexation of land that is: 1) adjacent to existing, developed portions of the City, 2) adjacent to lands with available urban services and located within an area designated in the General Plan for urban development, or 3) rural residential land that does not need public infrastructure.
- ▶ Policy LAND-1.2: The City supports LAFCO policy to develop vacant and underutilized land within the City prior to entertaining any annexation if such land can meet the same need as the land proposed for annexation.
- ▶ Policy LAND-1.3: Annexation will be preceded by a City evaluation to determine the level of urban services necessary and financing of infrastructure and services by annexation proponents.
- ▶ Policy LAND-1.4: Existing infrastructure in areas seeking annexation will be evaluated to determine the costs necessary to bring such infrastructure up to City standards.
- ▶ Policy LAND-1.5: The City will pre-zone land within the Sphere of Influence consistent with the General Plan prior to annexation.

Goal Land-5: Full Range of Public Services and Facilities for All Areas of the Community

- ▶ Policy LAND-5.2: Infill development will be given priority to remaining capacity for water supply and delivery, wastewater treatment and conveyance, storm water collection and conveyance, and other services and infrastructure currently in place. Development impact fees shall reflect the existing capacity to serve infill development areas. Any urban development of new growth areas shall plan and finance necessary infrastructure and service expansion to serve those areas.
- ▶ Policy LAND-1.2: The City supports LAFCO policy to develop vacant and underutilized land within the City prior to entertaining any annexation if such land can meet the same need as the land proposed for annexation.
- ▶ Policy LAND-2.3: The City will encourage re-use of vacant or underutilized land in the Infill Opportunity Area through policies that seek to encourage more intense infill development.
- ▶ Policy LAND-3.3: The City will encourage "compact development," which places origination and destination points closer together (residence, stores, schools, places of work, etc.), allowing for alternatives to vehicular travel.

The Land Use Element contains the following designations to assist in protecting agricultural land:

- ▶ **Agricultural Resource Conservation Area (AG)** - This designation provides for ongoing agricultural operations and land uses compatible with ongoing agricultural operations. Generally, this designation occurs in areas with large properties, where agricultural practices are more feasible. This designation also tends to occur in areas with high-quality soils (for cultivation purposes). Examples of land uses compatible with ongoing agricultural operations include equestrian uses, groundwater recharge areas, public infrastructure, farmer's market stands and other on-site sales of local produce, and farmworker housing. The primary purpose of the Agricultural Resource Conservation Area is for agricultural production, related processing, services in support of agriculture, and preservation of other natural resources. Residential uses, such as the farmer's home, in these categories are secondary uses and are permitted on a limited basis to assist and support agriculture.
- ▶ **Clustered Rural Residential** - This category provides an opportunity to preserve usable open space, including ongoing agricultural operations, or to protect natural resource areas. Residential development in this area must be clustered to preserve large and unbroken pieces of property for agriculture or open space, including both cultivation and grazing activities.

Open space may be owned and maintained privately by a homeowner's association or similar mechanism, or by a public entity with ongoing funding for maintenance provided by the project applicant.

The density range of residential development in this area is 0.2 to 1 dwelling unit per acre (one to five acres per dwelling unit). Any residential development in this area requires clustering that retains at least 80% of the parent parcel in unimproved open space use, and is not to be included in any property with a residence or any other urban use. The City recognizes the value of not only open space preservation, but also open space-oriented improvements such as habitat restoration, groundwater recharge areas, and open-space oriented recreational facilities. The City also recognizes that the habitat, agricultural, buffering, topographic, aesthetic/view shed, and other open space considerations of different properties may require different strategies for clustered development. With this recognition, the City, at its sole discretion may allow some flexibility in the density and open space standards in extraordinary situations where high-quality, publicly accessible, open space-oriented uses can be provided consistent with General Plan policy.

Residential lots in a clustered development shall:

- Minimize impacts to agriculture by avoiding development of Prime Farmland (as shown on Department of Conservation maps) or permanently protect other Prime Farmland via an approved irrevocable easement;
- Provide buffers, as necessary, between residential uses and adjacent ongoing agricultural uses;

- Avoid trees, wetlands, and other biological resources;
- Zero net urban storm run-off leaving the site from previous conditions;
- Orient all dwelling units for maximum passive and active solar energy efficiency;
- Locate developed portion of the site as close as possible to existing and planned roadways; and,
- Locate developed portion of the site to optimize the efficiency of, and minimize extension of any necessary infrastructure.

