



**STANISLAUS LAFCO  
LOCAL AGENCY FORMATION COMMISSION**

**Sara Lytle-Pinhey, Executive Officer**  
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**Chair Richard O'Brien, City Member**  
**Vice Chair Vito Chiesa, County Member**  
Terry Withrow, County Member  
Amy Bublak, City Member  
Ken Lane, Public Member  
Javier Lopez, Alternate City Member  
Mani Grewal, Alternate County Member  
Bill Berryhill, Alternate Public Member

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**AGENDA**  
**Wednesday, July 26, 2023**  
**6:00 P.M.**  
**Joint Chambers—Basement Level**  
**1010 10<sup>th</sup> Street, Modesto, California 95354**

- Members of the public may attend this meeting in person.
- You can also observe the live stream of the LAFCO meeting at:  
<http://www.stancounty.com/sclive/>
- In addition, LAFCO meetings are broadcast live on local cable television. A list of cable channels is available at the following website:  
<http://www.stancounty.com/planning/broadcasting.shtm>

**1. CALL TO ORDER**

- A. Pledge of Allegiance to the Flag.
- B. Introduction of Commissioners and Staff.

**2. PUBLIC COMMENT PERIOD**

This is the period in which persons may comment on items that are not listed on the regular agenda. All persons wishing to speak during this public comment portion of the meeting are asked to fill out a "Speaker Card" and provide it to the Commission Clerk. Each speaker will be limited to a three-minute presentation. No action will be taken by the Commission as a result of any item presented during the public comment period.

**3. CORRESPONDENCE**

No correspondence addressed to the Commission, individual Commissioners or staff will be accepted and/or considered unless it has been signed by the author, or sufficiently identifies the person or persons responsible for its creation and submittal.

- A. Specific Correspondence.
- B. Informational Correspondence.

[C. In the News](#)

**4. DECLARATION OF CONFLICTS AND DISQUALIFICATIONS**

**5. CONSENT ITEM**

The following consent items are expected to be routine and non-controversial and will be acted upon by the Commission at one time without discussion unless a request has been received prior to the discussion of the matter.

- A. **MINUTES OF THE MAY 24, 2023, LAFCO MEETING**  
(Staff Recommendation: Accept the Minutes.)

**6. PUBLIC HEARING**

Any member of the public may address the Commission with respect to a scheduled public hearing item. Comments should be limited to no more than three (3) minutes unless additional time is permitted by the Chair. All persons wishing to speak are asked to fill out a "Speaker Card" and provide it to the Commission Clerk.

- A. **MUNICIPAL SERVICE REVIEW NO. 2023-02, SPHERE OF INFLUENCE MODIFICATION NO. 2023-02, & LAFCO APPLICATION NO. 2023-01 – ZACHARIAS-BALDWIN MASTER PLAN REORGANIZATION TO THE CITY OF PATTERSON:** The Commission will consider the City of Patterson's request to annex approximately 1,375 acres to the City and simultaneously detach the area from the West Stanislaus Fire Protection District, West Stanislaus Irrigation District, Patterson Irrigation District and Del Puerto Water District. The project is comprised of three areas. Area "A" is 1,279 acres generally located north of the City limits and south of Zacharias Road, west of Ward Avenue, and east of Rogers Road. Area "B" consists of 30 acres located south of Del Puerto Creek, west of Rogers Road, north of Zacharias Road and east of the Delta Mendota Canal. Area "C" includes 66 acres located south of the City limits, west of Ward Avenue, contiguous to the Delta Mendota Canal. The proposal includes a corresponding request for a Sphere of Influence expansion and a Municipal Service Review Update. The Commission, as a Responsible Agency, will also consider the Environmental Impact Report and determinations made by the City of Patterson, as Lead Agency, pursuant to the California Environmental Quality Act. (Staff Recommendation: Deny the request without prejudice and adopt Resolution No. 2023-08 – Option 1.)

**7. OTHER BUSINESS**

None.

**8. COMMISSIONER COMMENTS**

Commission Members may provide comments regarding LAFCO matters.

**9. ADDITIONAL MATTERS AT THE DISCRETION OF THE CHAIRPERSON**

The Commission Chair may announce additional matters regarding LAFCO matters.

**10. EXECUTIVE OFFICER'S REPORT**

The Commission will receive a verbal report from the Executive Officer regarding current staff activities.

- A. On the Horizon.

**11. ADJOURNMENT**

- A. Set the next meeting date of the Commission for August 23, 2023.

B. Adjournment.

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**LAFCO Disclosure Requirements**

**Disclosure of Campaign Contributions:** If you wish to participate in a LAFCO proceeding, you are prohibited from making a campaign contribution of more than \$250 to any commissioner or alternate. This prohibition begins on the date you begin to actively support or oppose an application before LAFCO and continues until three months after a final decision is rendered by LAFCO. No commissioner or alternate may solicit or accept a campaign contribution of more than \$250 from you or your agent during this period if the commissioner or alternate knows, or has reason to know, that you will participate in the proceedings. If you or your agent have made a contribution of more than \$250 to any commissioner or alternate during the twelve (12) months preceding the decision, that commissioner or alternate must disqualify himself or herself from the decision. However, disqualification is not required if the commissioner or alternate returns the campaign contribution within thirty (30) days of learning both about the contribution and the fact that you are a participant in the proceedings.

**Lobbying Disclosure:** Any person or group lobbying the Commission or the Executive Officer in regard to an application before LAFCO must file a declaration prior to the hearing on the LAFCO application or at the time of the hearing if that is the initial contact. Any lobbyist speaking at the LAFCO hearing must so identify themselves as lobbyists and identify on the record the name of the person or entity making payment to them.

**Disclosure of Political Expenditures and Contributions Regarding LAFCO Proceedings:** If the proponents or opponents of a LAFCO proposal spend \$1,000 with respect to that proposal, they must report their contributions of \$100 or more and all of their expenditures under the rules of the Political Reform Act for local initiative measures to the LAFCO Office.

**LAFCO Action in Court:** All persons are invited to testify and submit written comments to the Commission. If you challenge a LAFCO action in court, you may be limited to issues raised at the public hearing or submitted as written comments prior to the close of the public hearing. All written materials received by staff 24 hours before the hearing will be distributed to the Commission.

**Reasonable Accommodations:** In compliance with the Americans with Disabilities Act, hearing devices are available for public use. If hearing devices are needed, please contact the LAFCO Clerk at 525-7660. Notification 24 hours prior to the meeting will enable the Clerk to make arrangements.

**Alternative Formats:** If requested, the agenda will be made available in alternative formats to persons with a disability, as required by Section 202 of the Americans with Disabilities Act of 1990 (42 USC 12132) and the Federal rules and regulations adopted in implementation thereof.

**Notice Regarding Non-English Speakers:** Pursuant to California Constitution Article III, Section IV, establishing English as the official language for the State of California, and in accordance with California Code of Civil Procedure Section 185 which requires proceedings before any State Court to be in English, notice is hereby given that all proceedings before the Local Agency Formation Commission shall be in English and anyone wishing to address the Commission is required to have a translator present who will take an oath to make an accurate translation from any language not English into the English language.

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## **IN THE NEWS**

### **Newspaper Articles**

- The Modesto Bee, June 27, 2023, “Ballot measure seeks to stop 2,400-home project that would expand Riverbank to McHenry.”
- The Modesto Bee, June 29, 2023, “Turlock groundwater agency secures \$9 million grant. What will it use the money for?”
- The Modesto Bee, July 6, 2023, “Orestimba Creek threatened Newman last winter. This project will ease risk, and boost aquifer.”
- The Ceres Courier, July 11, 2023, “Mosquito district battling pests which pose threat to some folks.”
- The Modesto Bee, July 12, 2023, “The fire district in Stanislaus County is raising development fees. What are the new costs?”
- The Modesto Bee, July 16, 2023, “South Modesto gets \$5M in state funding for neighborhood improvements in disadvantaged areas.”

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IN THE NEWS – The Modesto Bee, June 27, 2023

## Ballot measure seeks to stop 2,400-home project that would expand Riverbank to McHenry

BY John Holland

Opponents have launched a ballot measure against a 2,400-home project that would greatly expand Riverbank to the west.

The River Walk development also would bring businesses and parks to 993 acres that are now mostly farmland. It would stretch west to McHenry Avenue, north to the Stanislaus River and south to Patterson Road.

The measure would require voter approval of River Walk and most other future projects west of the current Riverbank city limit. That line is about halfway between Coffee and Oakdale roads.

A local group called Voters for Farmland filed the paperwork allowing signature-gathering to start Friday, June 23. Under state law, it needs at least 10% of the registered voters in Riverbank over 180 days.

River Walk critics have said this land is a key part of the region's food industry and especially well-suited to recharging groundwater during storms.

"It's some of the best — if not the best — farmland and permeable soils we have in the Valley," co-organizer Denny Jackman said in a phone interview Monday. He is a former Modesto councilman long involved in farmland preservation.

Riverbank voters could see the measure on the November 2024 ballot, unless the City Council declares a special election earlier. Supporters first need to collect at least 1,280 valid signatures.

Mayor Richard O'Brien said by email Tuesday that he does not yet have a position on River Walk, including whether it would burden city services.

"As for the urban growth boundary initiative, I believe in property rights for landowners," he added. "An urban growth boundary being imposed against the wishes of the property owners would violate their property rights."

Councilwoman Rachel Hernandez emailed that she has no opinion yet on either River Walk or the ballot measure. Councilman Luis Uribe declined to comment. Members Darlene Barber-Martinez and Leanne Jones Cruz did not respond as of early afternoon.

A representative of the developers could not be reached. The land has several owners who farm nuts, fruits and other crops. They propose mostly low-density housing, along with areas of medium and high-density homes, some of them a short walk to businesses.

### RIVER WALK PROCESS BEGAN TWO YEARS AGO

River Walk was announced in June 2021, when the city staff began the environmental review process. It was expected to result in the 2022 release of a draft report on impacts to farmland, roads, water supplies, wildlife and other concerns. That document is still not out.

The release will kick off a period for public comment, followed by revision of the report to address the concerns. The project would then go before the Riverbank Planning Commission, which would make a recommendation to the City Council.

## **IN THE NEWS – The Modesto Bee, June 27, 2023, Continued**

The last step would be the Stanislaus County Local Agency Formation Commission. It rules on annexations to cities, including effects on farmland.

The ballot initiative would apply to westward annexations not approved by LAFCO as of July 1 of this year. River Walk conceivably could make it through that stage in the next year or so, only to become subject to a vote of the electorate following the measure's approval.

It would exempt projects in support of agriculture, such as farmworker housing. It also would allow construction of other homes aimed at meeting California's mandate for affordable housing, if state officials sign off on each project.

River Walk would increase the number of homes in Riverbank by about 30%. The city now has about 25,000 residents.

The annexation would include not just the 993 acres for River Walk but an additional 529 just to the south, where development decisions would be deferred. This area has long frontages on McHenry Avenue and Patterson Road. A 150-acre solar plant is in the southwest corner.

### **DEVELOPMENT WOULD INCLUDE HOMES FOR PEOPLE OF ALL AGES**

River Walk was outlined in a virtual public presentation by consultant Steve McMurtry two years ago. He said it would offer a mix of housing densities suited to young families, seniors and other residents. He is a principal planner for De Novo Planning Group, based in El Dorado Hills.

The plan includes:

1,550 low-density homes, up to eight per acre, on a total of 366 acres

702 medium-density homes, up to 16 per acre, on a total of 54 acres

180 high-density homes, averaging 18 per acre, on a total of 10 acres

71 acres of "mixed use," including retail, services and housing close to one another

60 acres of open space along the bluff overlooking the river, which would have habitat protections and trails

44 acres of parkland in other spots.

Part of River Walk would be for residents 55 and older. They could find services close by and drive electric golf carts charged on site, McMurtry said.

### **OTHER PLACES TO BUILD HOMES IN RIVERBANK**

Farmland advocates see the River Walk area as a key buffer between Riverbank and north Modesto. They say Riverbank still has plenty of vacant home sites from past annexations. They are mostly just east and west of the current eastern boundaries. Most of the current construction is in a new phase of the Crossroads area at the south end of town.

Riverbank has a modest amount of downtown housing, which could grow under a plan approved in 2015. At the district's west edge is a former cannery where a walkable mix of homes and businesses was envisioned. The city has since leased the site to a cannabis company over 20 years.

River Walk opponents have spoken at numerous city and LAFCO meetings over the past year. The matter has not been on any agendas, so officials could not respond in detail.

**IN THE NEWS – The Modesto Bee, June 27, 2023, Continued**

Hernandez, who is also vice mayor, said she will consider these comments and other information as River Walk advances.

“I am keeping an open line of communication so that I can make the most informed decision,” she said.

## Expansion

*Riverbank proposes to expand into an area bounded by Patterson Road on the south, McHenry Avenue on the west and the Stanislaus River on the north. The dark green portion would get about 2,400 homes and other development in a specific plan now out for public comment. The light green portion would be reserved for future land-use decisions.*



The map shows the Stanislaus River flowing from the top left towards the right. A red line follows the river's course. A green-shaded area is bounded by McHenry Ave. to the west, Patterson Rd. to the south, and the Stanislaus River to the north. A black circle with a white dot and a line pointing to the green area is labeled "Proposed expansion area". The area is divided into dark green (immediate development) and light green (future development). Major roads shown include McHenry Ave., Patterson Rd., Claribel Rd., Oakdale Rd., and Claus Rd. Highway shields for 108 and 219 are also present. The labels "Riverbank" and "Modesto" are at the bottom of the map area.

Source: City of Riverbank

Laurie McAdam THE MODESTO BEE



IN THE NEWS – The Modesto Bee, June 29, 2023

## **Turlock groundwater agency secures \$9 million grant. What will it use the money for?**

BY Hamera Shabbir

A water agency that serves part of Stanislaus and Merced counties is using a grant of nearly \$9 million to work on sustainable groundwater management.

Its efforts include evaluating alternative cropping practices and opportunities for floodplain reconnection.

“We knew that we were going to have to cut back on pumping,” said Mike Tietze, general manager of the East Turlock Subbasin Groundwater Sustainability Agency. “And that necessarily meant land conversion. ... Our view really was that the concepts that we came up with were concepts that are sound and that we would implement regardless of if we get the grant, and we got the grant” of \$8.89 million.

As part of the state Department of Conservation’s Multibenefit Land Repurposing Program, four organizations received a combined \$35 million. The grant funding aims to support regional transitions to sustainable groundwater management.

With its award, the East Turlock agency plans to reduce groundwater demand and increase recharge to provide environmental and economic benefits. The member agencies of the East Turlock agency are Stanislaus County, the Ballico-Cortez Water District, the Eastside Water District, Merced County and the Merced Irrigation District.

### WET WINTERS LIKE 2023’S ARE CRUCIAL TO RECHARGING AQUIFERS

The Turlock agency’s proposal focuses on transitioning agricultural land for new uses.

David Shabazian, director of the California Department of Conservation, noted the importance of floodplain reactivation, one of the strategies the agency hopes to implement. In wet years like 2023, floodplain reactivation can help recharge aquifers while also reducing the demand for water, according to Shabazian.

The agency also will identify possible sites for orchard swale rewilding, a form of ecological restoration. This will target low-lying marshy areas in orchards and transition these sites toward a more sustainable landscape. Combined with other mechanisms, like check dams, this strategy can help retain water and decrease the rate of runoff, according to Tietze.

“More of that water will be held for a longer period of time and released more slowly, so that downstream we should see a flood severity improvement,” Tietze said.

The agency also will evaluate potential solar power projects on agricultural land.

Ward Burroughs, Eastside Water District Chairman and an almond farmer, said that for farmers, land is not just about the money it produces. This plan will help farmers utilize resources as they “figure out a way to use that land to get better results.”

A presentation accessible online and given during the Turlock agency’s meeting Thursday, June 22, highlighted various benefits the land repurposing strategy considers. Some of these benefits involve recharge, reduction in demand, improved water quality and climate change resilience.

## **IN THE NEWS – The Modesto Bee, June 29, 2023, Continued**

“This substantial funding represents a significant step towards our goal of securing reliable and sustainable water supplies for the communities in Senate District 4,” Senator Marie Alvarado-Gil said in a press release. “The East Turlock Groundwater Sustainability Agency has consistently demonstrated its dedication to addressing water challenges, and I am confident that this investment will propel their efforts to new heights.”

To bring this plan to life, the East Turlock agency will work with Sustainable Conservation, a nonprofit focused on solving environmental challenges in California, to incorporate multi-benefit strategies. Tietze noted that Sustainable Conservation is helping the agency to refine a groundwater resource assessment tool.

The Merced Subbasin Groundwater Sustainability Agency also received the MLRP grant. According to Tietze, leaders from Merced and the East Turlock agency are considering what working together may look like.

### **GROUNDWATER IS NEARLY HALF OF TURLOCK SUBBASIN’S WATER SUPPLY**

Shabazian grew up on a farm on the east side of Turlock and emphasized the value the Multibenefit Land Repurposing Program can provide communities in agricultural areas.

“That’s really where the Multibenefit Land Repurposing Program is important because it is about supporting communities through different ways of using the landscape when you are unable to irrigate those lands the way you have in the past,” Shabazian said.

The Turlock Subbasin is listed as a “high” priority basin, according to the Sustainable Groundwater Management Act Basin Prioritization Dashboard. According to the database, 49% of the subbasin’s total water supply was groundwater.

Alvarado-Gil also emphasized the “importance of local and regional strategies.” Out of the four recipients of the Multibenefit Land Repurposing Program’s recent round of funding, three are in the Central Valley, which has experienced intense falling groundwater levels.

Shanna Atherton-Bauer, land conservation programs manager for the Department of Conservation, described the East Turlock agency’s plan as “representative” of other applications the state received.

“This application really brought together multiple partners in the region to think about this work,” Atherton-Bauer said. “Not just water agencies, but organizations that are interested in habitat and conservation.”

Over 200,000 people live in the Turlock subbasin, according to the SGMA dashboard.

IN THE NEWS – The Modesto Bee, July 6, 2023

## **Orestimba Creek threatened Newman last winter. This project will ease risk, and boost aquifer**

By John Holland

Officials broke ground near Newman on a \$9.9 million project aimed at easing the flood threat on Orestimba Creek.

It will divert some of the high flows to about 80 acres of new ponds that will percolate into groundwater. They are scheduled to be ready by June 2024, funded by the State Water Resources Control Board and other sources.

Orestimba is often barely a trickle as it runs out of Stanislaus County's western hills to the San Joaquin River. Last winter, massive rainstorms caused the creek to flood several roads. The city of Newman was not damaged, but a nursing home was evacuated for few weeks as a precaution.

The June 29 ground-breaking was along Orestimba Creek Road about two miles west of Newman. The project is being built by the Del Puerto Water District and the Central California Irrigation District. Together, they serve about 190,000 acres of farmland on the West Side.

The districts have a permit from the board to capture up to 3,500 acre-feet of water annually. An acre-foot is enough to cover an acre a foot deep.

The districts get their main supplies from the San Joaquin, delivered via the federal Delta-Mendota Canal. In future years with abundant water, they will send some to the percolation ponds for use in future droughts.

The state provided a total of \$6.4 million from two programs funded by Proposition 1, a \$7.5 billion bond issue approved by voters in 2014.

The project also got \$1.5 million from CCID, \$1 million from Del Puerto and another \$1 million from the \$1.2 trillion infrastructure package signed by President Joe Biden in 2021.

"It is amazing to see the collaboration on this project," CCID General Manager Jarrett Martin said in a news release. "Not only are we providing water resiliency per the Sustainable Groundwater Management Act, we are providing some flood protection to our community and improving the water quality of the domestic water supply. Everyone wins."

Anthea Hansen, general manager at Del Puerto, said the districts spent nine years planning the project. This included engineering, funding, environmental study, water rights and permits.

"This locally owned groundwater storage is a first for the Del Puerto District and its landowners," Hansen said, "and I hope we can take what we learned and use it as a model for other potential groundwater storage partnership opportunities in the region."

Recharge has gained wide support because it is quicker and cheaper than building dams to reduce flooding. The Turlock Irrigation District is in the midst of a pilot project that spreads city storm runoff onto farms. Several districts are urging farmers to take extra water this year so it seeps into the ground.

### **IN THE NEWS – The Modesto Bee, July 6, 2023, Continued**

The winter storms prompted other state investments in groundwater recharge in the new fiscal year. This includes \$40 million to the nonprofit River Partners for floodplain restoration in the San Joaquin Valley. It will enhance wildlife habitat while letting water spread far from homes.

A notable model is Dos Rios Ranch, a 2,100-acre expanse where the San Joaquin meets the Tuolumne River southwest of Modesto. River Partners has worked on it with the Tuolumne River Trust and several public agencies.

**IN THE NEWS – The Ceres Courier, July 11, 2023**

## **Mosquito district battling pests which pose threat to some folks**

By Joe Cortez

If you hear a low-flying plane, it's most likely an effort to combat mosquitos.

The Turlock Mosquito Abatement District has been conducting aerial spraying in Ceres, Turlock, Denair and Newman.

So far this year in the TMAD, 16 mosquito samples have tested positive for West Nile Virus — up from seven in the last report, according to vector biologist Monica Patterson. Three birds have tested positive for West Nile Virus in Ceres, including Ceres River Bluff Regional Park as recently as July 6; Smyrna Park on June 20 and in the Morgan and Kinser area on June 6.