The City has also developed two action plans for addressing direct and indirect agricultural impacts.

- ▶ 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 tie its agricultural land mitigation fee and conservation program to the regional approach, once developed. The City will coordinate with the County and other cities in the area to dedicate some amount of 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.
- ▶ Implementation Strategy CONS-2: The City will adopt a "right-to-farm" ordinance (or adopt the County's right-to-farm ordinance, as appropriate) that informs residents of ongoing agricultural practices at the edges of Riverbank and protects farmers and other agriculture interests from dumping, nuisance complaints, and other problems typically associated with new residents on the City fringe. The City will coordinate with Stanislaus County regarding the design of the County's Right-to-Farm Ordinance to develop consistency, where appropriate.

Enforcement of the General Plan's goals, policies, and land use designations, and the City's pursuit of implementation strategies outlined in the General Plan will assist the City in meeting the goal for reducing the City's encroachment on agricultural properties.

However, the loss of important farmland anticipated under buildout of the General Plan represents a significant and unavoidable impact.

IMPACT

4.3-2

Conflict with Existing Zoning for Agricultural Use, or a Williamson Act Contract. Approximately 2,826 acres (32 %) of the land within the Planning Area is currently in a Williamson Act contract. Build-out of the Planning Area would result in a significant and unavoidable impact.

The Planning Area consists of the city of Riverbank, unincorporated areas west and east of the City, and Jacob Myers Park, which is located across the Stanislaus River in San Joaquin County. Most of the unincorporated land in the Riverbank Planning Area is designated in the Stanislaus County General Plan for Agriculture and zoned for agricultural uses by the County. Urban development of large areas of land zoned for agriculture is considered a potentially significant impact.

Currently, 2,826 acres (32%) of the total Planning Area (8,683 acres) are currently in an active Williamson Act contracts.

The City's General Plan designates much of the land within the Planning Area for future urban use. The General Plan anticipates urban development of large areas east and west of the existing developed city. However, the General Plan also designates approximately 1,300 acres of the land (the majority of which is in an active Williamson Act contract) as Agricultural Resource Conservation Areas, which will be preserved for future agricultural use and other uses compatible with ongoing agricultural use.

Development permitted under the proposed General Plan would involve lands currently held in active Williamson Act contracts in the Planning Area. Therefore, a potentially-significant impact as a result of a conflict with Williamson Act contracts could occur. However, Williamson Act contracts are strictly voluntary, and the proposed General Plan does not obligate any land owner within the Planning Area to file for non-renewal or early cancellation of Williamson Act contracts, although land owners may be encouraged to do so in anticipation of urban growth.

Proposed General Plan goals, policies, and implementation programs seek to address the impact of new development and their infringement upon existing agricultural resources in the City's proposed Planning Area, as noted under Impact 4.3-1. Enforcement of the following goals, policies, and land use designations, and pursuit of Implementation Strategies will assist the City in meeting the goal for reducing the City's encroachment on agricultural properties. However, urban development of large areas of land with Williamson Act contracts and agricultural zoning, as anticipated under the General Plan, represents a significant impact.

Although policies can mitigate impacts by preserving other agricultural lands or limiting urban expansion compared to what might occur without the City's General Plan policies and implementation measures, the direct impacts cannot be adequately addressed through mitigation. The impact is significant and unavoidable.

IMPACT
4.3-3

Involve Other Changes in the Existing Environment Which, Due to Their Location or Nature, Could Result in Conversion of Farmland, to Non-Agricultural Use. The City's

Planning Area includes a large amount of agricultural land, with urban land use designations. Future urban development within this area would result in the conversion adjacent farmland properties. This impact would be significant and unavoidable.

New urban development can make farming more difficult or costly due to conflicts between urban and agricultural activities. For example, residents may complain about noise, dust, odors and low-flying aircraft. Increased restrictions on agriculture processes and other aspects of urban encroachment on agricultural areas can lower productivity, increase costs, and otherwise impair agricultural operations.

Urban uses can create soil erosion, add vehicular traffic that makes movement of agricultural equipment more difficult, and create air pollution that can be harmful crops in certain instances. Urban activities can result in vandalism and the introduction of domestic animals that may disturb certain agricultural activities. Urban uses can drive up the potential value of properties, creating pressure to convert agricultural land to urban use. One or a combination of these conflicts could limit agricultural activities or encourage farmers to take their land out of agricultural production, resulting in adverse impacts to agricultural resources in the Riverbank Planning Area.

As previously discussed, there are many policies and regulatory mechanisms at the City and County level designed to prevent against unnecessary conversion of agricultural land use urban use. The County's Right-to-Farm Ordinance prevents against conflicts between urban and agricultural uses that may adversely affect ongoing agricultural operations.

The proposed General Plan contains several policies to help minimize conflicts between agricultural and urban uses and an implementation measure to develop a similar right-to-farm program:

- ▶ **Implementation Strategy CONS-2:** The City will adopt a "right-to-farm" ordinance (or adopt the County's right-to-farm ordinance, as appropriate) that informs residents of ongoing agricultural practices at the edges of Riverbank and protects farmers and other agriculture interests from dumping, nuisance complaints, and other Riverbank and protects farmers and other agriculture interests from dumping, nuisance complaints, and other

County regarding the design of the County's Right-to-Farm Ordinance to develop consistency, where appropriate.

Policies are also contained in the proposed General Plan addressing transitional areas between urban uses and ongoing agricultural operations, including use of the Multi-Use Recreation/Resource Management designation in western portions of the Planning Area between planned urban development and ongoing agricultural operations and the use of clustering to buffer between these potentially incompatible land uses:

- ▶ **Multi-Use Recreation/Resource Management (MUR/R):** This designation would provide opportunities for storm water management and community recreation amenities. This area would accommodate storm water detention facilities, groundwater recharge areas, trails, benches, and other passive recreational

areas. Areas designated MUR/R could act as a buffer between ongoing agriculture and new residential areas and provide an identifiable and permanent boundary to outward expansion of the City. It is expected areas used between new growth areas and ongoing agricultural operations would be a minimum of 300 feet in width.

- ▶ **Clustered Rural Residential:** This category provides an opportunity to preserve usable open space, including ongoing agricultural operations, or to protect natural resource areas. Residential development in this area must be clustered to preserve large and unbroken pieces of property for agriculture or open space, including both cultivation and grazing activities.

Open space may be owned and maintained privately by a homeowner's association or similar mechanism, or by a public entity with ongoing funding for maintenance provided by the project applicant.

The density range of residential development in this area is 0.2 to 1 dwelling unit per acre (one to five acres per dwelling unit). Any residential development in this area requires clustering that retains at least 80% of the parent parcel in unimproved open space use, and is not to be included in any property with a residence or any other urban use. The City recognizes the value of not only open space preservation, but also open space-oriented improvements such as habitat restoration, groundwater recharge areas, and open-space oriented recreational facilities. The City also recognizes that the habitat, agricultural, buffering, topographic, aesthetic/view shed, and other open space considerations of different properties may require different strategies for clustered development. With this recognition, the City, at its sole discretion may allow some flexibility in the density and open space standards in extraordinary situations where high-quality, publicly accessible, open space-oriented uses can be provided consistent with General Plan policy.

Residential lots in a clustered development shall:

- Minimize impacts to agriculture by avoiding development of Prime Farmland (as shown on Department of Conservation maps) or permanently protect other Prime Farmland via an approved irrevocable easement;
- Provide buffers, as necessary, between residential uses and adjacent ongoing agricultural uses;
- Avoid trees, wetlands, and other biological resources;
- Zero net urban storm run-off leaving the site from previous conditions;
- Orient all dwelling units for maximum passive and active solar energy efficiency;
- Locate developed portion of the site as close as possible to existing and planned roadways; and,

- Locate developed portion of the site to optimize the efficiency of, and minimize extension of any necessary infrastructure.

Please refer to the proposed Land Use Diagram for illustration of the placement of the above described land uses relative to the overall Planning Area and surrounding agricultural lands.