Also, 51 birds have tested positive for the virus statewide — none in the Turlock district, but one in neighboring Modesto. So far, there have been no cases reported in horses or humans, and no recordings of the St. Louis encephalitis virus.

“Usually, West Nile is more predominant than St. Louis,” said Patterson, who’s been with TMAD for 15 years. “Seven is a bit low. In light of the updated results I would say we are moving into average territory. We anticipate more as the weather heats up. And we know those numbers tend to escalate in Stanislaus County in July, August and September.”

According to Weather.com, the 10-day forecast for Ceres shows triple digits arriving Friday and reaching 111 by Sunday.

While the number of West Nile Virus samples may be below average for this time of year, overall mosquito activity is up.

“We place traps every week, and collections have been above average,” said Patterson, who pointed out that the excessive rain in the early part of the year, which led to flooding in parts of the region, has been a contributing factor.

“We encourage residents to use repellents and wear long sleeves and pants, if possible,” said Patterson. “And limit outdoor activities at dusk and dawn, when mosquitos are most active.”

Lise Talbott, public health administrative operations manager for the county’s Health Services Agency, advises everybody to be cautious this time of year.

“Human infection is less likely, but certainly a risk,” said Talbott. “Eighty percent of people infected don’t get any symptoms. The 20 percent that do, will get a fever, headache, nausea. Most recover quickly, while some might continue having symptoms for a couple of weeks.”

Less than one percent of human cases will affect the brain and central nervous system, and even fewer result in fatalities.

“We want to encourage residents dump and drain any standing water,” said Talbott. “Pet dishes, flower pots, kiddie pools — even a capful of water is enough for mosquitos to breed.”

Visit [turlockmosquito.org](http://turlockmosquito.org) and click on the “Treatment Notification and Treatment Maps” sector (then hover over the shaded polygons) for further information.

**IN THE NEWS – The Ceres Courier, July 11, 2023, Continued**

Local residents who live in the Eastside Mosquito Abatement District, can call 209-522-4098 or visit [eastsidemosquito.com](http://eastsidemosquito.com) for updates.

To report a dead bird, call 1-877-WNV-BIRD (968-2473).

“One thing your readers might find interesting is the reason we track sick birds,” said Talbott. “They’re a good indicator of when West Nile Virus is really active in a community.”

IN THE NEWS – The Modesto Bee, July 12, 2023

## **This fire district in Stanislaus County is raising development fees. What are the new costs?**

By Ken Carlson

Stanislaus County leaders voted Tuesday to authorize new development impact fees for the Salida Fire Protection District, an agency that has struggled financially.

The facility fees will be imposed on building permits issued within the district after Sept. 9. The 43-square-mile district, with three fire stations, serves the unincorporated communities of Salida and Del Rio. It has not updated fees on construction since 2008.

Salida fire will use the fee revenue for facilities and purchase of vehicles and firefighting equipment, said a staff report for Tuesday's county Board of Supervisors meeting.

Over the past 15 years, Salida's current fees on construction have ranged between 17 and 92 cents per square foot, depending on whether it's a residential, commercial or industrial project.

A fee study by Capital Public Finance Group of Roseville recommended a straight fee of 73 cents per square foot. The fee will increase the one-time charge for a new 2,000-square-foot home from \$980 to \$1,460.

County Supervisor Terry Withrow at first questioned the methodology for the updated fees, but the board ultimately gave unanimous approval.

Capital Group staff said they used a "buy-in" method in calculating the amount. Under that methodology, new development buys into a fire service network that already exists. When the district needs to purchase a new water tender, part of the cost is allocated to new development because the equipment will serve both newer and older sections of the district.

The Capital Group study said the fees are designed to mitigate new construction's impact on the district's capability to respond to emergencies.

"Given the existing demands placed on the district, existing stations, vehicles and equipment should not be utilized to accommodate new construction at the expense of existing service levels," the study said. "To offset the impact, the development fees will be used to construct or purchase new facilities, vehicles and equipment necessary to accommodate such growth."

The study estimated the total impact from new development at \$12.85 million, including station improvements, equipment and vehicles. As of January 2023, the Salida district had \$524,941 in previously collected development fees for facility projects.

Mark Stone, chairman of the Salida fire board, said the district's immediate needs include a new roof for the downtown Salida station, which doubles as a Sheriff's Office substation. It is dealing with a well problem at another station and needs to replace an old water tender.

Withrow, whose supervisorial district includes Salida, said the fire district will have to deal with a general fund shortfall in about a year, but development fees are not supposed to pay for personnel or other operating costs. Officials will work on a solution for the general fund, he said.

Salida has an agreement with Modesto to improve firefighting response.

**IN THE NEWS – The Modesto Bee, July 12, 2023, Continued**

“The people of Salida have told us they won’t support another tax increase,” Stone said. “We have a (community facilities district) that will generate money with new development.”



**IN THE NEWS – The Modesto Bee, July 16, 2023**

## **South Modesto gets \$5M in state funding for neighborhood improvements in disadvantaged areas.**

By Ken Carlson

The effort to build neighborhood improvements and safe walkways to school in south Modesto is getting an additional \$5 million from the state.

Sen. Marie Alvarado-Gil, D-Jackson, said the funding allocation was in a state budget bill supported by local community leaders and more than 1,000 signatures from residents.

The senator said she fought for the bill because of promises made to disadvantaged areas of south Modesto decades ago that never were fulfilled.

Alvarado-Gil and Stanislaus County Board of Supervisors Chairman Chance Condit gathered with their constituents Friday on Eureka Street, west of Crows Landing Road, to celebrate the funding and what it can purchase.

The one-time state funding will pay for sidewalks, wastewater improvements, curbs and street lighting.

Alvarado-Gill said the funding marks a milestone in ongoing efforts to address longstanding disparities in communities like south Modesto. Latinos and low-income families make up more than 85% of the residents in the neighborhoods targeted for the street improvements.

Stanislaus County has put tens of millions of dollars from the American Rescue Plan Act into upgrades for unincorporated islands. The county committed \$16 million in ARPA funds to Condit's supervisorial district because it has the greatest need.

Condit told residents Friday that through a combination of funding sources, \$19 million was available for the disadvantaged neighborhoods before the funds were approved in the Legislature. The state funding increases the total to \$24 million.

Luis Gomez, a resident on Eureka Street, said sidewalks are the biggest need. "When it rains, it gets flooded everywhere," he said. "When they fix all that, it will look much better." He said the value of the homes should increase, too.

Maria Madrigal, a member of the South Modesto Municipal Advisory Council, helped to gather signatures for the state bill. Over the years, she said, the county would tell residents that funding was available for neighborhood improvements. But when the time came, it wasn't delivered.

Madrigal said storms in the winter virtually create a lake on Dallas Street in front of her home.

"Sometimes the water goes into the homes when it rains really bad," said Martha Villasenor, also an advisory council member. "The kids get wet walking to school."

Officials said street improvements serve to improve health, safety and quality of life for residents. The improvements in south Modesto also will make it easier for older people to walk to stores and access public services.

The Bret Harte area, Parklawn and other neighborhoods near Crows Landing Road have been designated for the upgrades.



**DRAFT**

# STANISLAUS LOCAL AGENCY FORMATION COMMISSION MINUTES May 24, 2023

## 1. CALL TO ORDER

Chair O'Brien called the meeting to order at 6:00 p.m.

- A. Pledge of Allegiance to Flag. Chair O'Brien led in the pledge of allegiance to the flag.
- B. Introduction of Commissioners and Staff. Chair O'Brien led in the introduction of the Commissioners and Staff.

Commissioners Present: Richard O'Brien, Chair, City Member  
Vito Chiesa, Vice-Chair, County Member  
Amy Bublak, City Member  
Terry Withrow, County Member  
Ken Lane, Public Member  
Bill Berryhill, Alternate Public Member  
Javier Lopez, Alternate City Member

Commissioners Absent: Mani Grewal, Alternate County Member

Staff Present: Sara Lytle-Pinhey, Executive Officer  
Javier Camarena, Assistant Executive Officer  
Jennifer Vieira, Commission Clerk  
Robert J. Taro, LAFCO Counsel

## 2. PUBLIC COMMENT

Milt Trieweiler, and Jami Aggers spoke regarding their concerns about the City of Riverbank's River Walk Specific Plan proposal.

## 3. CORRESPONDENCE

- A. Specific Correspondence.
  - 1. Email from Voters for Farmland dated May 21, 2023, regarding the River Walk Specific Plan proposal.
- B. Informational Correspondence.
  - 1. 2023/2024 CALAFCO Board of Director Nomination Packets.

**4. DECLARATION OF CONFLICTS AND DISQUALIFICATIONS**

None.

**5. CONSENT ITEMS**

A. **MINUTES OF THE APRIL 26, 2023 LAFCO MEETING**

(Staff Recommendation: Accept the Minutes.)

B. **LEGISLATIVE UPDATE AND POSITION LETTER**

(Staff Recommendation: Accept the update and authorize Executive Officer to submit position letter.)

*Motion by Commissioner Bublak, seconded by Commissioner Lane, and carried with a 5-0 vote to approve the consent items, by the following vote:*

*Ayes: Commissioners: Bublak, Chiesa, Lane, O'Brien and Withrow*

*Noes: Commissioners: None*

*Ineligible: Commissioners: Berryhill and Lopez*

*Absent: Commissioners: Grewal*

*Abstention: Commissioners: None*

**6. PUBLIC HEARINGS**

- A. **OUT-OF-BOUNDARY SERVICE APPLICATION: 1224 KIERNAN AVE (CITY OF MODESTO – WATER SERVICE)**. A request to provide water service outside the City of Modesto's boundaries to serve a property at 1224 Kiernan Ave. Stanislaus County, as Lead Agency under the California Environmental Quality Act (CEQA), prepared and subsequently approved a Negative Declaration for the proposal (Staff Recommendation: Approve the request and adopt Resolution No. 2023-07.)

Javier Camarena, Assistant Executive Officer, presented the item with a recommendation of approval.

Chair O'Brien opened the item up for Public Comment at 6:08 p.m.

MiltTrieweiler asked the Commission who is responsible for the water lines from the road to the project.

Chair O'Brien closed the Public Hearing at 6:09 p.m.

*Motion by Commissioner Chiesa, seconded by Commissioner Withrow and carried with a 5-0 vote to approve the request and adopt Resolution No. 2023-07, by the following vote:*

*Ayes: Commissioners: Bublak, Chiesa, Lane, O'Brien and Withrow*

*Noes: Commissioners: None*

*Ineligible: Commissioners: Berryhill and Lopez*

*Absent: Commissioners: Grewal*

*Abstention: Commissioners: None*

- B. **FINAL LAFCO BUDGET FOR FISCAL YEAR (FY) 2023-2024.** The Commission will consider the adoption of the final LAFCO budget consistent with Government Code Sections 56380 and 56381. (Staff Recommendation: Approve the Final Budget and adopt Resolution No. 2023-06.)

Sara Lytle-Pinhey, Executive Officer, presented the item with a recommendation of approval.

Chair O'Brien opened the item up for Public Comment at 6:12 p.m.

There was none.

Chair O'Brien closed the Public Hearing at 6:12 p.m.

*Motion by Commissioner Withrow, seconded by Commissioner O'Brien and carried with a 5-0 vote to approve the Final Budget and adopt Resolution No. 2023-06, by the following vote:*

<i>Ayes:</i>	<i>Commissioners: Bublak, Chiesa, Lane, O'Brien and Withrow</i>
<i>Noes:</i>	<i>Commissioners: None</i>
<i>Ineligible:</i>	<i>Commissioners: Berryhill and Lopez</i>
<i>Absent:</i>	<i>Commissioners: Grewal</i>
<i>Abstention:</i>	<i>Commissioners: None</i>

## 7. OTHER BUSINESS

### A. **AD-HOC ADVISORY COMMITTEE UPDATE**

Sara Lytle-Pinhey, Executive Officer, introduced the item and the Ad-Hoc Committee shared an update about their meeting with County Staff.

## 8. COMMISSIONER COMMENTS

Commissioner Chiesa commented regarding the County and nine cities' efforts with Housing Elements and meeting increasing Regional Housing Needs Allocation numbers.

## 9. ADDITIONAL MATTERS AT THE DISCRETION OF THE CHAIRPERSON

None.

## 10. EXECUTIVE OFFICER'S REPORT

- A. On the Horizon. The Executive Officer informed the Commission of the following:

- Staff recommends cancelling the June meeting as there are no public hearing items scheduled. The next meeting will be July 26, 2023.
- Staff has received the final documents for the City of Patterson's application and is preparing a referral for comments. Due to the length of the documents, Staff will notify the Commission when they are posted online to allow sufficient time for review.

**11. ADJOURNMENT**

- A. Chair O'Brien adjourned the meeting at 6:24 p.m.

**Not Yet Approved**

Sara Lytle-Pinhey, Executive Officer

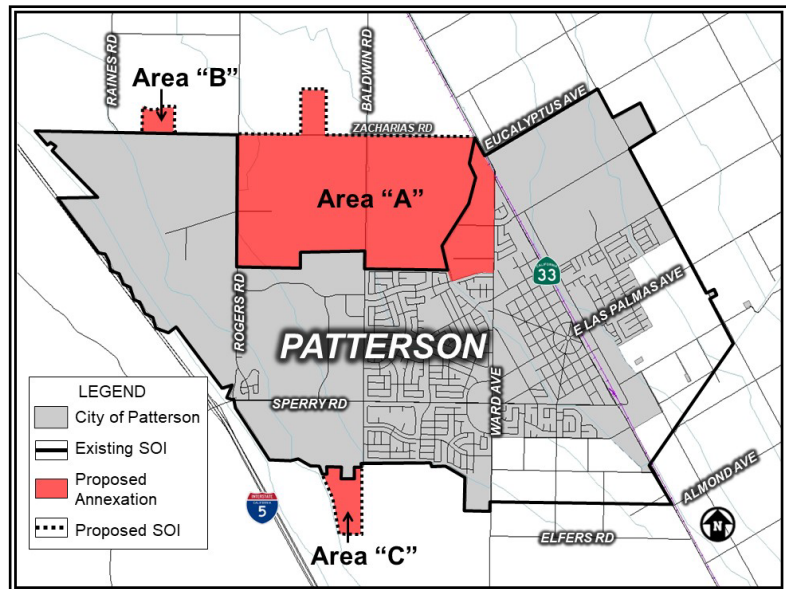
**MUNICIPAL SERVICE REVIEW NO. 2023-02,  
SPHERE OF INFLUENCE MODIFICATION NO. 2023-02, &  
LAFCO APPLICATION 2023-01 –  
ZACHARIAS-BALDWIN MASTER PLAN REORGANIZATION TO THE CITY OF PATTERSON**

**PROPOSAL**

The City of Patterson has submitted a request to annex approximately 1,375 acres to the City of Patterson and simultaneously detach the area from the West Stanislaus Fire Protection District, Del Puerto Water District, Patterson Irrigation District, and West Stanislaus Irrigation District. The proposal also includes a request for a Sphere of Influence expansion and a Municipal Service Review update.

1. Applicant: City of Patterson

2. Location: The proposal is comprised of three areas. Area "A" is 1,279 acres generally located north of the City limits and south of Zacharias Road, west of Ward Avenue, and east of Rogers Road. Area "B" consists of 30 acres located south of Del Puerto Creek, west of Rogers Road, north of Zacharias Road and east of the Delta Mendota Canal. Area "C" includes 66 acres located south of the City limits, at the southerly end of Baldwin Road, contiguous to the Delta Mendota Canal.



3. Parcels Involved and Acreage: The proposal includes approximately 1,375 acres and includes 61 parcels (See Exhibit A – Map and Legal Description).

4. Reason for Request: The City of Patterson recently adopted the Zacharias and Baldwin Master Plan and a General Plan Amendment to accommodate growth in the proposed annexation areas. The Zacharias area (referred to as Area "A" on the map) will include residential neighborhoods, a mixed-use town center, commercial center, light industrial business park, schools, ranchettes, and a recharge basin. The area is expected to accommodate 5,086 residential units, 855,000 square feet of retail uses, and 6,910,000 square feet of business park uses. The Baldwin area (referred to as Area "C" on the map) will include a total of 305 dwelling units and five acres for park use.

**Commission Actions Needed for Approval**

The City's proposal is outside the current City limits and the majority of the area is outside the current Sphere of Influence. In order to approve the City's proposal, the following actions are needed by the Commission:

1. Consideration of the environmental documentation prepared by the City of Patterson as Lead Agency pursuant to the California Environmental Quality Act (CEQA).

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2. Adoption of an updated Municipal Service Review (MSR) and related determinations for the City.
3. Approval of the proposed Sphere of Influence (SOI) expansion and related determinations to expand the City's SOI and Primary Area by 1,221 acres.
4. Approval of the reorganization consisting of annexation of 1,375 acres to the City of Patterson and detachment from the West Stanislaus Fire Protection District, Del Puerto Water District, Patterson Irrigation District, and West Stanislaus Irrigation District.

**Background**

In 2018, a group of developers and stakeholders submitted initial development plans to the City of Patterson for the proposal. Shortly thereafter, the City began preparation of environmental review documents for the project. In August 2022, the City approved the Zacharias and Baldwin Master Plan, adopted rezoning, certified an environmental impact report and made associated findings. The City also adopted a resolution of application to LAFCO.

According to the Zacharias and Baldwin Master Plan, development of the Zacharias project area is expected to occur over approximately 20 years through two major phases. The first phase will generally encompass the southern portion of the area, nearest to the existing City limits due to the availability of City services. A portion of the Zacharias area, located to the southeast of the plan and in the current Sphere of Influence, includes rural residences (referred to as the Ivy/Rose ranchette area). This area will not necessarily be included in the initial phases of development as the area consists of parcels ranging in size from 2-20 acres with agricultural uses and small farms. The Baldwin area, located south of the current City limits, is expected to develop in a single phase.

**MUNICIPAL SERVICE REVIEW**

Section 56430 of the California Government Code requires a Municipal Service Review (MSR) be prepared either prior to or concurrently with a request to modify a Sphere of Influence. In accordance with State law, the City of Patterson has prepared a Draft MSR as a means of identifying and evaluating public services currently provided by the City as well as those services to be provided within its proposed Sphere of Influence. The document relies on numerous existing plans and studies adopted by the City, including master plans for water, wastewater, storm drainage, and public safety.

The City's Draft Municipal Service Review is attached as Exhibit B. The document is organized into sections addressing the several factors for the City of Patterson, pursuant to State law, including growth projections, present and planned capacity of public services, financial ability to provide services, and opportunity for shared facilities. There are also written determinations presented in the document that the Commission will make for each factor, should the Commission approve the proposal.

**SPHERE OF INFLUENCE MODIFICATION**

Government Code Section 56076 defines a Sphere of Influence (SOI) as "a plan for the probable physical boundaries and service area of a local agency, as determined by the commission." LAFCO creates, amends, and updates spheres of influence to indicate to local agencies and property owners that, at some future date, a particular area is anticipated to require the level of

municipal services offered by the subject agency. It is a key component of the planning process, as it indicates to land use authorities and interested parties whether LAFCO expects a need for jurisdictional change. It also indicates to other potential service providers which agency LAFCO believes to be best situated to offer the services in question. Stanislaus LAFCO adopts a Sphere of Influence as a long-term growth boundary for cities and has a local policy to designate a Primary Area of Influence, indicating areas that may be annexed within an anticipated 10-year period.

The City's proposed Sphere of Influence modification, as shown in Exhibit A, is intended to encompass the Zacharias and Baldwin Master Plan Area. The proposed modification would add approximately 1,221 acres to the SOI, with the entirety of the area being included in the Primary Area to accommodate simultaneous annexation.

### **Sphere of Influence Determinations**

Government Code Section 56425 gives purpose to the determination of a sphere of influence by charging the Commission with the responsibility of "planning and shaping the logical and orderly development of local governmental agencies." In order to approve a sphere of influence amendment, the Commission is required to make determinations regarding certain factors. The City of Patterson has provided draft SOI determinations in the Municipal Service Review. LAFCO Staff has provided the following analysis regarding each of the required determinations:

#### **1. The present and planned land uses in the area, including agricultural and open space lands.**

The Zacharias Master Plan area is approximately 1,279 acres and is comprised of agricultural land, canals, and rural residential lands. The area is currently zoned by Stanislaus County as A-2-40 and A-2-10 (General Agriculture) with County General Plan designations of Agriculture and Urban Transition. The City of Patterson has pre-zoned the territory as Low Density, Medium Density, and High Density Residential, Mixed Use, General Commercial, Light Industrial, Parks, and Open Space. The area has also been pre-zoned to allow for future school sites, a detention basin, and a recharge basin.

The Baldwin Master Plan area includes approximately 66 acres that are currently in agricultural use. The area is currently zoned A-2-40 (General Agriculture) by Stanislaus County and has a County General Plan designation of Agriculture. The City has pre-zoned the area for medium density residential uses and parks.

#### **2. The present and probable need for public facilities and services in the area.**

Development and annexation of the Master Plan areas within the proposed Sphere of Influence will result in these areas ultimately being serviced by the City of Patterson for fire protection, water, wastewater, solid waste collection, storm drainage, and street maintenance services. The majority of the project area is currently in agriculture uses and receives irrigation from on-site wells and overlapping districts, including the West Stanislaus Irrigation District, Del Puerto Water District, and Patterson Irrigation District. Existing rural homes in the area are served by private wells and septic systems.

The City is planning to provide water through a looped water system for the Zacharias Master Plan area and anticipates needing two (2) additional wells to provide potable water. The Baldwin Master Plan area will also utilize a looped water system but will not require a new well.



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The City will also provide wastewater collection services to the area. The City is planning to expand the City's existing Water Quality Control Facility, which can currently treat up to 2.25 million gallons per day, to an ultimate capacity of 6.0 million gallons per day. The Zacharias and Baldwin Master Plan areas are estimated to generate a total of 1.013 million gallons per day at full development.

Development of areas within the proposed Sphere of Influence will utilize a storm drain system consisting of drainage, retention, pumping and recharge system. Individual development projects are responsible for installing all storm drainage facilities necessary to serve the development.

- 3. The present capacity of public facilities and adequacy of public services which the agency provides or is authorized to provide; including the present and probable need for sewer, municipal and industrial water or structural fire protection services for any disadvantaged unincorporated communities within the existing sphere of influence.**

Present needs for public municipal facilities and services within the City of Patterson are currently being met. An updated Municipal Service Review is included with the City's application provides further information about services provided by the City and their present capacities. Additionally, there are no disadvantaged unincorporated communities within or adjacent to the project site.

- 4. The existence of any social or economic communities of interest in the area if the Commission determines that they are relevant to the agency.**

There are no social or economic communities of interest in the proposed SOI update area.

- 5. The present and probable need for sewer, municipal and industrial water, or structural fire protection of any disadvantaged unincorporated communities within the existing sphere of influence.**

Under Government Code Section 56033.5, "disadvantaged unincorporated community" is defined as an inhabited community with an annual median household income that is less than 80% of the statewide annual median household income. Upon review of available Census data and the identified communities, no disadvantaged unincorporated communities were identified within or contiguous to the proposed SOI modification.

**City-County Agreement**

When considering the submittal of an application to LAFCO for determining a new sphere of influence, the City is required, as outlined in Government Code Section 56425, to meet with County representatives to discuss the proposed sphere and its boundaries, and explore methods to reach agreement on development standards, planning and zoning requirements within the sphere to ensure that growth occurs in a manner that is considered logical and orderly development of the area.

Pursuant to Government Code Section 56425, if an agreement is reached between the City and County regarding the proposed Sphere of Influence, the Commission shall give "great weight" to the agreement in the final determination of the City's sphere.

The City and County staff met in January of 2023. The City and County agreed on a Memorandum of Understanding (MOU) clarifying the implementation of mitigation measures related to agricultural resources and transportation. Specifically, the MOU describes the implementation of agricultural buffers and coordination with the County on establishing a Community Facilities District (CFD). A copy of the County's letter and the City-County MOU is attached to this report as Exhibit C.

**REORGANIZATION – FACTORS FOR COMMISSION CONSIDERATION**

Concurrent with the Sphere of Influence expansion request, the City of Patterson is also proposing to annex approximately 1,375 acres and detach the area from the West Stanislaus Fire Protection District, Del Puerto Water District, Patterson Irrigation District, and West Stanislaus Irrigation District. The Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000 requires several factors to be considered by a LAFCO when evaluating a reorganization. The following discussion pertains to the factors, as set forth in Government Code Section 56668:

- a. Population and population density; land area and land use; per capita assessed valuation; topography, natural boundaries, and drainage basins; proximity to other populated areas; the likelihood of significant growth in the area, and in adjacent incorporated and unincorporated areas, during the next 10 years.***

The project area is considered inhabited territory as there are more than 12 registered voters. The site currently consists of vacant land, rural residential properties, orchards, row crops, and a drainage basin. The Zacharias and Baldwin Master Plan areas are designated for future urban expansion in the City of Patterson General Plan. According to the City, once fully developed, the Master Plan could provide opportunities for as many as 5,086 dwelling units and a potential of approximately 20,000 new residents. The City's current population is approximately 24,317, according to Department of Finance estimates.

The City of Patterson has experienced significant growth over the past 20 years, outpacing that of other cities in Stanislaus County. Since 2000, the City has annexed 3,277 acres and doubled in population.

- b. The need for organized community services; the present cost and adequacy of governmental services and controls in the area; probable future needs for those services and controls; probable effect of the proposed incorporation, formation, annexation, or exclusion and of alternative courses of action on the cost and adequacy of services and controls in the area and adjacent areas.***

Essential governmental services that are currently provided to the subject area and those services that will be provided after the reorganization is finalized are summarized in the following chart:

Type	Current Service Provider	Future Service Provider (Following Reorganization)
Law Enforcement	Stanislaus County Sheriff	Stanislaus County Sheriff (contracted with the City)
Fire Protection	West Stanislaus Fire Protection District	City of Patterson
Planning & Building Inspection	Stanislaus County	City of Patterson

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School District	Patterson Unified	Same
Water (Potable)	Private Wells	City of Patterson
Irrigation	On-site wells, Patterson Irrigation District, West Stanislaus Irrigation District, Del Puerto Water District	May continue through contracts with Districts
Sewer	None	City of Patterson
Roads	Stanislaus County	City of Patterson
Mosquito Abatement	Turlock Mosquito Abatement	Same

Commission policies state that it will consider the ability of the City to deliver adequate, reliable and sustainable services and will not approve a proposal that has the potential to significantly diminish the level of service(s) within the City’s current boundaries.

According to the City’s Plan for Services (Exhibit D), to meet anticipated water needs, two (2) additional wells will need to be implemented in order to serve the Zacharias project area. The Developer will be required to provide all related infrastructure. The Baldwin project area will not require new wells or associated facilities and will include a closed loop system.

Both the Zacharias and Baldwin area will connect to City sewer services. Development of the Zacharias area will be sequenced by available line capacity and facilities. A sewer main will be constructed in the Baldwin Road connecting to the Baldwin Master Plan Area. Development of the two areas will require expansion of the City’s treatment capacity and facilities. Additional information regarding the proposed services to the area is discussed further in factor “k.”

**c. *The effect of the proposed action and of alternative actions, on adjacent areas, on mutual social and economic interests, and on the local governmental structure of the county.***

Although currently within the jurisdiction of Stanislaus County, the territory is also contemplated for development as part of the City of Patterson’s General Plan. As indicated in the previous chart, many of the services currently provided will transfer to the City of Patterson. There are no social or economic communities of interest in the area, as defined by the Commission’s policies. The proposal will be subject to the Master Property Tax Revenue Agreement, recently re-negotiated by the City and County in 2022.

**d. *The conformity of both the proposal and its anticipated effects with both the adopted commission policies on providing planned, orderly, efficient patterns of urban development, and the policies and priorities set forth in Section 56377.***

LAFCO policies and priorities are intended to guide development away from existing prime agricultural lands and encourage development of existing vacant or nonprime agricultural land for urban uses within the existing jurisdiction of a local agency or within the sphere of influence of a local agency. Further, annexation is appropriate only when it can be shown that the City can provide all the necessary services for development, and it is consistent with the Commission’s adopted policies to provide planned, well ordered and efficient development patterns.

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In order to encourage orderly growth of urban areas and promote infill development, the Commission requires a vacant land inventory and absorption study of areas within the City's existing limits and/or sphere of influence. The City's current vacant inventory includes portions of the Arambel Business Park (annexed in 2010), West Patterson Business Park (annexed in 2002), and Villages at Patterson (annexed in 2008), as well as miscellaneous lands in the process of developing. The City indicated that the Arambel Business Park has been partially built, the West Patterson Business Park and miscellaneous lands are 90% built, and the Villages at Patterson are still under construction. The City estimates approximately 1,627 acres of inventory within these developments and 830 acres remaining within the City's current Sphere of Influence. Government Code Section 56377 and Commission Policy 21 encourages development of existing vacant land within an agency's boundaries prior to further annexations of agricultural land.

**e. *The effect of the proposal on maintaining the physical and economic integrity of agricultural lands, as defined by Section 56016.***

One of LAFCO's main charges, as put forth by the legislature, is to protect and promote agriculture. Development of the project will convert approximately 1,307 of existing agricultural lands classified by the Department of Conservation as "Important Farmlands" to urban uses. The City states that its General Plan designates the Master Plan area as Low Density Residential which signifies that the City has contemplated the conversion of this agricultural land to urban uses, therefore, does not view the project area as a preferred location for permanent agricultural uses.

To mitigate the impact to agricultural resources, the City adopted a mitigation measure requiring farmland mitigation to occur at a ratio of no less than 1:1 for each acre of important farmland converted to non-agricultural use. The mitigation measure provides options to either directly preserve farmland through an irrevocable instrument or pay in-lieu fees equivalent to the cost of preserving important farmlands.

Approximately 48 acres within the proposed annexation area are currently enrolled in Williamson Act contracts (Nos. 78-3549 & No. 88-4156). The Williamson Act is a program regulated by State law that allows landowners to enter into contracts with local government (in this case, Stanislaus County) to restrict the use of their properties to agriculture in exchange for lower tax assessments. During the original establishment of these two contracts, the City of Patterson filed protests with LAFCO and is exercising its right to not succeed to the rights, duties, and powers of the County under the Williamson Act contracts pursuant to Government Code §51243.5. This effectively allows the City to terminate the contracts upon annexation.

The City's EIR and Master Plan describe the project as being expected to build out over a 20-year time horizon in at least two phases. The City anticipates that agricultural use of undeveloped portions of the property will continue until such time as future phases are developed. Further discussion of the City's Plan for Agricultural Preservation can be found in the "Discussion" portion of this report.

**f. *The definiteness and certainty of the boundaries of the territory, the nonconformance of proposed boundaries with lines of assessment or ownership, the creation of islands or corridors of unincorporated territory, and other similar matters affecting proposed boundaries.***

The proposed boundary would include 61 Assessor's Parcel Numbers shown on the legal

description and map (Exhibit A). The adjacent road right-of-way along Zacharias Road, State Highway 33, Ward Avenue, and Baldwin Road is also included in the proposed annexation, consistent with the Commission's policies.

**g. *A regional transportation plan adopted pursuant to Section 65080***

The Regional Transportation Plan (RTP) is prepared and adopted by the Stanislaus Association of Governments (StanCOG) and is intended to determine the transportation needs of the region as well as the strategies for investing in the region's transportation system. The RTP was considered as part of the City's environmental review, and it was concluded that the project does not appear to conflict with StanCOG's currently adopted Regional Transportation Plan or any specific plans.

The Master Plan Environmental Impact Report notes that StanCOG is studying the development of a South County Corridor between Interstate 5 (I-5) near Patterson and State Route 99 (SR-99) in Turlock. The Master Plan states as a project objective, to facilitate the development of the South County Corridor by reserving land for future alignment of the South County Corridor and limit new connections from the Master Plan area.

**h. *The proposal's consistency with city or county general and specific plans***

The area is currently zoned by Stanislaus County as A-2-40 and A-2-10 (General Agriculture). The current County General Plan designations are Agriculture and Urban Transition. The City of Patterson has pre-zoned the territory to Low Density, Medium Density, and High Density Residential; Mixed Use; General Commercial; Light Industrial; Parks; and Open Space as noted in the Master Plan. The City has also amended its General Plan from Low Density Residential to Low Density, Medium Density, and High Density Residential; Community Commercial; Light Industrial; Mixed Use; Parks; and Open Space.

**i. *The sphere of influence of any local agency, which may be applicable to the proposal being reviewed.***

The proposed annexation is being processed concurrently with, and is dependent on the approval of, a proposed expansion to the City's Sphere of Influence. In addition, the subject territory is located within the Spheres of Influence of the following agencies: Del Puerto Water District, West Stanislaus Irrigation District, Patterson Irrigation District, Del Puerto Health Care District, Turlock Mosquito Abatement District, Patterson Cemetery District, and West Stanislaus Fire Protection District. Upon annexation, the area will detach from the Patterson Irrigation District, West Stanislaus Fire Protection District, Del Puerto Water District, and West Stanislaus Fire Protection District.

**j. *The comments of any affected local agency or other public agency.***

All affected agencies and jurisdictions have been notified pursuant to State law requirements and the Commission adopted policies. Affected agencies were also notified during the City's process of adopting environmental documentation and pre-zoning for the project. Comments received during the LAFCO noticing process are attached to this report as Exhibit E and summarized as follows.

Patterson Irrigation District and West Stanislaus Irrigation District

Staff received a letter from Jeanne M. Zolezzi on behalf of the Patterson Irrigation District and West Stanislaus Irrigation District dated June 8, 2023, that describes the Districts' concerns regarding anticipated impacts to groundwater supplies and to the overall sustainability of the groundwater basin. The letter states that the area has been historically irrigated with surface water supplies and the project will result in increased reliance on groundwater from the lower aquifer which could result in inelastic land subsidence.

The City of Patterson provided a response letter dated July 17, 2023 providing clarifications and referencing sections of the project EIR where the City previously responded to similar concerns presented by the Districts. According to the City's background documentation the majority of current irrigation use is occurring with groundwater and the project will ultimately use less acre-feet per year than current demand. The City's letter notes that the total future water demand was considered in the Groundwater Sustainability Plan prepared for the City, including demand for the project area.

The concluding portion of the District's letter requests that should the Commission approve the proposal, a condition be imposed requiring that the City meet with the Districts to develop a plan to finance capital improvements for the recharge basin or requiring the City to purchase and deliver surface water supplies for the project. The City's response states that this condition is unnecessary as the Project has already been determined to not adversely effect groundwater supply.

West Stanislaus Fire Protection District

Staff received a letter dated June 9, 2023 from the West Stanislaus Fire Protection District. In the letter, the District requests that annexation proceed *without* detachment from the District. The District identified its concern with the prospective revenue loss from a reduction in allocated property tax and assessments that it currently receives in the affected territory. The District also indicated its desire to renegotiate an existing fire contract with the City of Patterson that it states currently requires the District to pay 40% of certain City costs.

The City of Patterson provided a response letter dated July 11, 2023 (also included in Exhibit E) the emphasizes the need for the City's urban-level fire services in the project area. The City noted that the impact of loss of service area for the District (less than half-percent of the District's overall territory) was a much smaller impact than that of the potential service area increase for the City (over 20% of the City's land area). The City anticipates including the project in its Public Service CFD and will be relying on that funding to support future services to the area.

- k. ***The ability of the receiving entity to provide services which are the subject of the application to the area, including the sufficiency of revenues for those services following the proposed boundary change.***

The City of Patterson is proposing to provide municipal services to the area, such as: domestic water, sanitary sewer, storm drainage, street construction/maintenance, fire services and street lighting. Services will be financed through applicable utility, services and permit fees, public facilities fees, as well as property tax revenues and general fund resources.

### Water

According to the City's Plan for Services, the City will provide potable and non-potable water services to the Master Plan area. In order to meet anticipated water needs, two (2) new additional wells will be needed for the Zacharias portion of the project. Development of the area will also require related infrastructure for water delivery. The project area will be a looped water system consisting of 8-inch, 10-inch, 12-inch, and 16-inch potable water lines within the boundaries of Rogers Road, Zacharias Road, Ward Avenue, and State Route 33. Individual development projects will be responsible for installing all water lines necessary to serve the development.

The Baldwin project area will not require new wells or associated facilities. The project area will provide a closed loop system consisting of 8-inch, 10 inch, and 12-inch potable water lines, with the limits of the boundaries consisting of the existing Tank access Road to the north, the Delta Mendota Canal to the west, and the existing properties to the south and east.

According to the Water Supply Assessment (Appendix I to the EIR), the City of Patterson has adequate supply to serve the Zacharias and Baldwin Master Plan areas. The City has stated that in recognition of long-term needs, the project will contribute to future water supply needs by installing facilities to recharge both upper and lower groundwater aquifers.

### Wastewater Collection and Treatment

The City of Patterson provides wastewater collection, treatment, and disposal for both the City of Patterson and Diablo Grande. The City's Water Quality Control Facility is located at 14901 Poplar Avenue and is permitted to treat 2.25 million gallons per day. The City has prepared improvement plans and acquired land for expansion of the facility. Plans call for expanding the facility's treatment capacity to 3.5 million gallons per day. The expansion is referred to as Phase 3 of the facility's expansion. The facility is planned for and additional Phase 4 and 5 with an ultimate capacity of 6.0 million gallons per day. The Master Plan areas proposed are estimated to generate a total of 1.013 million gallons per day upon development.

Development in the project areas will be assessed sewer connection fees to fund capital improvements to the municipal wastewater collection and treatment system, including capacity upgrades at the Water Quality Control Facility. Individual development projects will be responsible for installing all sewer lines necessary to serve the developments.

### Storm Drainage

A storm drain recharge basin facility will be west of the annexation area on the north side of Zacharias Road (Area "B" on "Project Map"). The facility will provide recharge of groundwater to the lower aquifer where potable water is drawn by city wells. Recharge facilities will include dedication of land and the installation of pump stations and a pressure main to convey surface water collected in stormwater facilities to the recharge area.

According to the City's Plan for Services, a proposed regional park will be located adjacent to a future high school site on the north side of Zacharias Road. The regional park will be designed to store an anticipated 183 acres of flood water runoff for a 100-year, 24-hour storm event. The storm drainage system will provide multiple stages of storage and retention within the project site. These include retention and detention basins and major storm drain facilities. The Baldwin project area will utilize the City's storm drain detention system, with an extended detention

basin in the northeast corner of the development area.

The City requires individual development projects to install all storm drainage facilities necessary to serve the development, with provision for reimbursement of certain facilities through the Public Facilities Fee program as applicable

#### Fire Protection Services

The annexation area is proposed to detach from the West Stanislaus Fire Protection District and will be served by the Patterson Fire Department following annexation. The Fire Department operates two stations located at 344 West Palmas Avenue and 1950 Keystone Pacific Parkway.

The City has stated that development of the Master Plan area will generate the need for approximately 21 additional firefighters and may create a citywide need for an additional fire station or expansion of one of the existing stations. The Master Plan will be required to annex to the City's Community Facilities District (CFD) in order to fund the appropriate share of future public safety personnel and facilities.

#### Police Protection

Police services are provided by the Stanislaus County Sheriff's Department within the Master Plan area. The Sheriff's Department also provides services to the City of Patterson on a contractual basis. Upon annexation, the Master Plan area would transition to the contractual arrangement. The Master Plan will be required to annex to the City's CFD to fund personnel and facilities.

***l. Timely availability of water supplies adequate for projected needs as specified in Government Code Section 65352.5.***

The City of Patterson has indicated that it has adequate water available to serve the Master Plan area. The Zacharias portion of the plan will require two (2) additional wells to serve the development. The City's EIR and Water Supply Assessment provided estimates of existing water demand in the annexation area as being 5,384 acre-feet per year (AFY) with 5,370 AFY (99%) of the existing demand being for agricultural irrigation. The majority of the existing demand is sourced from groundwater wells, according to the City, with surface water deliveries ranging from 750 to 2,300 acre-feet year between 2009 and 2019 (13-43%). Water demand at project build-out is estimated to be 2,159 AFY. The City notes that the project build-out ultimately results in a *decrease* in groundwater demand. Further, the City's Master Plan includes a storm drain recharge basin facility intended to provide recharge of groundwater to the lower aquifer where potable water is drawn by City wells.

***m. The extent to which the proposal will affect a city or cities and the county in achieving their respective fair shares of the regional housing needs as determined by the appropriate council of governments consistent with Article 10.6 (commencing with Section 65580) of Chapter 3 of Division 1 of Title 7.***

The City has stated that its Regional Housing Needs Allocation (RHNA) cycle for 2023 will require the city to allocate area for 3,716 housing units. The proposed annexation will provide 5,086 dwelling units and will be subject to the City of Patterson's affordable housing requirements. According to the General Plan Consistency Analysis, both Master Plan areas



will be consistent with General Plan policies related to affordable housing through either development of inclusionary affordable housing or in-lieu-of fees to the City of Patterson. The proposed annexation will contribute to meeting its regional housing needs.

***n. Any information or comments from the landowner or owners, voters, or residents of the affected territory.***

Staff received several pieces of early correspondence during the City of Patterson's review process and prior to the City's application to LAFCO for the proposal. The correspondence received was in opposition to the project from property owners located on the eastern part of the Zacharias Master Plan (Ivy/Rose area). The area is generally south of Highway 99, west of Ward Avenue, North of the City boundary, and east of the Patterson Irrigation Main Canal. Some of the concerns included: the potential loss of water rights with Patterson Irrigation District if annexed; the potential increase in traffic and extension of roads through established agricultural areas; potential conflicts between agricultural and urban uses; and the existence of readily available land throughout the City. In subsequent correspondence received from many of these property owners, specific reference to the Patterson Irrigation District's policy was identified as the reason for their opposition.

The Patterson Irrigation District has an adopted policy regarding city annexations that allows for detached properties to continue receiving irrigation water under the same terms and conditions as a property that is within the District's boundaries for so long as the land remains in agricultural production. The District's policy requires the landowner to provide evidence to the District of opposition to the detachment by either written opposition to LAFCO, or testifying in opposition at a public hearing before LAFCO. LAFCO has received many of these requests from properties in the Ivy/Rose area and will provide these to the Patterson Irrigation District, should the proposal be approved.

An additional piece of correspondence was received from property owners Henry and Jill Gnesa dated July 17, 2023 regarding their concerns about the proposal, including possible conflicts between the placement of a proposed biking/walking path in the Master Plan and agricultural operations. The letter lists additional concerns such as increased noise, possible connection of the area to Rose Avenue, security concerns, and impacts to groundwater. A copy of the letter can be found in Exhibit E.