City policies are designed to support the continuation of working farmland and agricultural land, and to reduce to the extent feasible the potential impacts resulting from the development of urban uses adjacent to agricultural uses. However, given the amount of land in this agricultural area anticipated for urban development under this General Plan and the potential effects of urban development on adjacent agricultural land, the impact is considered significant and unavoidable.

Stanislaus LAFCO Agricultural Preservation Policy, adopted on September 26, 2012, do not require commercial development to provide agricultural offsets. In this context, the City of Riverbank will require all residential parcels proposed for annexation mitigated for AG land loss.

With implementation of this Sustainable Agricultural Strategy, preservation of similar quality farmland would be permanently preserved within the region, occurring at a 1:1 ratio of the amount of farmland converted for residential uses to the amount of farmland preserved. This strategy would offset agricultural impacts that would result from development of residential parcels annexed into Riverbank.

SECTION 6. METHOD OR STRATEGY PROPOSED TO MINIMIZE LOSS OF AGRICULTURAL LANDS:

The City has established policies and implementation programs to minimize the loss of agricultural lands through implementation of the Riverbank 2005-2025 as restated above, for Agricultural Preservation that was developed in accordance with the City's goals to facilitate revenue and job generating uses, and LAFCO policy. The Plan for AG preservation is as follows:

- Properties granted discretionary approval of residential development entitlements that are located on lands designated as Prime Farmland, Farmland of Statewide Importance, or Unique Farmland by the FMMP, shall be conditioned to cause the permanent preservation of similar quality farmland at a 1:1 ratio of the gross amount of farmland converted to the amount of farmland preserved. The acreage requiring mitigation shall be equal to that portion of the residential parcel subject to the discretionary development entitlement designated as Prime Farmland, Farmland of Statewide Importance, or Unique Farmland.
- Permanent preservation shall consist of the purchase of agricultural conservation easements granted in perpetuity from willing seller(s), enforceable deed restrictions, purchase of banked mitigation credits, or other conservation mechanisms acceptable to the City.
- Land set aside for permanent preservation shall: (1) be of equal or better soil quality, have a dependable and sustainable supply of irrigation water, and be

located within Stanislaus County; and (2) not be previously encumbered by a conservation easement of any nature.

- The land mitigation requirement shall be satisfied prior to City issuance of a grading permit, building permits, or final map approval on the subject residential property. The permanent protection of farmland may be accomplished by either: (1) the landowner/developer may work directly with an established farmland trust or similar organization, and provide certification satisfactory to the City that such lands have been permanently preserved at the specified ratio; or (2) it is the City's intent to work with a qualified land trust or similar organization to establish a fee for agricultural land conservation easements. When available, this program would allow for the landowner/developer to pay a fee directly to the City to provide for the required mitigation.

In addition, the Riverbank City Council may explore the opportunities associated with the creation of a permanent Urban Limit Line westerly of Coffee Road. The purpose of this Permanent Urban Limit line would be to commit to a permanent strategy of Agricultural Preservation westerly of the proposed Sphere of Influence. This process would involve a vote of the people and may be initiated by the City Council in the future.

SECTION 7. ALTERNATIVE LAND WITHIN THE PROPOSED SPHERE OF INFLUENCE:

No alternatives are available within the City's proposed SOI which meet the following objectives:

- **Strengthened Commercial Base.** Create a high quality commercial/mixed use corridor along Oakdale Road that strengthens the City's commercial base, and provides goods and services to residents on the west side of town and beyond.
- **Diverse Residential Neighborhoods.** Establish walkable residential neighborhoods that offer a variety of housing types, accommodate all income levels, and help the City achieve its Regional Housing Needs Allocation (RHNA).
- **Blueprint.** Provide for development that helps to further the San Joaquin Valley Blueprint Smart Growth Principles.
- **Conversion of Developed Properties.** Allow opportunities for the reuse of underutilized parcels in the proposed SOI for more economically productive purposes.
- **Creation of Industrial opportunities** to expand the over-all job base for rail served industrial development and promoting healthy jobs to housing balance community-wide.
- **Distinct City Gateway.** Create a distinct sense of arrival and positive physical image for Riverbank at the western and eastern edges of the City.