***o. Any information relating to existing land use designations.***

The area is currently zoned by Stanislaus County as A-2-40 and A-2-10 (General Agriculture). The current County General Plan designations are Agriculture and Urban Transition. The City of Patterson has pre-zoned the territory to Low Density, Medium Density, and High Density Residential, Mixed Use, General Commercial, Light Industrial, and Parks and Open Space. The proposed annexation is consistent with the City's General Plan.

***p. The extent to which the proposal will promote environmental justice.***

As defined by Government Code §56668, "environmental justice" means the fair treatment of people of all races, cultures, and incomes with respect to the location of public facilities and the provision of public services. There is no documentation or evidence suggesting the proposal will have a measurable effect for or against promoting environmental justice.

- q. Information contained in a local mitigation plan, information contained in a safety element of a general plan, and any maps that identify land as a very high fire hazard zone pursuant to Section 51178 or maps that identify land determined to be in a state responsibility area pursuant to Section 4102 of the Public Resources Code, if it is determined that such information is relevant to the area that is the subject of the proposal.**

According to the Environmental Impact Report, the project site has not been identified as being within a very high fire hazard severity zone.

### **STAFF ANALYSIS – CONSISTENCY WITH ADOPTED COMMISSION POLICIES**

The following analysis has been completed by LAFCO Staff to further evaluate issues and address factors unique to LAFCO's role pursuant to State Law and the Commission's adopted Policies and Procedures.

#### **Plan for Agricultural Preservation**

Pursuant to State law, the Commission has adopted local goals and policies, including an Agricultural Preservation Policy. The Policy requires that applicants prepare a Plan for Agricultural Preservation that details the impacts to agricultural lands, identifies a method to minimize impacts, and provides additional information to assist the Commission in making its findings for approval of a project. The City has provided a Plan for Agricultural Preservation, attached as Exhibit F, intended to meet the Commission's Policy.

The Agricultural Preservation Policy states that the Commission may consider approval of a proposal that contains agricultural land when it determines there is sufficient evidence demonstrating the following:

- a. Insufficient alternative land is available within the existing sphere of influence or boundaries of the agency and, where possible, growth has been directed away from prime agricultural lands towards soils of lesser quality.**

The City of Patterson is virtually surrounded by prime agricultural lands, particularly in areas east of Interstate 5, making it difficult to expand the existing Sphere of Influence or City limits without further encroaching into prime agricultural lands. Thus, it is important to take into consideration the City's use of existing inventory within its boundaries and Sphere of Influence prior to further expansions.

The City's Plan for Agricultural Preservation acknowledges that there is current vacant inventory in areas of the West Patterson Business Park (annexed in 2002 and 90% built), Villages at Patterson (annexed in 2008 and partially built), Arambel Business Park (annexed in 2010 and partially built), and miscellaneous infill properties. The Plan estimates approximately 1,627 acres of inventory in these areas, including 345 acres of residential and 948 acres of light industrial designated properties. This accounts for roughly 30% of land within the City's current City limits, with the majority of industrial land inventory in proximity to Interstate 5, within the Arambel Business Park.

The City's Plan for Agricultural Preservation states that there are no alternative sites that provide space and lot configurations to the scale of the project; facilitate development of the City as envisioned by its General Plan; provide easy access to the City's existing and planned

**EXECUTIVE OFFICER'S AGENDA REPORT**

**JULY 26, 2023**

**PAGE 14**

roadway network; prevent land use conflicts through phasing and buffering; mitigate truck travel impacts by being in proximity to Interstate 5; and develop a major highway-oriented Commercial uses in proximity to Interstate 5.

- b. For sphere of influence proposals, that the additional territory will not exceed the twenty-year period for probable growth and development (or ten years within a proposed primary area of influence). For annexation proposals, that the development is imminent for all or a substantial portion of the proposal area.***

Multiple documents provided by the City, including the Master Plan, EIR, and Plan for Agricultural Preservation identify that the project is expected to develop over a 20-year time horizon. While this timeframe may align with sphere of influence policies for long-term growth plans, it does not align with the more near-term expectation for annexation proposals where growth is expected to be imminent. LAFCO Staff identified this concern early in the review process for the proposal and requested additional information from the City substantiating the need for the entirety of the territory. The Final EIR response states that the entire Baldwin and Zacharias Master Plan areas needed to be annexed in order to ensure that urban services and infrastructure could be provided.

The City's EIR and Plan for Agricultural Preservation Plan state that the project will be developed in phases and agricultural use of undeveloped areas will continue until such time as future phases are developed. Phase 1 would consist of areas immediately adjacent to the Patterson city limits and Phase 2 would consist of the outlying areas. The EIR states that infrastructure needed to serve both phases would be located throughout the Master Plan boundaries. The EIR also states that there is a precedent for this approach, as evidenced by the West Patterson Business Park / Patterson Gardens, the Villages at Patterson, and the Arambel Business Park, which were all annexed in their entirety and are being built out incrementally.

- c. The loss of agricultural lands has been minimized based on the selected agricultural preservation strategy. For the purposes of making the determination in this section, the term "minimize" shall mean to allocate no more agricultural land to non-agricultural uses than what is reasonably needed to accommodate the amount and types of development anticipated to occur.***

The City's Agricultural Preservation Plan states that as part of the Master Plan's Mitigation Monitoring Plan, the project will be required to preserve agricultural land at a ratio of at least 1:1 for Important Farmlands lost (approximately 1,308 acres). This can be accomplished via direct acquisition or through payment of in-lieu fees. The mitigation is consistent with the Commission's menu of strategies presented in the Agricultural Preservation Policy that it encourages applicants to use when proposals will result in conversion of agricultural lands. However, the Commission may determine that phasing of the proposal could further minimize the impact, as described in the policy consideration above.

- d. The proposal will result in planned, orderly, and efficient use of land and services. This can be demonstrated through mechanisms such as: (i) Use of compact urban growth patterns and the efficient use of land that result in a reduced impact to agricultural lands measured by an increase over the current average density within the agency's boundaries (e.g. persons per acre) by the proposed average density of the proposal area; or (ii) Use of adopted general plan policies, specific or master plans and project phasing that promote planned, orderly, and efficient development.***

The City's Plan for Agricultural Preservation states that the City has approved a master development plan for the area providing for logical and efficient growth patterns through phasing. The Plan describes the anticipated density of the proposal as being comparably higher than the City's current residential and business park developments. The City's policies identify the use of specific plans and/or planned development plans for major projects to ensure that urban development proceeds in an orderly fashion and in pace with the expansion of public facilities and services.

### **Sphere of Influence Policies**

A sphere of influence is a planning tool intended to carry out the Commission's role to promote logical and orderly development and guide timely annexations. The Commission's adopted Policies and Procedures further define a sphere of influence as the area around a local agency which territory is eligible for annexation within a twenty-year period. The Commission also designates a "primary area" or the area that is eligible for annexation within a zero-to-ten-year period.

The Commission has adopted several policies related to spheres of influence to help guide the Commission's decision-making process regarding their establishment and expansion, including the following:

*SOI Policy 1: LAFCO will designate a Sphere of Influence line for each local agency that represents the agency's probable physical boundary and includes territory eligible for annexation and the extension of that agency's services within a zero to twenty-year period. LAFCO may also designate a Primary Area line for a local agency which represents the agency's short-term growth area. Areas within an adopted Primary Area shall be eligible for annexation and extension of urban services within a zero-to-ten-year period.*

*SOI Policy 2: Territory between an adopted Primary Area line and Sphere of Influence of an agency shall be considered a transition area, anticipated to need and receive the agency's services within ten to twenty years. To preclude urban sprawl within an adopted sphere of influence, transition areas shall not be considered eligible for annexation and urban services.*

The project proposes a simultaneous expansion of the sphere of influence by 1,221 acres and the immediate annexation of the entire new area. As such, there is no "primary area" or "transition area", which is intended to preclude urban sprawl and guide orderly growth.

### **Logical Boundaries**

An additional consideration for the Commission are adopted policies that encourage logical boundaries for proposals, including the following:

*Policy 20: The Commission encourages the creation of logical boundaries and proposals which do not create islands and would eliminate existing islands, corridors, or other distortion of existing boundaries.*

The Baldwin portion of the Master Plan, proposed to be located south of the existing City limits, would create a residential subdivision surrounded on three sides by unincorporated, agricultural-zoned property. Staff identified a concern with the creation of an illogical boundary in this area,

which may be considered premature and encourage additional growth pressure in areas that have not been included in the City's Sphere of Influence request.

### **Preference for Development within Existing Boundaries**

Government Code Section 56377(b) and LAFCO Policy 21 both identify a preference for development of existing land within a city's limits and sphere of influence prior to additional boundary expansions. The City's General Plan contains a similar policy regarding the preference for infill development. City General Plan Policy LU-1.7 states:

*In general, the preferred timing of urban development in accordance with the General Plan is as follows:*

- a. First Priority – Vacant or underutilized areas within the current City limits;*
- b. Second Priority – Vacant or underutilized areas within the City's currently-adopted sphere of influence;*
- c. Third Priority – Vacant or underutilized areas within the General Plan area*

The City currently has a significant amount of inventory within its City limits and sphere of influence. However, because none of this inventory is as large as the Master Plan, the City has stated that although considered "third priority," it meets their intent for large-scale residential and industrial development.

### **ENVIRONMENTAL REVIEW**

The City of Patterson, as Lead Agency pursuant to the California Environmental Quality Act (CEQA), certified and adopted an Environmental Impact Report (EIR) for the Zacharias-Baldwin Master Plan (also identified as the "Baldwin Master Plan / Zacharias Master Plan Project" – State Clearinghouse No. 2018122052). As part of the environmental review, the EIR also addressed the proposed modification to the City's Sphere of Influence and annexation of the territory.

#### **Statement of Overriding Considerations**

The Patterson City Council identified significant impacts in the Final EIR (FEIR), which could not be eliminated or mitigated to a level of insignificance. The Patterson City Council, in certifying the EIR for the proposal, adopted certain Findings and a Statement of Overriding Considerations, concluding the significant effects of the project are outweighed by the benefits of the development plan. A copy of Patterson Resolution No. 2022-62, outlining the significant unavoidable impacts and overriding considerations is provided under Exhibit H.

Significant and unavoidable impacts of the proposed specific plan include impacts to: (1) agricultural resources; (2) air quality; (3) greenhouse gas emissions and energy; and (4) transportation and circulation impacts. The City's resolution states that the benefits of the project outweigh the adverse environmental impacts and therefore justify project approval.

#### **LAFCO as a Responsible Agency**

Pursuant to CEQA, the Commission, as a Responsible Agency, must consider the Environmental Impact Report (EIR) prepared by the City, including the environmental effects of the project, prior to reaching a decision on the project. If the Commission decides to approve the proposal, the Commission's resolution should include one or more findings required by CEQA Guidelines

Section 15091(a) for each significant effect of the project and make findings in Section 15093, as necessary, to adopt statements of overriding considerations, and file a Notice of Determination in compliance with CEQA Guidelines Section 15096(i).

CEQA Findings for Approval

Consistent with the above, upon conclusion of the Public Hearing on this matter, if the Commission decides to approve the City's request, it may consider establishing the same findings and the statement of overriding considerations adopted by the City of Patterson, as Lead Agency. The Commission would thus adopt a resolution that finds all of the following:

- Finds that the Commission complied with the requirements of CEQA Section 15096, et seq., by independently reviewing and considering the environmental effects of the project as presented in the EIR for the project prepared by the City of Patterson, as Lead Agency, is adequate prior to reaching a decision on the proposal.
- Finds that by using independent judgment and in light of the entire public record, the Commission did not identify any feasible alternatives or mitigation measures within its power that would substantially lessen or avoid any significant effect the proposal would have on the environment [Guidelines Section 15096(g)(1)].
- Finds that prior to reaching a decision on the proposal, the Commission made the required findings pursuant to CEQA Guidelines Sections 15091, 15093, and 15096(h).

Exemption – Denial of the Proposal

Should the Commission deny the proposal, the action is considered exempt from CEQA pursuant to Guidelines Section 15270, which exempts projects that a public agency rejects or disapproves.

**CONCLUSION**

State law declares that the purpose of LAFCO includes discouraging urban sprawl, preserving open-space and prime agricultural lands, efficiently providing government services, and encouraging the orderly formation and development of local agencies based upon local conditions and circumstances (Government Code Section 56301). The Commission is also empowered to review and approve or disapprove proposals with or without amendment, wholly, partially, or conditionally, consistent with its own written policies and procedures (Government Code Section 56375(a)).

Pursuant to State law, the Commission has adopted policies relative to the above goals and powers. For review of the current proposal, which includes a request for a sphere of influence expansion and reorganization, the Commission must determine whether the proposal is consistent with the policies of LAFCO. Staff has noted a variety of policy concerns with the proposal, including the following:

- LAFCO policies state that a sphere of influence represents the physical boundary around a local agency that is eligible for annexation and extension of urban services within a twenty-year period. The primary area of influence represents the area around a local agency which is eligible for annexation and extension of urban services within a 0–10-year period. While the applicant has indicated that the full build-out is expected to occur over the course of approximately 20 years, it does not appear to substantiate the need for the entirety of the 1,375

acres to be annexed at this time, as development is not imminent. This does not align with the policy intent for logical and orderly annexations and sphere expansions.

- Government Code Section 56377(b), Commission policies, and the City's General Plan encourage development of existing vacant lands within the existing City Limits and Sphere of Influence prior to expansion of its boundaries onto additional agricultural lands. Areas of vacant and underutilized land have been identified within the City's existing City Limits which, coupled with a phased annexation approach, could accommodate the City's future demands over a 10-20 year period.

### **ALTERNATIVES FOR COMMISSION ACTION**

Following consideration of this report and any testimony or additional materials that are submitted at the public hearing for this proposal, the Commission may take one of the following actions:

- Option 1**      DENY the proposal.
- Option 2**      APPROVE the proposal, as submitted by the City of Patterson.
- Option 3**      CONTINUE the proposal to a future meeting for additional information.

### **STAFF RECOMMENDATION**

Staff recommends that, following consideration of this report and any testimony or additional materials that are submitted, the Commission adopt Resolution No. 2023-08 (Option 1) which finds that the Sphere of Influence expansion and annexation request is inconsistent with State law and Commission policies and denies the City's request. Staff further recommends that the denial be without prejudice, waiving the requirement of a one-year wait period pursuant to Government Code Section 56884(b), allowing the City to resubmit an amended proposal.

Should the Commission determine that the proposal is consistent with State Law and the Commission's adopted policies, it may approve the proposal and adopt Resolution No. 2023-08 (Option 2), which:

- a. Certifies, as a Responsible Agency under CEQA, that the Commission has considered the environmental documentation prepared by the City of Patterson as Lead Agency;
- b. Adopts the Municipal Service Review for the City of Patterson;
- c. Determines the Municipal Service Review for the City of Patterson is statutorily exempt from environmental review pursuant to the California Environmental Quality Act (CEQA) Article 19, Section 15306, Information Collection;
- d. Adopts the written statements of determinations related to a service review required by Government Code Section 56430;
- e. Adopts the written statements of determinations related to the determination of a sphere of influence for the City of Patterson required by Government Code Section 56425;
- f. Adopts the Sphere of Influence for the City of Patterson as proposed by the City; and,

- g. Approves the Reorganization consisting of annexation to the City of Patterson and detachment from the Del Puerto Water District, Patterson Irrigation District, West Stanislaus Irrigation District, and West Stanislaus Fire Protection District.

Respectfully submitted,

*Javier Camarena*

Javier Camarena  
Assistant Executive Officer

Attachments:

- Exhibit A: Project Maps (pg. 21)
- Exhibit B: Patterson Draft Municipal Service Review & Sphere of Influence Update (pg. 43)
- Exhibit C: Stanislaus County Letter Dated June 6, 2023 re: Sphere of Influence and Memorandum of Understanding between County of Stanislaus and City of Patterson (pg. 115)
- Exhibit D: Plan for Services (pg. 141)
- Exhibit E: Comment Letters Received as of July 18, 2023 (pg. 153)
- Exhibit F: Plan for Agricultural Preservation (pg. 173)
- Exhibit G: Draft LAFCO Resolution No. 2023-08 Option 1 (Denial) and Option 2 (Approval) (pg. 189)

*Provided under separate cover to the Commission and made available online:*

- Exhibit H: City of Patterson Resolution Nos. 2022-60, 2022-61 and 2022-62 approving the Zacharias and Baldwin Master Plan, General Plan Amendment for the Master Plan, Conditions of Approval for Development of the Master Plan, Resolution of Application to LAFCO, and Certification of Environmental Documentation

*Additional support documentation was posted online and made available for review in the LAFCO office beginning on June 2, 2023. These documents included:*

City's Application and Attachments:

- Legal Description and Map
- Notice of Determination
- City of Patterson Resolution Nos. 2022-60 (Master Plan), 2022-61 (Resolution of Application) & 2022-62 (Certifying EIR)
- City of Patterson Ordinance No. 862 (Rezoning)
- Plan for Services
- Plan for Agricultural Preservation
- Agencies Within the Proposal Area That Will Gain or Lose Territory
- List of APNs and TRA Information
- Williamson Act Contract Information

Municipal Service Review

City's Sphere of Influence Application

Environmental Documentation:

- Draft Environmental Impact Report
- Appendices
- Final Environmental Impact Report
- Amended Errata
- Mitigation Monitoring and Reporting Program



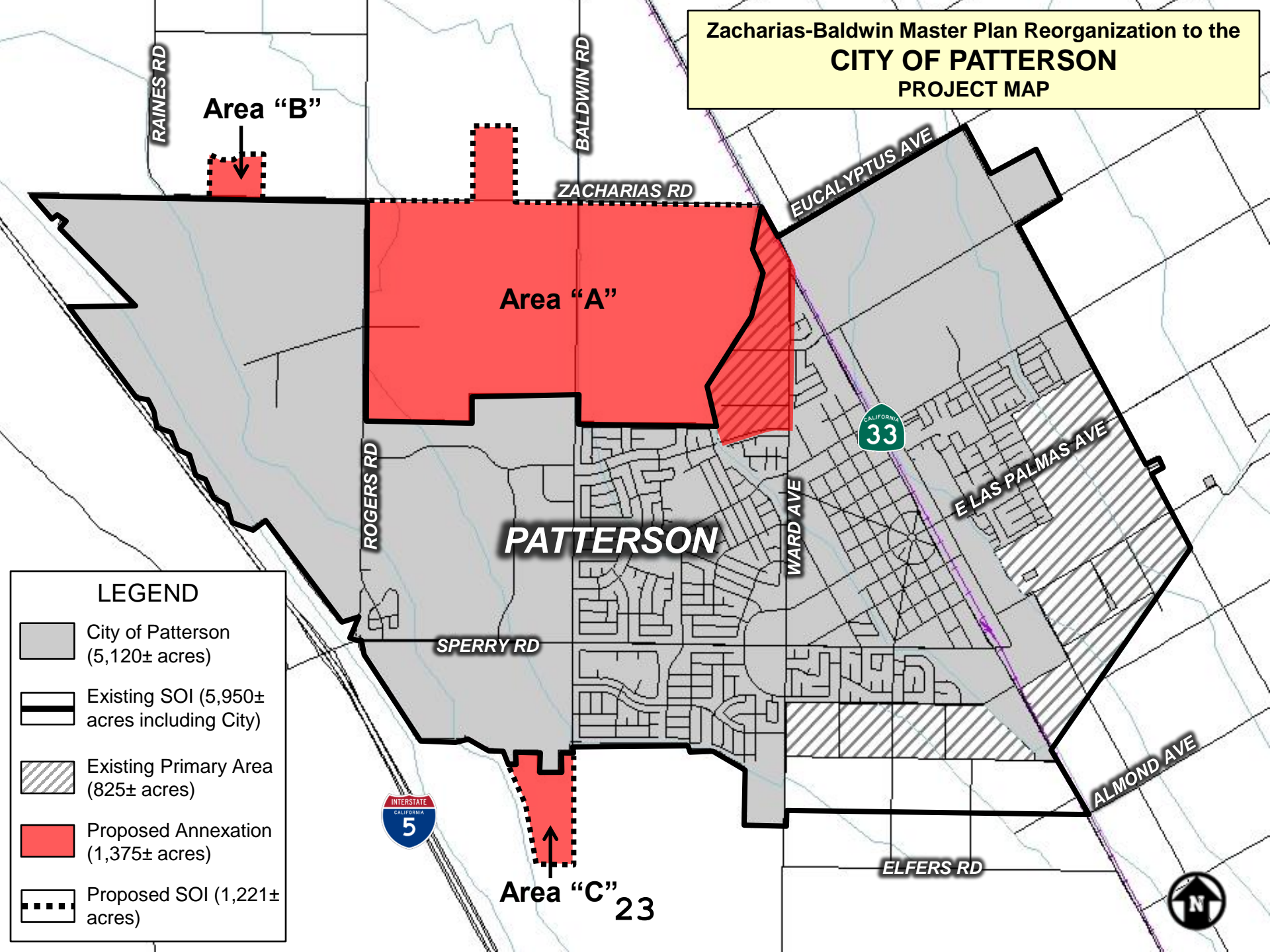
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# **EXHIBIT A**

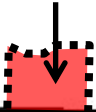
## **Project Maps**

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**Zacharias-Baldwin Master Plan Reorganization to the  
CITY OF PATTERSON  
PROJECT MAP**



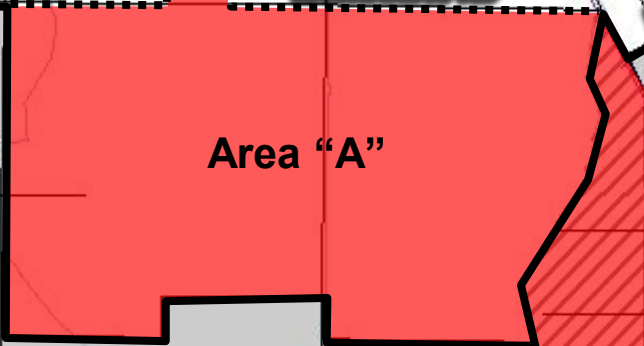
**Area "B"**



ZACHARIAS RD

EUCALYPTUS AVE

**Area "A"**








**PATTERSON**



E LAS PALMAS AVE

**LEGEND**

-  City of Patterson (5,120± acres)
-  Existing SOI (5,950± acres including City)
-  Existing Primary Area (825± acres)
-  Proposed Annexation (1,375± acres)
-  Proposed SOI (1,221± acres)

SPERRY RD

WARD AVE



ELFERS RD

ALMOND AVE

**Area "C"** 23



Figure 5: Zacharias Land Use Plan

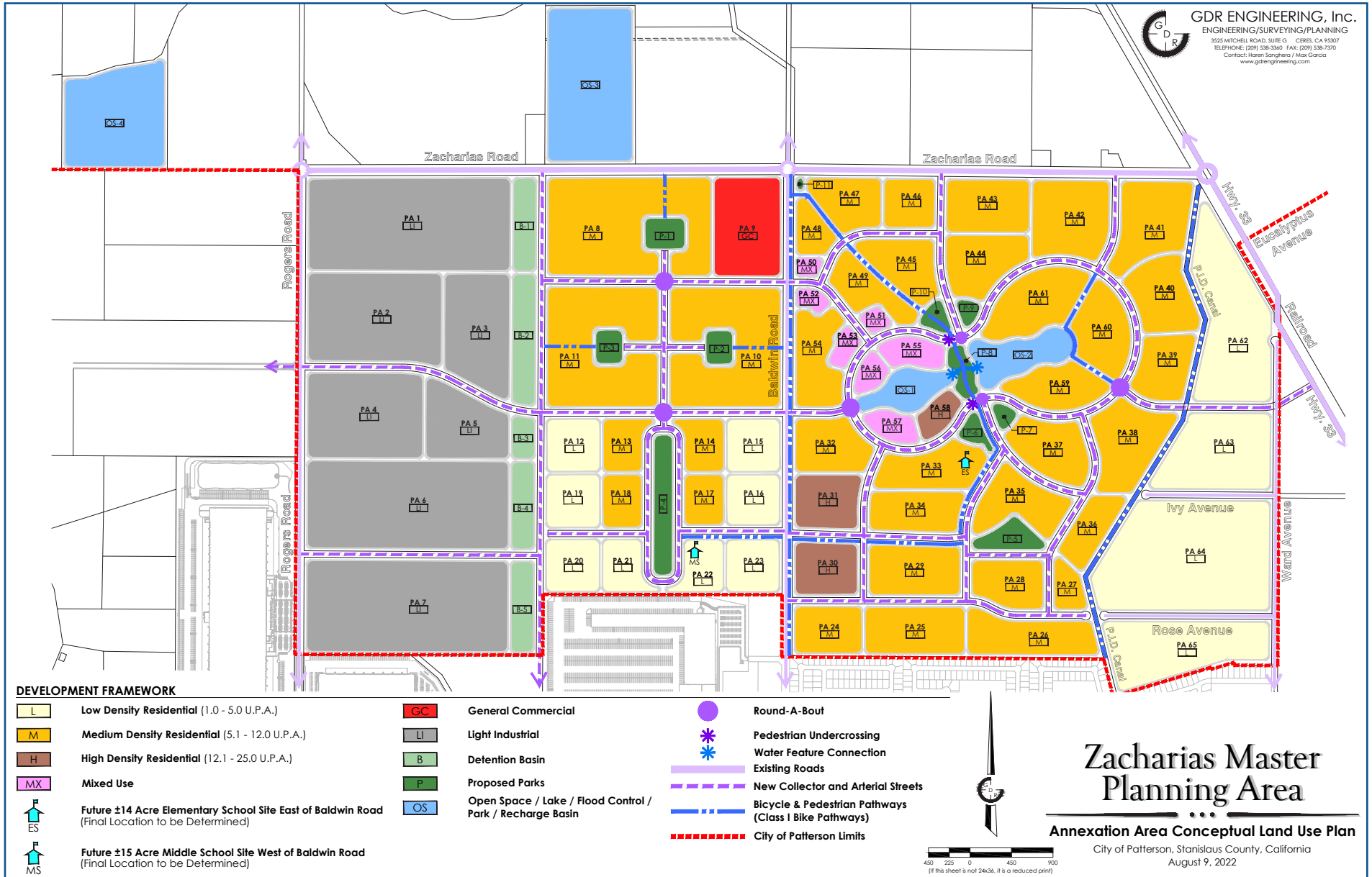
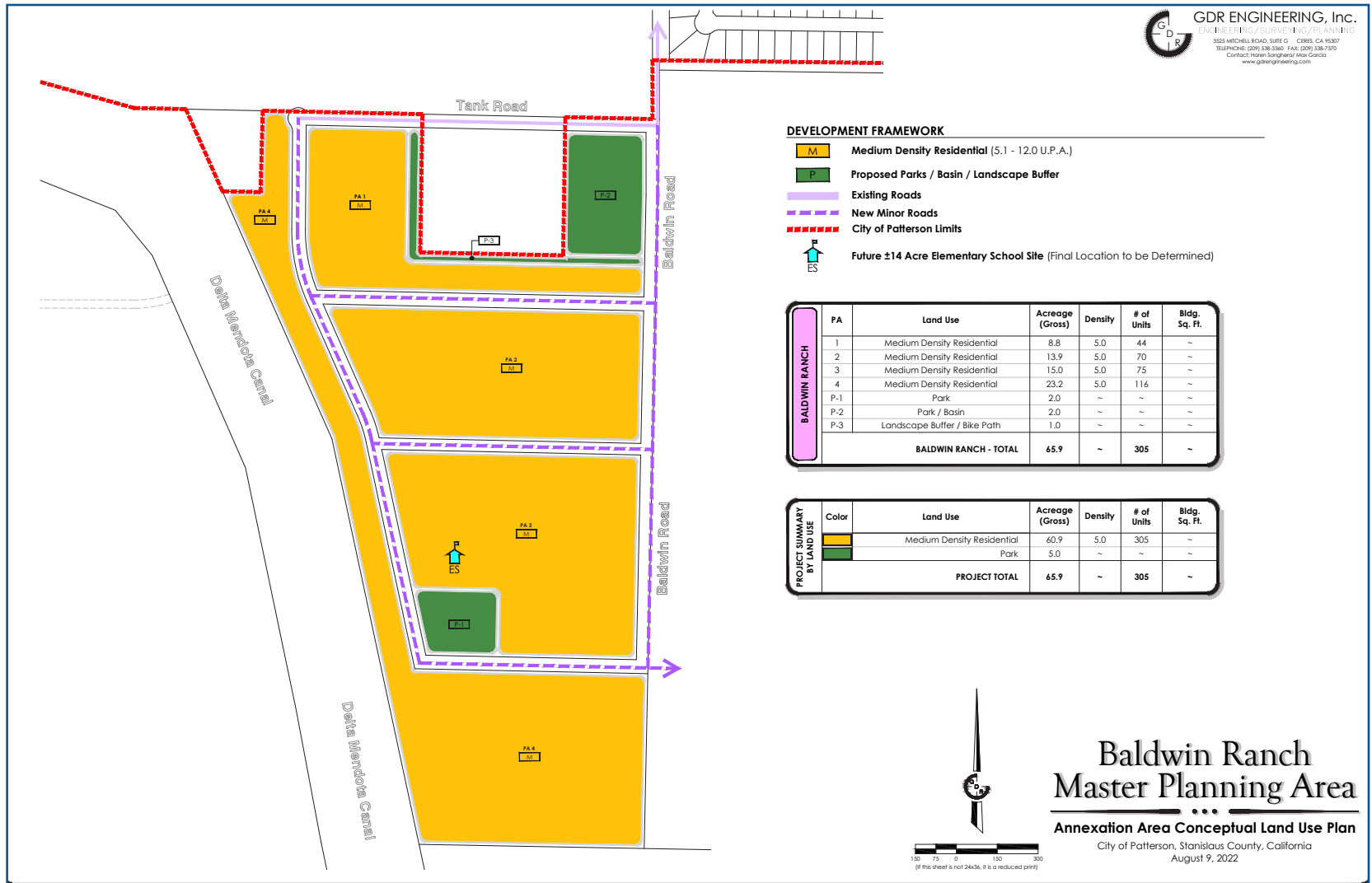
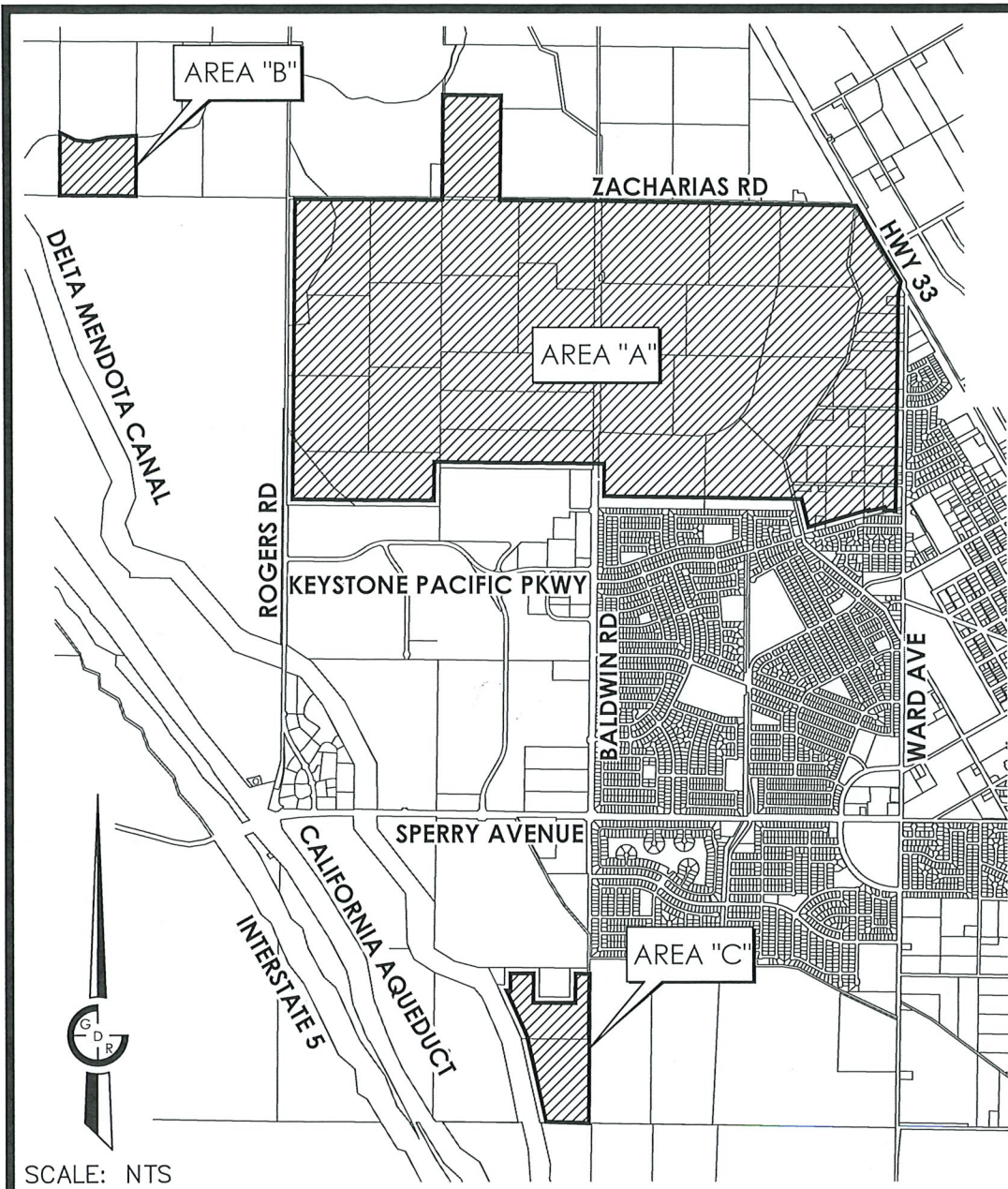


Figure 7: Baldwin Land Use Plan





**PROPERTY DESCRIPTION**

**BALDWIN RANCH MASTER PLAN (AREA "C")**  
 BEING A PORTION OF THE SOUTHEAST QUARTER OF SECTION 35,  
 TOWNSHIP 5 SOUTH, RANGE 7 EAST, MOUNT DIABLO BASE AND  
 MERIDIAN, STANISLAUS COUNTY, CALIFORNIA.

**ZACHARIAS MASTER PLAN (AREA "A" & "B")**  
 BEING A PORTION OF SECTIONS 13, 14, 15, 23, 24, AND 25,  
 TOWNSHIP 5 SOUTH, RANGE 7 EAST, MOUNT DIABLO BASE AND  
 MERIDIAN, STANISLAUS COUNTY, CALIFORNIA.

**LEGEND**

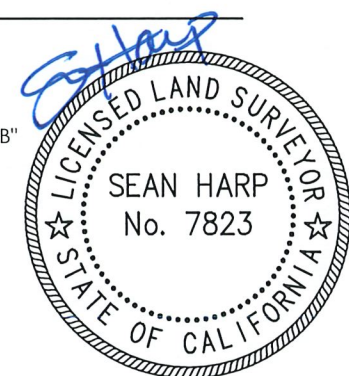
- PROPOSED ANNEXATION BOUNDARY
- EXISTING CITY LIMIT LINE
- ADJACENT PROPERTY LINE
- SECTION LINE
- RIGHT-OF-WAY LINE
- CENTERLINE
- COURSE

**ABBREVIATIONS**

- NO. NUMBER
- P.I.D. PATTERSON IRRIGATION DISTRICT
- P.O.B. POINT OF BEGINNING
- P.O.C. POINT OF COMMENCEMENT
- SEC. SECTION
- S.W. SOUTHWEST
- W.S.I.D. WEST SIDE IRRIGATION DISTRICT

**SHEET INDEX**

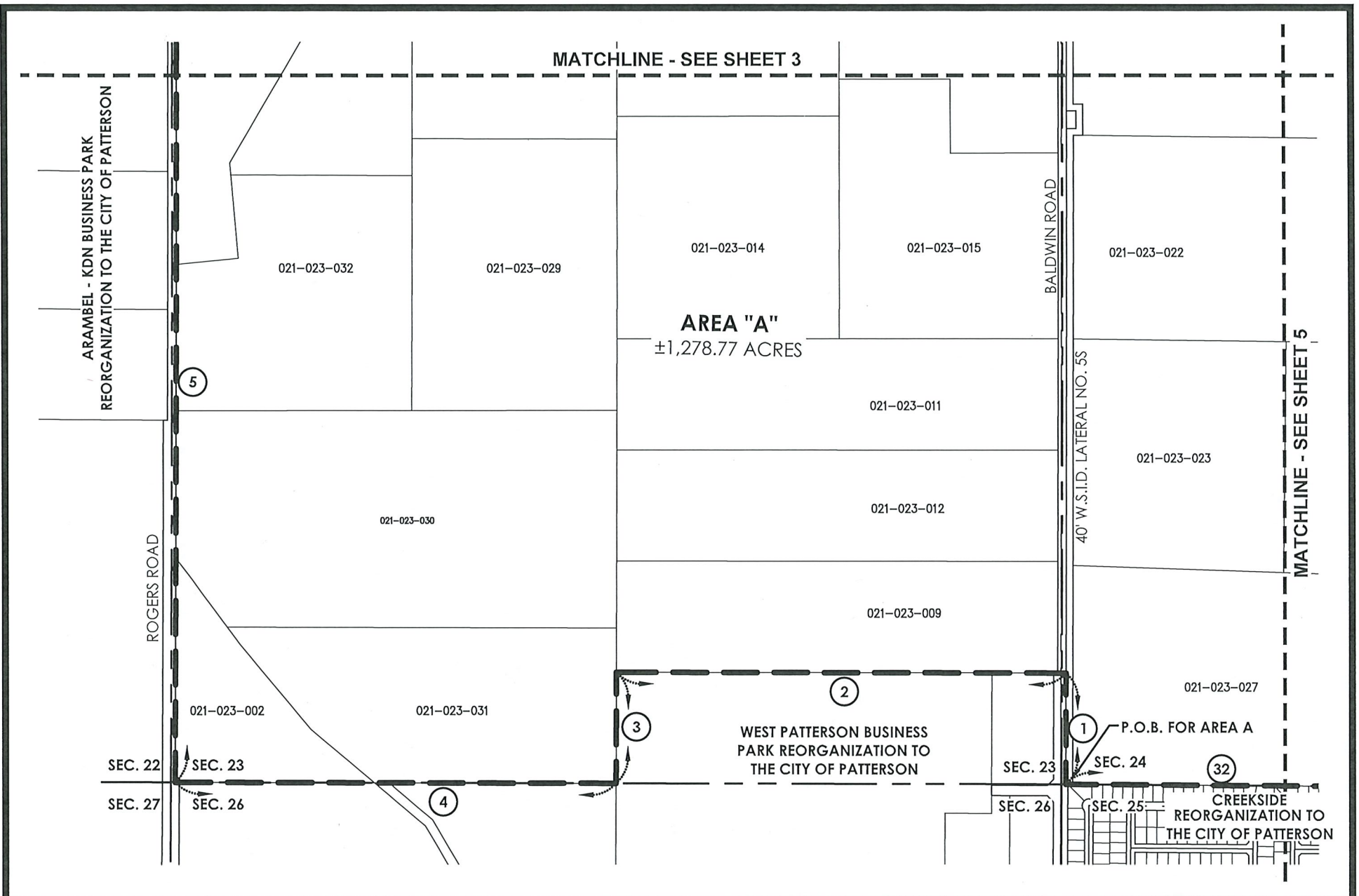
- 1. GENERAL NOTES AND KEY MAP
- 2-5. AREA "A"
- 6. AREA "B"
- 7-8. DETAILS FOR AREA "A"
- 9. COURSE TABLES FOR AREAS "A" & "B"
- 10-11. AREA "C"
- 12. COURSE TABLE FOR AREA "C"



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 3525 MITCHELL ROAD, SUITE G CERES, CA 95307  
 TELEPHONE: (209) 538-3360 FAX: (209) 538-7370  
 www.gdrengineering.com

**BALDWIN RANCH MASTER PLAN &  
 ZACHARIAS MASTER PLAN  
 REORGANIZATION TO THE CITY OF PATTERSON**

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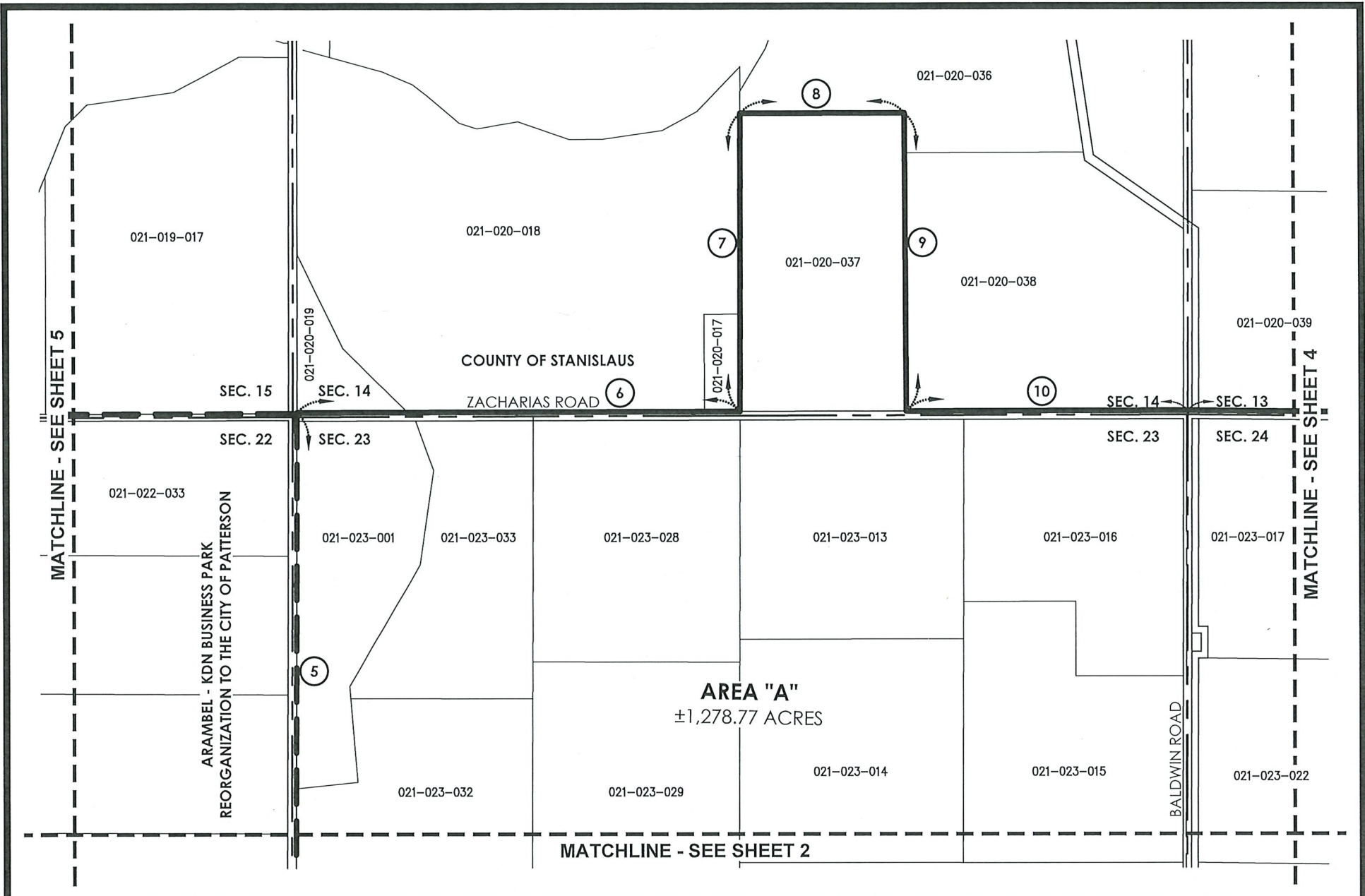



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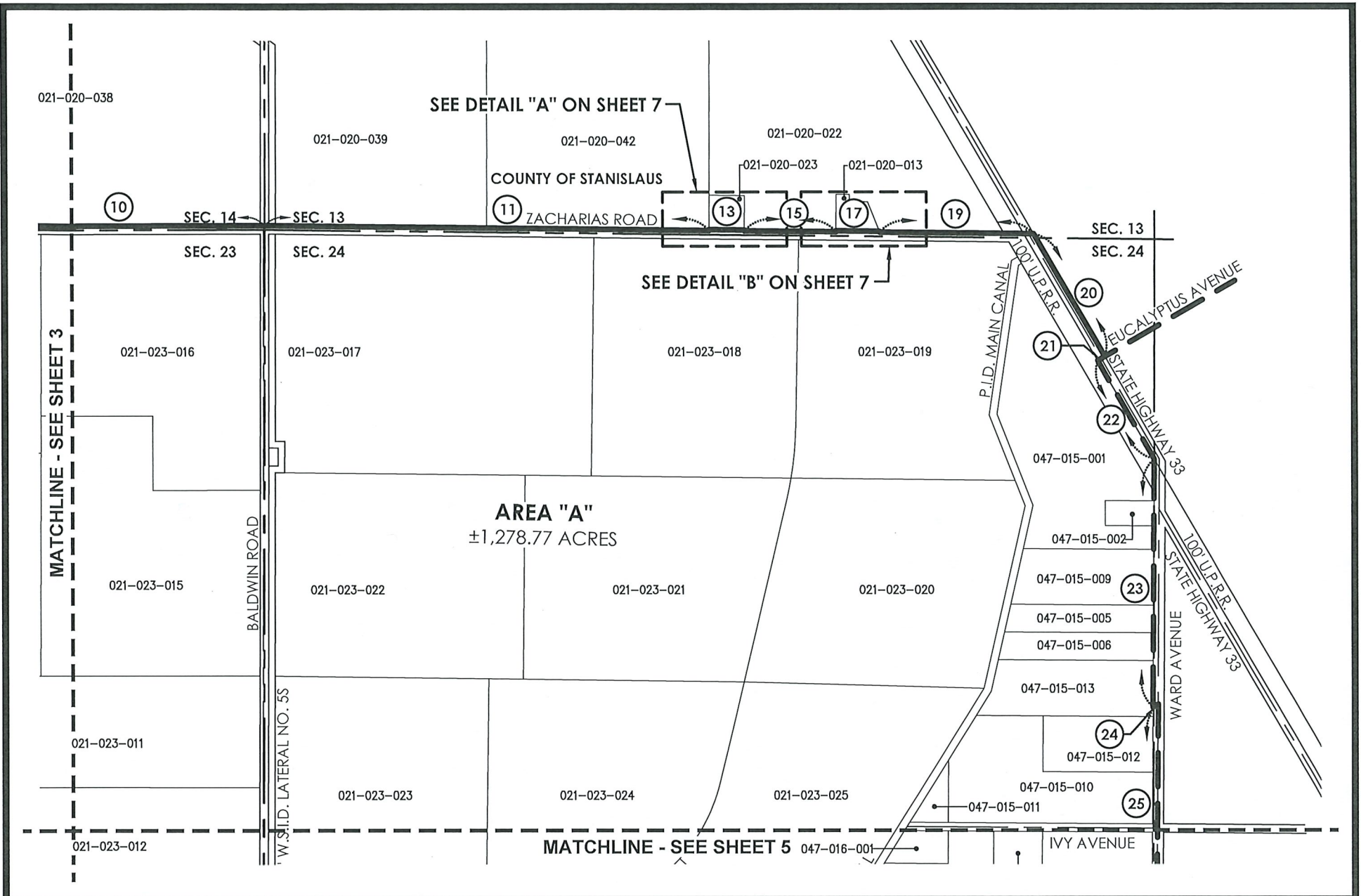




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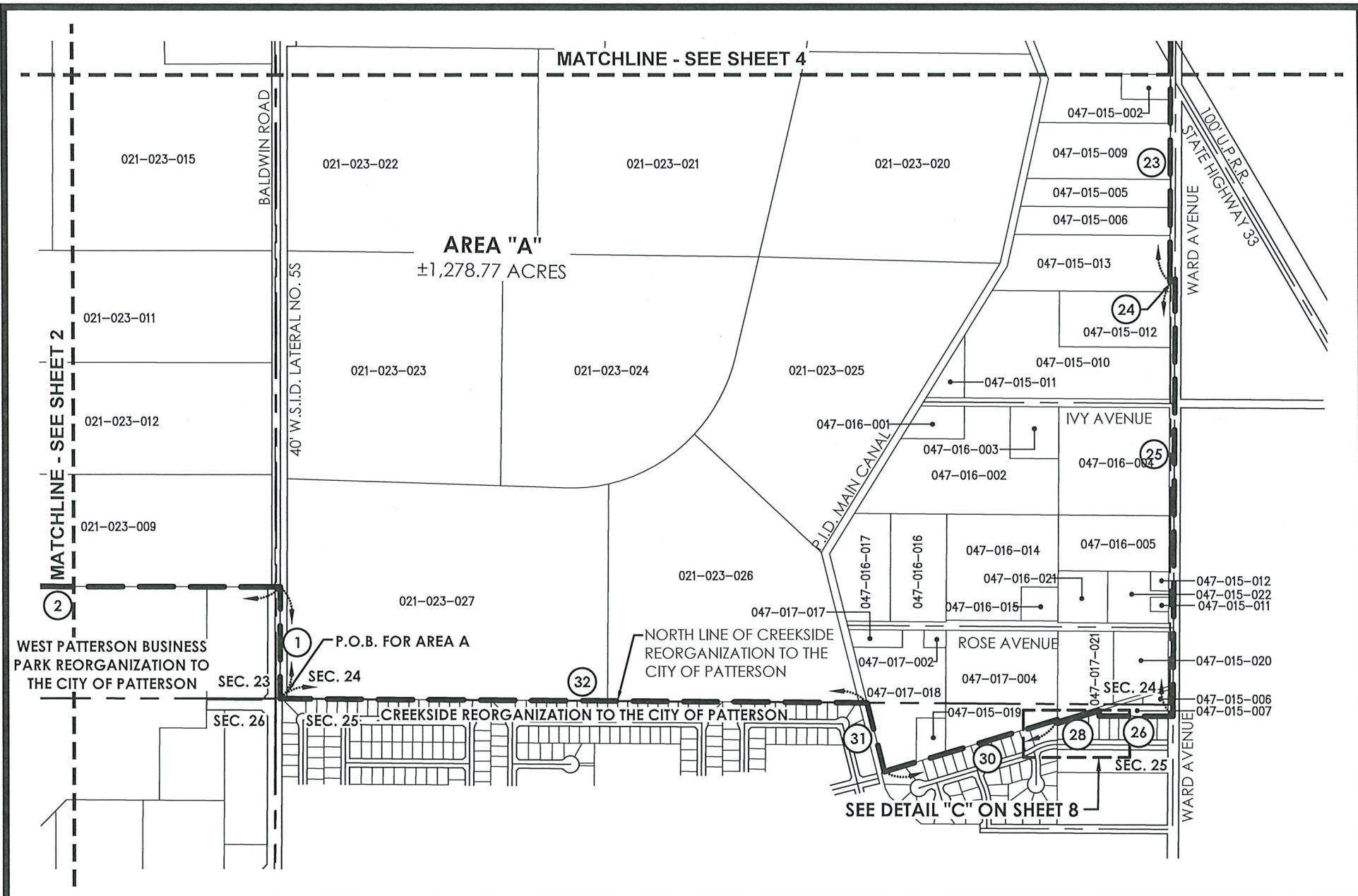
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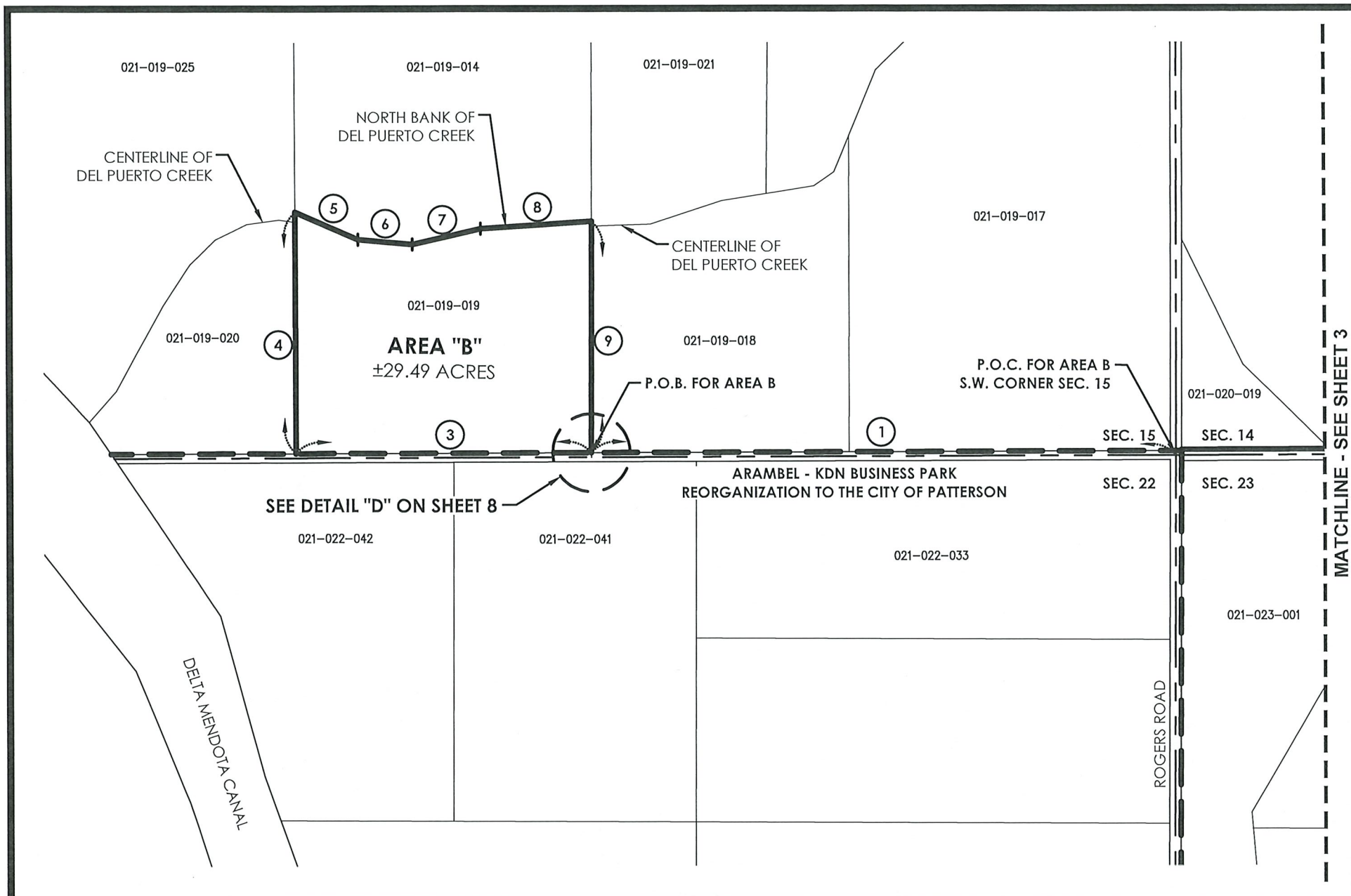
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 ZACHARIAS MASTER PLAN  
 REORGANIZATION TO THE CITY OF PATTERSON**

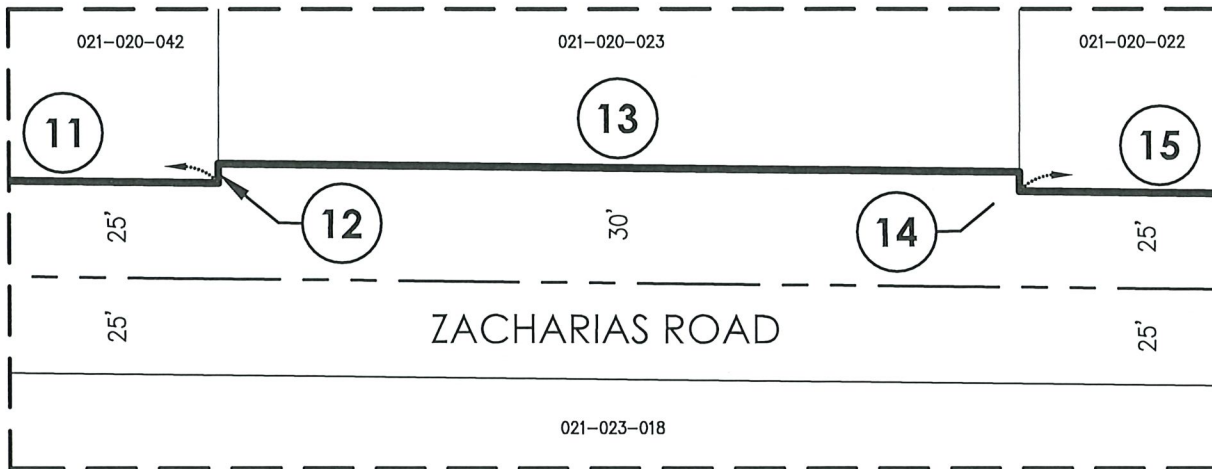
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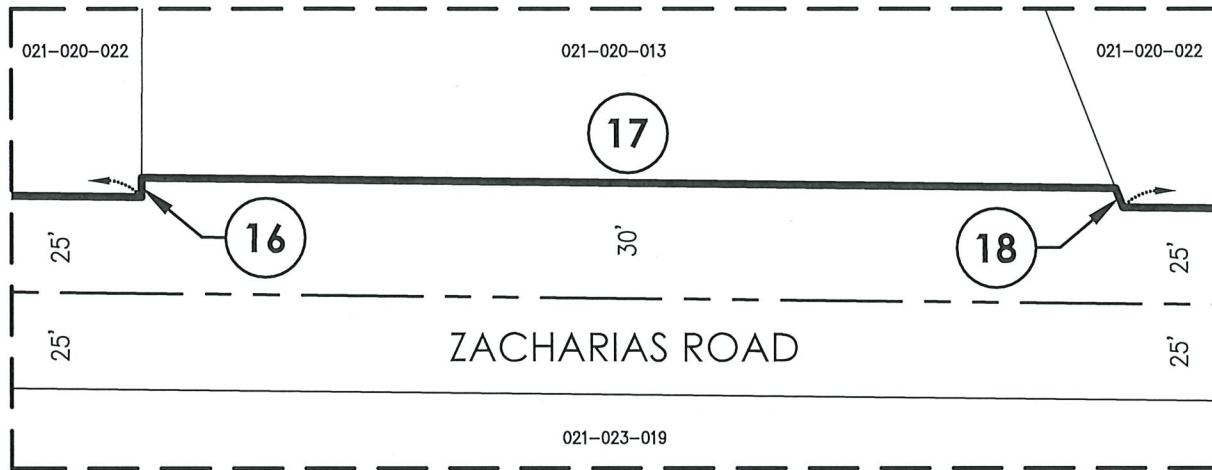
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**DETAIL "A"**

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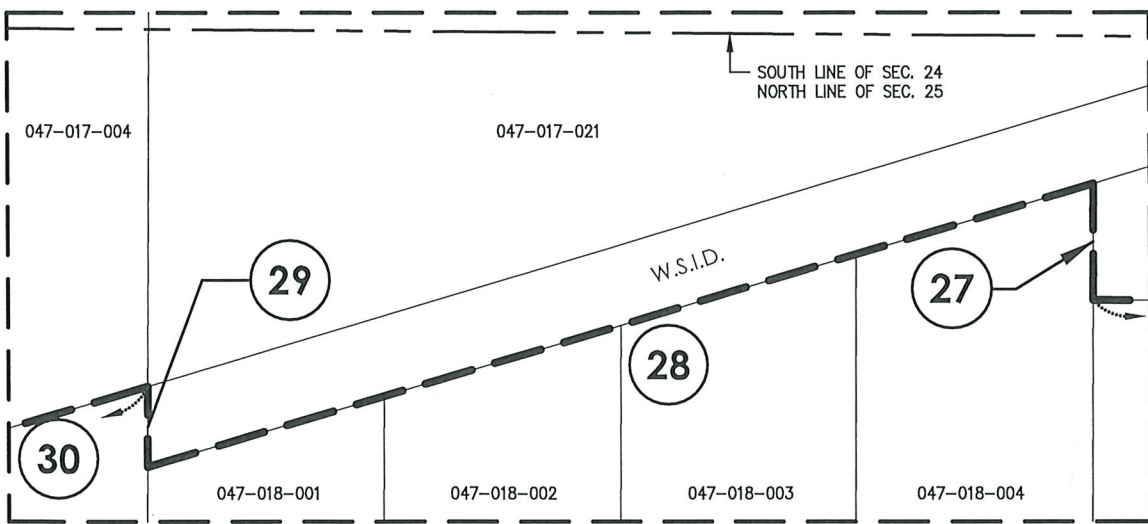
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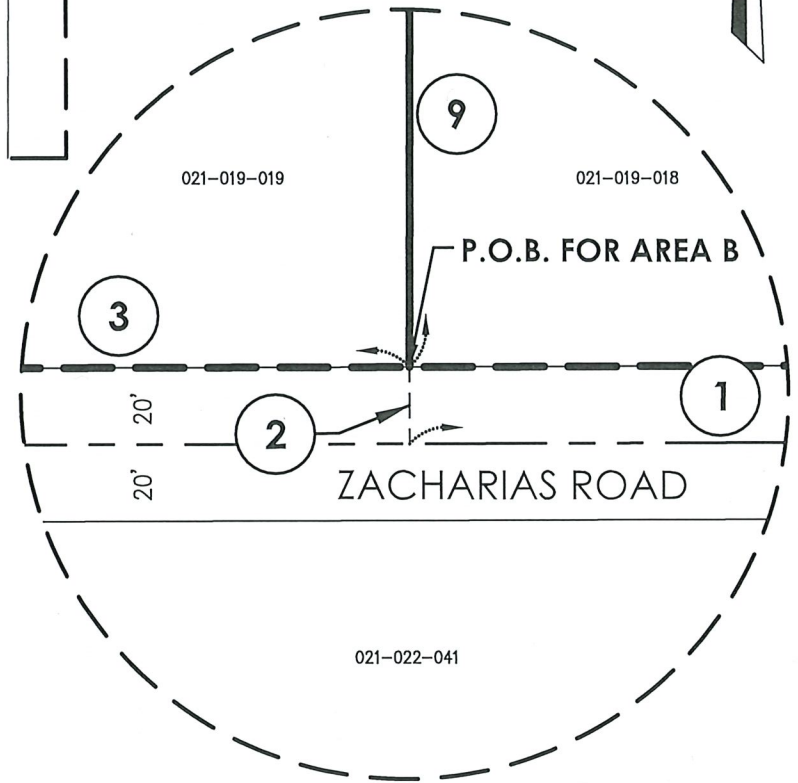
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**DETAIL "C"**  
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**DETAIL "D"**  
SCALE: 1" = 50'



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AREA "A" - COURSE TABLE		
COURSE	DIRECTION	LENGTH
1	N00°13'00"E	660.24'
2	S89°53'26"E	2667.40'
3	S00°14'32"W	658.55'
4	N89°51'05"W	2617.90'
5	S00°15'44"W	5280.25'
6	N89°52'15"E	2615.75'
7	N00°14'12"E	1756.13'
8	N89°52'31"E	972.68'
9	S00°07'29"E	1756.10'
10	N89°52'31"E	1656.98'
11	S89°22'32"E	2640.03'
12	N00°16'13"E	5.00'
13	S89°23'29"E	208.71'
14	S00°16'13"W	5.00'
15	S89°23'29"E	546.70'
16	N00°16'13"E	5.00'

AREA "A" - COURSE TABLE		
COURSE	DIRECTION	LENGTH
17	S89°23'29"E	253.58'
18	S21°23'32"E	5.39'
19	S89°23'29"E	909.59'
20	S30°04'35"E	829.93'
21	N60°00'45"E	50.00'
22	N30°04'35"W	668.40'
23	N00°15'50"E	1483.28'
24	S59°55'25"W	38.24'
25	N00°15'50"E	2602.45'
26	S89°40'00"E	441.12'
27	S00°20'00"W	21.31'
28	N73°59'00"E	256.36'
29	S00°20'00"W	27.50'
30	N73°21'47"E	1065.60'
31	S13°58'19"E	443.92'
32	N89°34'39"W	3461.95'

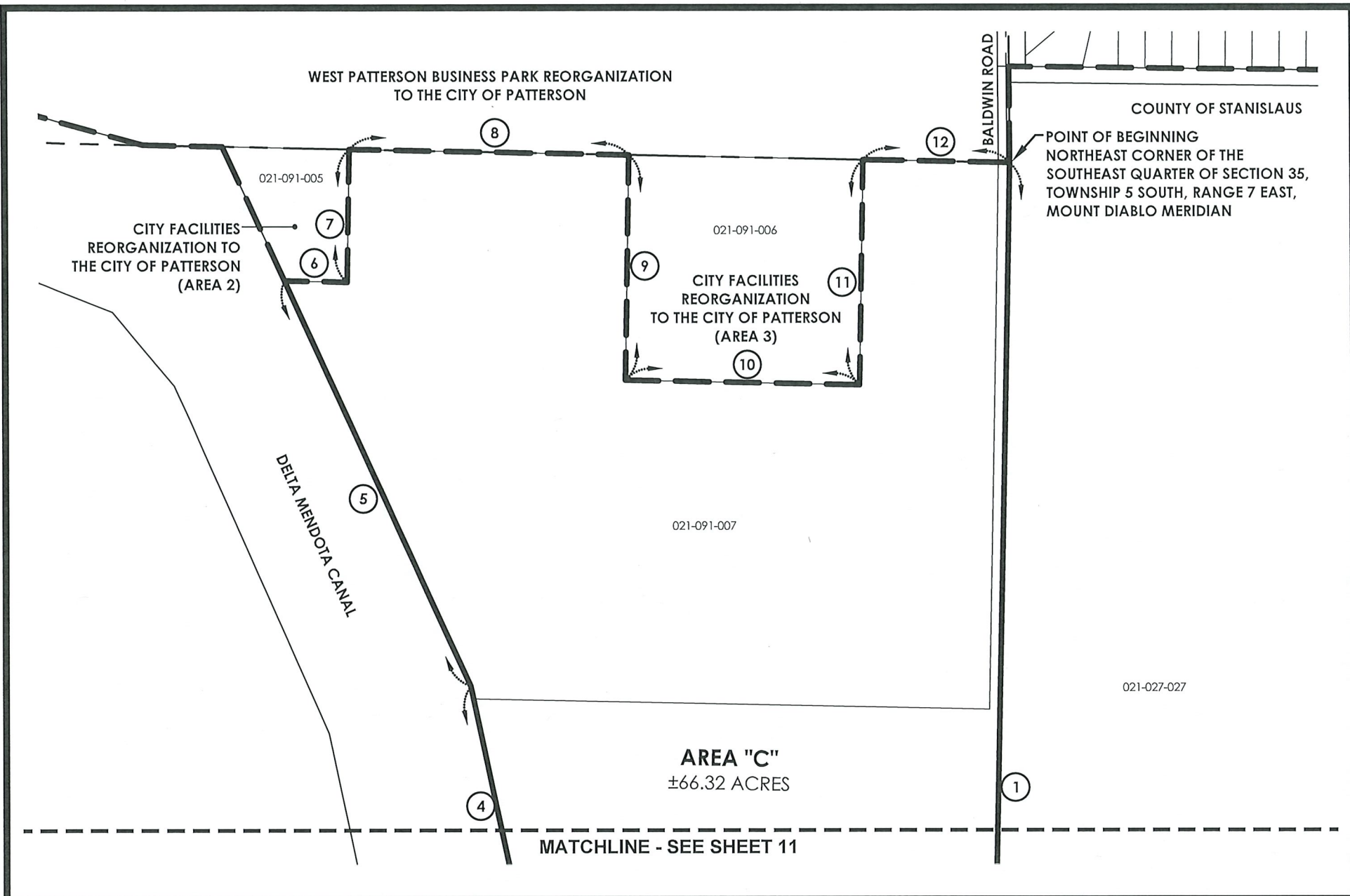
AREA "B" - COURSE TABLE		
COURSE	DIRECTION	LENGTH
1	N89°52'00"W	2654.15'
2	N00°19'00"E	20.00'
3	N89°52'00"W	1327.04'
4	N00°22'20"E	1051.00'
5	S66°13'00"E	297.60'
6	S84°12'00"E	223.50'
7	N78°03'00"E	312.50'
8	N86°22'00"E	526.40'
9	S00°19'00"W	1009.54'



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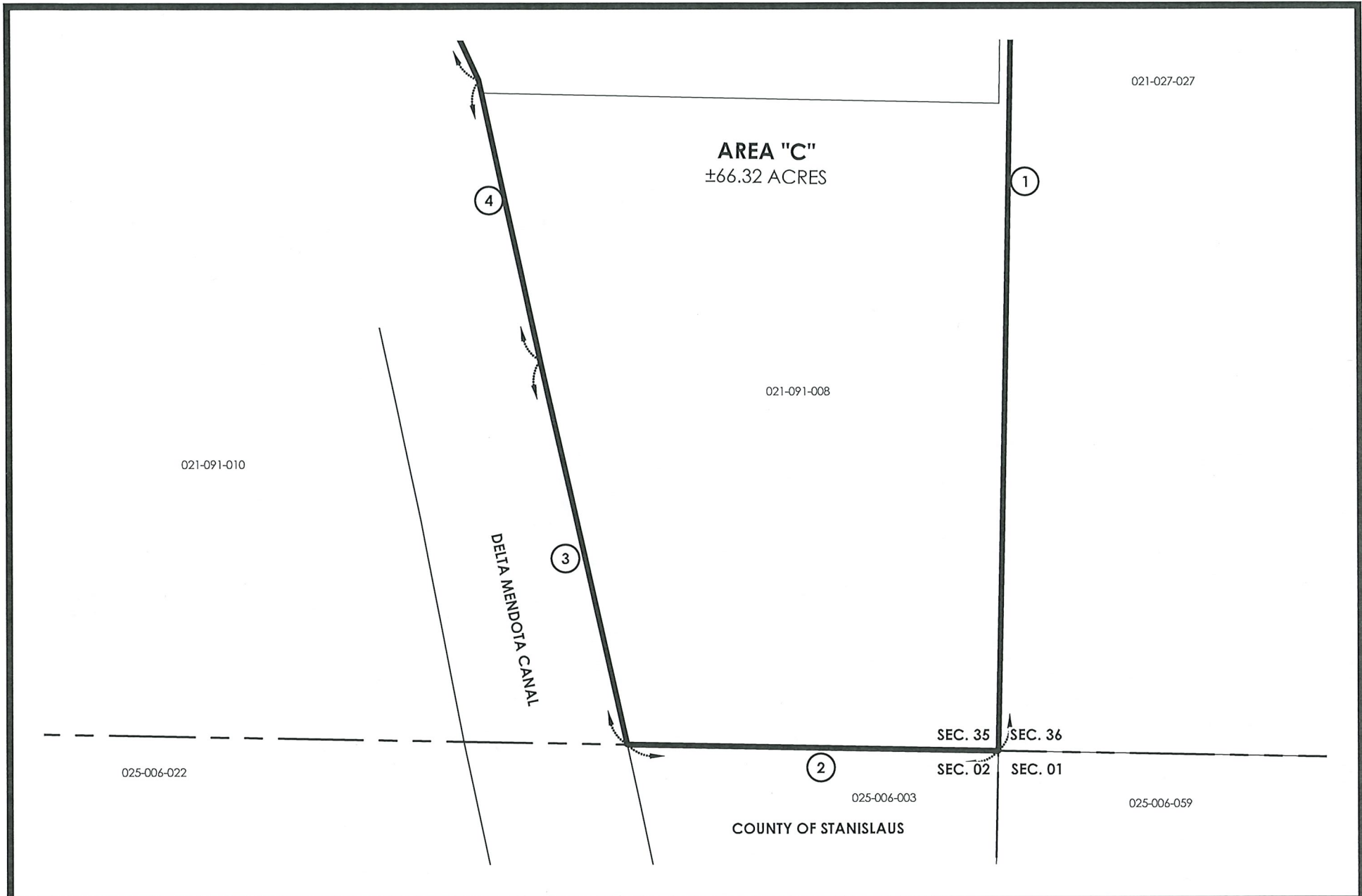


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Checked: SH	Sheet: 11 of 12

AREA "C" - COURSE TABLE		
COURSE	DIRECTION	LENGTH
1	S01°12'14"W	2650.64'
2	N88°57'14"W	826.19'
3	N12°39'17"W	871.11'
4	N11°53'44"W	634.93'
5	N24°33'44"W	992.41'
6	S88°47'48"E	140.00'
7	N01°12'12"E	295.00'
8	S88°47'48"E	622.43'
9	S01°12'14"W	500.00'
10	S88°47'48"E	522.72'
11	N01°12'14"E	500.00'
12	S88°47'48"E	325.00'



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 REORGANIZATION TO THE CITY OF PATTERSON**

Date: 12/12/2022	Scale: NTS
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Checked: SH	Sheet: 12 of 12

**Baldwin Ranch Master Plan & Zacharias Master Plan  
Reorganization to the City of Patterson**

**AREA "A"**

A portion of Sections 13, 14, 23, 24 and 25, Township 5, South, Range 7 East, Mount Diablo Meridian, situate in the County of Stanislaus, State of California, more particularly described as follows:

**Beginning** at the intersection of the south line of said Section 24 with the east line of Baldwin Road, said east line being 25.00 feet east of and parallel with the west line of said Section 24, said point of beginning also lying on the north line of the Creekside Reorganization to the City of Patterson;

- 1) thence along the existing city limits line as described in the West Patterson Business Park Reorganization to the City of Patterson and the said east line of Baldwin Road, North  $00^{\circ}13'00''$  East, 660.24 feet to the easterly prolongation of the north line of Parcel 3 as shown in Book 32 of Parcel Maps, Page 101, Stanislaus County Records;
- 2) thence continuing along said city limits line and along said prolongation and the north line of said Parcel 3, North  $89^{\circ}53'26''$  West, 2667.40 feet to the northwest corner of said Parcel 3;
- 3) thence continuing along said city limits line, the west line of said Parcel 3 and the west line of the southeast quarter of said Section 23, South  $00^{\circ}14'32''$  West, 658.55 feet to the southwest corner of said southeast quarter of Section 23;
- 4) thence continuing along said city limits line and the south line of the southwest quarter of said Section 23, North  $89^{\circ}51'05''$  West, 2617.90 feet to the east line of the Arambel-KDN Business Park Reorganization to the City of Patterson and the east line of Rogers Road, said east line being 25.00 feet east of and parallel with the west line of said Section 23;
- 5) thence continuing along said east line of Rogers Road, said city limits line and its northerly prolongation, North  $00^{\circ}15'44''$  East, 5280.25 feet to the north line of Zacharias Road, said north line being 25.00 feet north of and parallel with the north line of said Section 23;
- 6) thence along said north line of Zacharias Road, North  $89^{\circ}52'15''$  East, 2615.75 feet to the east line of the southwest quarter of said Section 14 and the southwest corner of Parcel 2 as shown on the map recorded in Book 53 of Parcel Maps, Page 53, Stanislaus County Records;
- 7) thence along the west line of said Parcel 2, North  $00^{\circ}14'12''$  East, 1756.13 feet to the northwest corner of said Parcel 2;
- 8) thence along the north line of said Parcel 2, North  $89^{\circ}52'31''$  East, 972.68 feet to the northeast corner of said Parcel 2;
- 9) thence along the east line of said Parcel 2, South  $00^{\circ}07'29''$  East, 1756.10 feet to the southeast corner of said Parcel 2 and the north line of said Zacharias Road;

- 10) thence along said north line of Zacharias Road, North  $89^{\circ}52'31''$  East, 1656.98 feet to the east line of said Section 14;
- 11) thence continuing along the north line of Zacharias Road, South  $89^{\circ}22'32''$  East, 2640.03 feet to the southeast corner of Parcel 10 as shown on the map recorded in Book 53 of Parcel Maps, Page 53, Stanislaus County Records;
- 12) thence continuing along the north line of said Zacharias Road and along the east line of said Parcel 10, North  $00^{\circ}16'13''$  East, 5.00 feet;
- 13) thence continuing along the north line of said Zacharias Road and the south line of Parcel A as shown on the map recorded in Book 15 of Parcel Maps, Page 93, Stanislaus County Records, South  $89^{\circ}23'29''$  East, 208.71 feet to the southeast corner of said Parcel A;
- 14) thence continuing along the north line of said Zacharias Road, South  $00^{\circ}16'13''$  West, 5.00 feet;
- 15) thence continuing along the north line of said Zacharias Road, South  $89^{\circ}23'29''$  East, 546.70 feet;
- 16) thence continuing along the north line of said Zacharias Road, North  $00^{\circ}16'13''$  East, 5.00 feet;
- 17) thence continuing along the north line of said Zacharias Road, South  $89^{\circ}23'29''$  East, 253.58 feet;
- 18) thence continuing along the north line of said Zacharias Road, South  $21^{\circ}23'32''$  East, 5.39 feet;
- 19) thence continuing along the north line of said Zacharias Road and its easterly prolongation, South  $89^{\circ}23'29''$  East, 909.59 feet to the northeasterly line of State Highway 33;
- 20) thence along said northeasterly line of Highway 33, South  $30^{\circ}04'35''$  East, 829.93 feet to the northwesterly line of Eucalyptus Avenue and the existing city limits line per the Villages of Patterson Reorganization to the City of Patterson;
- 21) thence along said city limits line, South  $60^{\circ}00'45''$  West, 50.00 feet to the southwesterly line of said Highway 33;
- 22) thence continuing along said city limits line and said southwesterly line, South  $30^{\circ}04'35''$  East, 668.40 feet to the west line of Ward Avenue;
- 23) thence continuing along said city limits line and said west line, South  $00^{\circ}15'50''$  West, 1483.28 feet;
- 24) thence continuing along said city limits line, North  $59^{\circ}55'25''$  East, 38.24 feet to the centerline of said Ward Avenue;
- 25) thence continuing along said city limits line and said centerline, South  $00^{\circ}15'50''$  West, 2602.45 feet to the easterly prolongation of the north line of the Correia Tract recorded in Book 18 of Maps, Page 3, Stanislaus County Records;
- 26) thence continuing along said city limits line, North  $89^{\circ}40'00''$  West, 441.12 feet;
- 27) thence continuing along said city limits line, North  $00^{\circ}20'00''$  East, 21.31 feet;

- 28) thence continuing along said city limits line, South 73°59'00" West, 256.36 feet;
- 29) thence continuing along said city limits line, North 00°20'00" East, 27.50 feet;
- 30) thence continuing along said city limits line, South 73°21'47" West, 1065.60 feet to the easterly line of the Patterson Irrigation District Main Canal Extension;
- 31) thence continuing along said city limits line and said easterly line, North 13°58'19" West, 443.92 feet to the south line of said Section 24;
- 32) thence continuing along said city limits line and said south line of Section 24, North 89°34'39" West, 3,461.95 feet to the point of beginning.

Containing 1,278.77 acres, more or less.

### AREA "B"

A portion of Section 15, Township 5, South, Range 7 East, Mount Diablo Meridian, situate in the County of Stanislaus, State of California, more particularly described as follows:

**Commencing** at the northeast corner said Section 15, said point being the intersection of the centerline of Rogers Road with the centerline of Zacharias Road;

- 1) thence along the north line of said Section 15, North 89°52'00" West, 2654.15 feet to the southeast corner of the southwest quarter of said Section 15;
- 2) thence along the east line of said southwest quarter, North 00°19'00" East, 20.00 feet to the north line of said Zacharias Road and the existing city limits line of the City of Patterson as described in the Arambel-KDN Business Park Reorganization to the City of Patterson, and the **Point of Beginning**;
- 3) thence along said city limits line and said north line of Zacharias Road, North 89°52'00" West, 1327.04 feet to the west line of the 30.10-acre property shown on the map filed in Book 3 of Survey, Page 126, Stanislaus County Records;
- 4) thence leaving said city limits line and said north line of Zacharias Road and going along the west line of last said property North 00°22'30" East, 1051.00 feet;
- 5) thence along the north bank of Del Puerto Creek, South 66°13'00" East, 297.60 feet;
- 6) thence continuing along the north bank of said Del Puerto Creek, South 84°12'00" East, 223.50 feet;
- 7) thence continuing along the north bank of said Del Puerto Creek, North 78°03'00" East, 312.50 feet;
- 8) thence continuing along the north bank of said Del Puerto Creek, North 86°22'00" East, 526.40 feet to said east line of the southwest quarter of said Section 15;
- 9) thence along said east line, South 00°19'00" West, 1009.54 feet to the point of beginning.

Containing 29.49 acres, more or less

**AREA "C"**

A portion of the southeast quarter of Section 35, Township 5 South, Range 7 East, Mount Diablo Meridian, situated in the County of Stanislaus, State of California, more particularly described as follows:

**Beginning** at the northeast corner of said southeast quarter of Section 35;

- 1) thence along the east line of said southeast quarter of Section 35, South 01°12'14" West, 2650.64 feet to the southeast corner of said Section 35;
- 2) thence along the south line of said Section 35; North 88°57'14" West, 826.19 feet to the easterly line of the Delta Mendota Canal;
- 3) thence along said easterly line of the Delta Mendota Canal, North 12°39'17" West, 871.11 feet;
- 4) thence continuing along the easterly line of said Delta Mendota Canal, North 11°53'44" West, 634.93 feet;
- 5) thence continuing along the easterly line of said Delta Mendota Canal, North 24°33'44" West, 992.41 feet to the southwest corner of Area 2 of the City Facilities Reorganization to the City of Patterson;
- 6) thence along the existing City limits line of the City of Patterson and the south line of said Area 2, South 88°47'48" East, 140.00 feet to the southeast corner of said Area 2;
- 7) thence continuing along said City limits line and the east line of said Area 2, North 01°12'12" East, 295.00 feet to the northeast corner of said Area 2 and the north line of said southeast quarter of Section 35;
- 8) thence leaving said City limits line and going along said north line of the southeast quarter of Section 35, South 88°47'48" East, 622.43 feet to the northwest corner of Area 3 of said City Facilities Reorganization to the City of Patterson;
- 9) thence along the existing City limits line and the west line of said Area 3, South 01°12'14" West, 500.00 feet to the southwest quarter of said Area 3;
- 10) thence continuing along said City limits line and the south line of said Area 3, South 88°47'48" East, 522.72 feet to the southeast corner of said Area 3;
- 11) thence continuing along said City limits line and the east line of said Area 3, North 01°12'14" East, 500.00 feet to the northeast corner of said Area 3 and said north line of the southeast quarter of Section 35;

12) thence leaving said City limits line and going along said north line of the southeast quarter of Section 35, South 88°47'48" East, 325.00 feet to the point of beginning.

Containing 66.32 acres, more or less.

The real land described has been prepared by me, or under my direction, in conformance with the Professional Land Surveyors Act.



Sean Harp 12/13/2022  
Sean Harp, L.S. 7823 Date

## **EXHIBIT B**

### **Patterson Draft Municipal Service Review & Sphere of Influence Update**



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**City of Patterson**  
**Municipal Service Review**  
**and**  
**Sphere of Influence Update**

**December 1, 2022**

**FirstCarbon Solutions**  
2999 Oak Road, Suite 250  
Walnut Creek, CA, 94597

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## ACRONYMS

AFY	acre-feet per year
AIPS	Advanced Integrated Pond System
CEQA	California Environmental Quality Act
CF	cubic feet
CFS	cubic feet per second
CIP	Capital Improvement Plan
CKH	Cortese-Knox-Hertzberg
DUC	Disadvantaged Unincorporated Community
GFOA	Government Finance Officers Association
GPM	gallons per minute
GSA	Groundwater Sustainability Agency
GSP	Groundwater Sustainability Plan
HCF	hundred cubic feet
LAFCo	Local Agency Formation Commission
MGD	million gallons per day
MHI	median household income
MSR	Municipal Service Review
NASTS -	North Activated Sludge Treatment System
OPEB	Other Postemployment Benefits
PFD	Patterson Fire Department
PDWF	peak dry weather flow
PWWF	peak wet weather flow
SASTS	South Activated Sludge Treatment System
SGMA	Sustainable Groundwater Management Act
SOI	Sphere of Influence
SWMP	Storm Water Management Program
TDS	total dissolved solids
WHWD	Western Hills Water District
WQCF	Water Quality Control Facility
WTP	Water Treatment Plant
WWMP	Wastewater Master Plan
WWTP	Wastewater Treatment Plant

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## 1: INTRODUCTION

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### 1.1 – Role and Responsibility of LAFCo

The fundamental role of a Local Agency Formation Commission (LAFCo) is to implement the Cortese-Knox-Hertzberg (CKH) Local Government Reorganization Act of 2000 (Government Code Section 56000, et seq.), providing for the logical, efficient, and most appropriate formation of local municipalities, service areas, and special districts. The CKH requires all LAFCOs, including Stanislaus County LAFCo, to conduct a Municipal Service Review (MSR) prior to, or in conjunction with a Sphere of Influence (SOI) update.

According to CKH the LAFCo Commission must make a determination for each of the following seven elements:

1. **Growth and Population Projections for the Affected Area.** This section reviews projected growth within the existing service boundaries of the City and analyzes the City’s plans to accommodate future growth.
2. **The location and characteristics of any disadvantaged unincorporated communities within or contiguous to the Sphere of Influence.** A disadvantaged community is defined as inhabited territory with a median household income of 80 percent or less of the Statewide median income.
3. **Present and Planned Capacity of Public Facilities and Adequacy of Public Services Including Infrastructure Needs or Deficiencies.** This section discusses the services provided including the quality and the ability of the City to provide those services. It will include a discussion of capital improvement projects currently underway and projects planned for the future where applicable.
4. **Financial Ability of Agencies to Provide Services.** This section reviews the City’s fiscal data and rate structure to determine viability and ability to meet service demands. It also addresses funding for capital improvement projects.
5. **Status of and Opportunities for Shared Facilities.** This section examines efficiencies in service delivery that could include sharing facilities with other agencies to reduce costs by avoiding duplication.
6. **Accountability for Community Service Needs, including Government Structure and Operational Efficiencies.** This section examines the City’s current government structure and considers the overall managerial practices. It also examines how well each City makes its processes transparent to the public and invites and encourages public participation.
7. **Matters Related to Effective or Efficient Service Delivery Required by Commission Policy.** This section includes a discussion of any Stanislaus LAFCo policies that may affect the ability to provide efficient services.

### 1.2 – Purpose of the Municipal Service Review

This MSR will provide Stanislaus LAFCo with an informational document that analyses current service provision by the City of Patterson (City). Exhibit 1-1 shows the boundaries of the City and its SOI.

CKH requires an MSR to be updated prior to or in conjunction with the update to an SOI. SOI updates are required to be completed every 5 years, as necessary. Since the most recent MSR for the City was completed in 2013, the MSR is due for an update. The City will be considering expanding its SOI to include the proposed

Zacharias Master Plan Project for potential annexation into the City. This MSR will also identify and discuss services provided in that area. Key sources for this study include agency-specific information gathered through a questionnaire, strategic plans, general plans, websites, financial reports, agency audits, research, personal communication, and the Municipal Service Review Guidelines published by the Governor’s Office of Planning and Research (OPR).

### 1.3 – Sphere of Influence

This report will also include an analysis of the SOI for the City. There are five determinations which must be made to update the SOI. The Commission must consider:

- **Present and planned land uses in the area, including agricultural and open space lands**–This consists of a review of current and planned land uses based on planning documents to include agricultural and open space lands.
- **Present and probable need for public facilities and services**–This includes a review of the services available in the area and the need for additional services.
- **Present capacity of public facilities and adequacy of public services provided by the agency**–This section includes an analysis of the capacity of public facilities and the adequacy of public services that the City provides or is authorized to provide.
- **Social or economic communities of interest**–This section discusses the existence of any social or economic communities of interest in the area if the Commission determines that they are relevant to the City. These are areas that may be affected by services provided by the City or may be receiving services in the future.
- **Present and probable need for services to disadvantaged communities**–Beginning July 1, 2012, the Commission must also consider services to disadvantaged communities which are defined as populated areas within the SOI whose median household income is less than or equal to 80 percent of the Statewide median income.

### 1.4 – California Environmental Quality Act

Actions taken by LAFCo require review under the California Environmental Quality Act (CEQA). Municipal service reviews are exempt under Class 6, since the MSR is a data collection study. CEQA Guidelines Section 15306 states that “Class 6 consists of basic data collection, research, experimental management, and resource evaluation activities that do not result in a serious or major disturbance to an environmental resource.”

In contrast, modification of an SOI is subject to CEQA. In many cases, LAFCo is the Responsible Agency, but when LAFCo initiates the project, it is the lead agency. For example, LAFCo is often the lead agency for the adoption of an SOI or an update to an SOI. However, in this case, the City will be the lead agency for the proposed SOI modification and LAFCo will be the Responsible Agency. The Environmental Impact Report (EIR) prepared for the development of the Zacharias Master Plan has included the proposed SOI modification in order to satisfy the ability for LAFCo to use the document as a Responsible Agency during its actions.



## 1.5 – Uses of the Municipal Service Review

The MSR is used to shed light on the operations of a local agency, identify agencies unable to perform their mandated services, or identify ways to provide more effective, efficient services. Government Code Section 56375 allows LAFCo to take action on recommendations found in the MSR, such as initiating studies for changes of organization, updating the SOI, or originating a change of organization.

Studies in anticipation of a change of organization are useful to identify potential issues that may arise during the process. Issues can range from legal barriers to fiscal constraints to concerns of residents and landowners. A study would allow more focused analysis and the opportunity to resolve issues or options before beginning the process.

The MSR also provides the necessary information to help LAFCo make decisions on the proposed SOI update. In evaluating the proposed SOI, the MSR provides the information necessary to determine whether the agency has the capability to serve a larger area. The MSR discusses the financial condition of the City, source of revenues, and projected expenses. It also includes a discussion of the projected infrastructure needs that would allow for expansion of those services.

Alternatively, the MSR can recommend changes of organization: consolidation, dissolution, merger, establishment of a subsidiary district, or the creation of a new agency that typically involves a consolidation of agencies. Those changes of organization may also require an environmental review, a property tax sharing agreement, and an election.

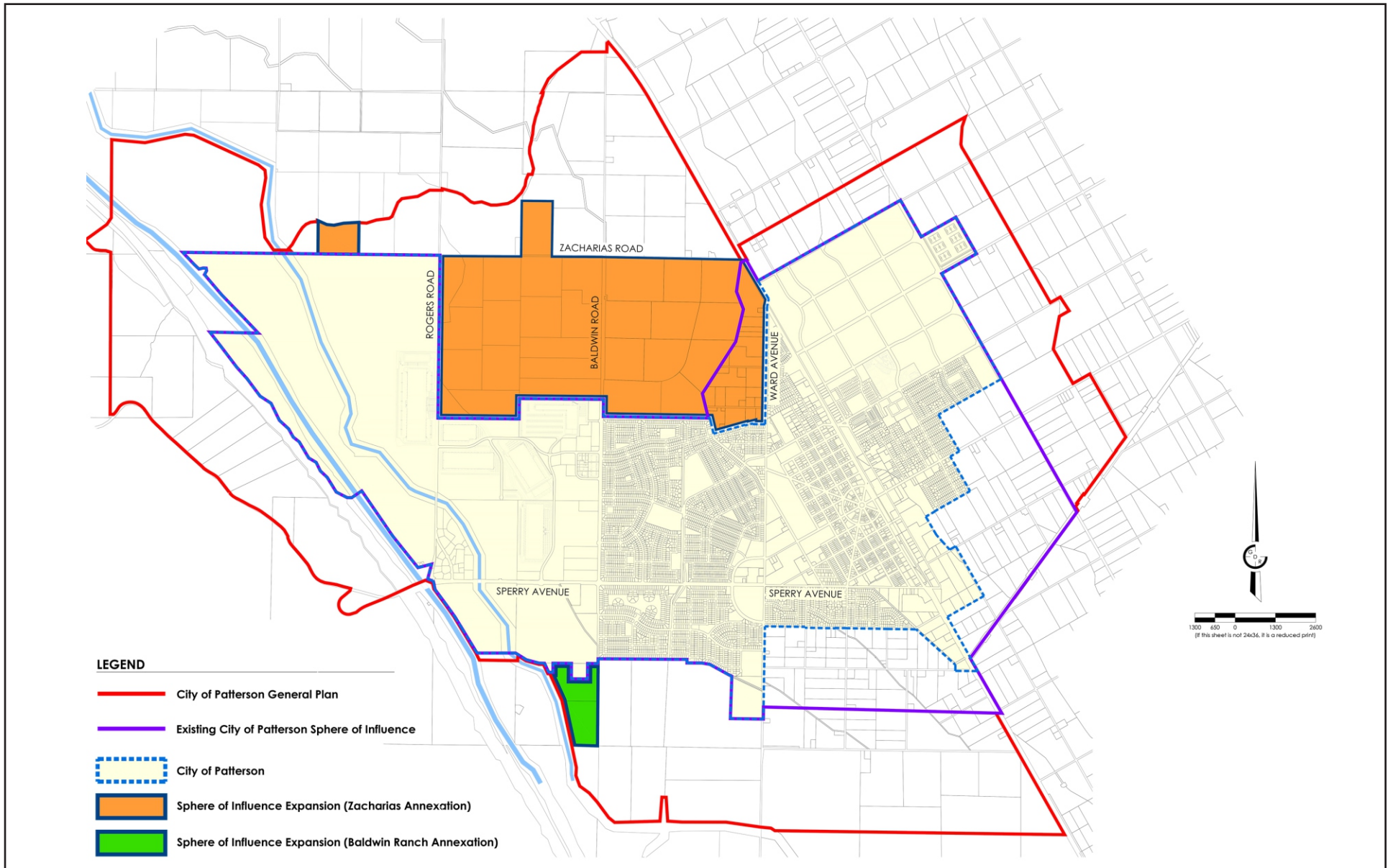
## 1.6 – City Profile

The City of Patterson was incorporated December 22, 1919 as a general law city in Stanislaus County, located east of Interstate 5 (I-5). It is 27 miles southeast of Tracy and is part of the Modesto Metropolitan Statistical Area. The City of Patterson encompasses approximately 5,112 acres and its SOI approximately 1,037 acres. The most recent annexations occurred in 2006 with the addition of approximately 703.57 acres, in 2010 when 173.2 acres were added and in 2014 when approximately 1995.77 acres were added. The Zacharias Project boundaries are adjacent to city limits but for the most part outside the SOI. Exhibit 1-1 shows the general vicinity and the area to be included in this service review.

The City of Patterson is a rural city surrounded by agricultural land. Patterson is known as the "Apricot Capital of the World"; the town holds an annual Apricot Fiesta to celebrate with many drinks, food, desserts, and games. The area also produces almonds, walnuts, dry beans, tomatoes, broccoli, spinach, peas, and melons.

The area surrounding the City is served by a number of special districts. Fire protection is provided by West Stanislaus Fire Protection District. Water and irrigation services are provided by the Patterson Irrigation District, the Del Puerto Water District, and the West Stanislaus Irrigation Districts. The Patterson Cemetery District includes the City of Patterson as does the Del Puerto Healthcare District. None of these agencies are part of this service review as this review focuses on services provided by the City.

Patterson operates under a Council/Manager form of government. The City government consist of eight departments that provide police, fire, parks and recreation, and public works, along with administration and finance.



Source: City of Patterson, Stanislaus County, CA. August 8, 2022.

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## 2: EXECUTIVE SUMMARY

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### 2.1 – Role and Responsibility of LAFCo

The fundamental role of an LAFCo is to implement the CKH Local Government Reorganization Act of 2000 (Government Code § 56000, *et seq.*), providing for the logical, efficient, and most appropriate formation of local municipalities, service areas, and special districts. CKH requires all LAFCos, including Stanislaus County LAFCo, to conduct an MSR prior to updating the SOIs of the various cities and special districts in the County (Government Code § 56430). CKH requires an MSR and SOI to be updated periodically.

The focus of this MSR is to provide Stanislaus County LAFCo with all necessary and relevant information related to the City of Patterson. It will allow Stanislaus County LAFCo to make determinations in each of the seven areas prescribed by CKH. This MSR evaluates the structure and operation of the City and discusses possible areas for improvement and coordination. The report contains one section for each of the following seven elements as prescribed by CKH:

1. Growth and Population Projections for the Affected Area.
2. The Location and Characteristics of Any Disadvantaged Unincorporated Communities Within or Contiguous to the Sphere of Influence.
3. Present and Planned Capacity of Public Facilities and Adequacy of Public Services Including Infrastructure Needs or Deficiencies.
4. Financial Ability of Agencies to Provide Services.
5. Status of and Opportunities for Shared Facilities.
6. Accountability for Community Service Needs, Including Government Structure and Operational Efficiencies.
7. Matters Related to Effective or Efficient Service Delivery Required by Commission Policy.

The MSR is used to shed light on the operations of the local agency, identify agencies unable to perform their mandated services, or identify ways to provide more effective, efficient services. Government Code Section 56375 allows LAFCo to take action on recommendations found in the MSR, such as initiating studies for changes of organization, updating the SOI, or initiating a change of organization.

This report also includes SOI recommendations. CKH requires LAFCo to adopt an SOI and map for each city and each special district in the County. The sphere influence is defined by CKH in Government Code Section 56076 as “a plan for the probable physical boundary and service area of a local agency or municipality as determined by the Commission.”

The LAFCo Commission must make determinations with respect to the following factors when establishing or reviewing an SOI:

1. Present and planned land uses in the area, including agricultural and open space lands.

2. Present and probable need for public facilities and services.
3. Present capacity of public facilities and adequacy of public services provided by the agency.
4. Social or economic communities of interest.
5. Present and probable need for services to disadvantaged communities.

An SOI may be amended or updated. An amendment is a relatively limited change to the sphere or map to accommodate a specific project. An update is a comprehensive review of the sphere that includes the map and relevant portions of one or more MSRs. CKH requires updates at least every 5 years or as needed.

## **2.2 – City Profile**

The City of Patterson was incorporated December 22, 1919. Patterson is a general law city in Stanislaus County, located east of I-5. It is 27 miles southeast of the City of Tracy and is part of the Modesto Metropolitan Statistical Area. The City of Patterson encompasses approximately 5,112 acres and its SOI approximately 1,037 acres. The Zacharias Project boundaries are adjacent to city limits but for the most part outside the SOI. Exhibit 1-1 shows the general vicinity and the area to be included in this service review.

The City of Patterson is a rural city surrounded by agricultural land. Patterson is known as the "Apricot Capital of the World"; the town holds an annual Apricot Fiesta to celebrate with many drinks, food, desserts, and games. The area also produces almonds, walnuts, dry beans, tomatoes, broccoli, spinach, peas, and melons.

The area surrounding the City is served by a number of special districts. Fire protection is provided by West Stanislaus Fire Protection District. Water and irrigation services are provided by the Patterson Irrigation District, the Del Puerto Water District, and the West Stanislaus Irrigation Districts. The Patterson Cemetery District includes the City of Patterson as does the Del Puerto Healthcare Districts. None of these agencies are part of this service review as this review focuses on services provided by the City.

## **2.3 – Growth and Population Projections**

The City of Patterson had an estimated population of 23,764 in 2019. The City of Patterson grew at an average rate of 5 percent over that last 19 years. Continued growth is anticipated so that at buildout in 2050 the City would have an estimated population of 66,000.

## **2.4 – Disadvantaged Unincorporated Communities**

A Disadvantaged Unincorporated Community (DUC) is defined as an area with a median household income (MHI) of less than 80 percent of the California median household income. The City of Patterson MHI exceeds the 80 percent threshold. However, no evidence exists that a DUC is located within the City of Patterson SOI and more specifically, in and around the project area.

## 2.5 – Present and Planned Capacity of Public Facilities

The City provides law enforcement, fire and emergency services, street and park maintenance, parks, and recreation as well as the enterprise services of water, wastewater, and solid waste. The City contracts with the Stanislaus County Sheriff for law enforcement and with a private contractor for solid waste collection services.

### Law Enforcement

In 1998, the City of Patterson contracted with the Stanislaus County Sheriff's Department to form the Patterson Police Services of the Stanislaus County Sheriff's Department. The Patterson City Council, through its City Manager, provides local direction and control of the department. Services provided include administration, citizen volunteer programs, investigations, patrol, records management, recruitment, specialized enforcement teams, training, and traffic enforcement.

According to the 2012 Safety Master Plan, the City plans for growth based on a ratio of 1.1 sworn officers per thousand and 0.4 civilian staff per thousand. At buildout of the General Plan, the City would require 77.5 sworn officers and 29.5 civilians for a total force of 107. The contract with the Stanislaus County Sheriff allows the City to specify its needed staffing.

### Fire and Emergency Services

The City's Fire Department is a combination full time and volunteer department. The Fire Department's sworn personnel consist of the Fire Chief, two Division Chiefs, 15 full-time career firefighters, and approximately 30 volunteer firefighters. The Fire Department staffs two stations 24 hours a day, 7 days a week with career personnel with additional response provided by volunteers.

Between 2012 and 2018 calls for service steadily increased from 1224 to 1643. Of those approximately 73 percent are medical aid. The Fire Department indicated that the average response time is 5 minutes, 26 seconds. According to the Patterson General Plan, the goal for average response time for Priority 1 (emergency) calls is 5 minutes for 95 percent of the calls.

The Insurance Services Office (ISO) rates the performance of municipal fire suppression capabilities. The City rating consists of three main areas: receiving and handling of fire alarms, the Fire Department, and water distribution and supply. The ISO rating is also a tool that helps communities plan for, budget, and justify improvements. Additionally, insurance companies use the ISO rating to help establish fair premiums for fire insurance, generally offering lower premiums in communities with better protection. The ISO rating is on a scale of 1 to 10 with 1 being the best. The City of Patterson has a Class 02/2Y rating from ISO.

The Fire Department has an automatic aid agreement with West Stanislaus Fire Protection District service area. The Fire Department has mutual aid agreements with neighboring fire agencies located within Stanislaus County (including Woodland Avenue Fire Protection District, Salida Fire Protection District, Westport Fire Protection District, and Mountain View Fire Protection District), and the California Department of Forestry and Fire Protection (CAL FIRE).

## Parks and Recreation

The City maintains 98 acres of neighborhood and community parks. Based on the standard of 5 acres per thousand residents identified in the General Plan, the City has a deficit of approximately 7 acres. The proposed Zacharias development would add approximately 16,500 new residents requiring an additional 82 acres of parks and open space which has been included in the development plan.

The City also provides extensive recreation programs for children, teens, adults, and seniors. The City operates from the Patterson Aquatic Center, the Walnut Grove Gym, the Hammon Senior Center, and the T.W. Patterson Sports Complex, consisting of sports fields.

## Water

The City of Patterson relies solely on groundwater from 10 wells located within its service territory. There are two aquifers: one shallow above the clay layer and one below the clay layer. The clay layer acts as a seal so that water from the lower aquifer is suited for drinking water. The City supplies water to 6,888 connections. The potable water wells produce 6,700 gallons per minute (gpm) while the non-potable wells produce 2,250 gpm.

In 2013, the demand was 4,432 acre-feet per year (AFY) and is expected to increase to 10,156 by 2030. The City has the capacity to serve its residents through buildout of its current general plan horizon. The City anticipates adding another well that would pump 800 gpm in the near future.

While the Subbasin as a whole is overdraft, the City's pumping represents only a fraction of the pumping from the basin. The City hired a consultant to conduct an operational yield study in 2018 as part of the Water Master Plan. The goal of the study was to determine the volume of water that the City could pump without impacting their current groundwater pumping infrastructure and without significantly impacting the use of groundwater resources in the area surrounding Patterson's SOI. The results of the study showed the operational yield was determined to be approximately 10,000 AFY to 12,000 AFY.

The City expects to meet most of its water needs through groundwater supplemented by conservation. The City is investigating groundwater recharge with stormwater and the addition of recycled water for non-potable uses in 2025. The City expects to spend approximately \$160 million in the next 30 years to upgrade its water mains, storage tanks, and add a pump station.

The City has formed its own Groundwater Sustainability Agency (GSA) to respond to the requirements of the Sustainable Groundwater Management Act. As a GSA the City is required to develop an outreach program to include all stakeholders to ensure that all beneficial uses and users of groundwater are considered. Furthermore, the Groundwater Sustainability Plan (GSP) is to be developed by GSAs of the Northern and Central Delta-Mendota Regions and meet Sustainable Groundwater Management Act (SGMA) regulatory requirements while reflecting local needs and preserving local control over water resources. The Northern and Central Delta-Mendota Region GSP will provide a path to achieve and document sustainable groundwater management within 20 years following Plan adoption, promoting the long-term sustainability of locally-managed groundwater resources now and into the future. The GSP will also outline the management policies of the GSA for the area within the City limits and other GSAs in the planning area.

The Northern and Central Delta-Mendota GSP was submitted prior to the January 31, 2020 deadline. However, it was rejected by the Department of Water Resources (DWR) in January 2022 and was given 180 days to address the identified deficiencies. These deficiencies include: (1) The GSPs did not use the same data and methodologies, (2) The GSPs did not establish common definitions of undesirable results in the Subbasin, (3) The GSPs in the Subbasin did not set sustainable management criteria in accordance with the GSP Regulations and 4) The management areas established in the Plan did not sufficiently address the requirements specified in 23 California Code of Regulations Section 354.20.

Each deficiency has been addressed in the common chapter and in the supporting documents for the Northern and Central Delta-Mendota GSP and sent to DWR for approval in July 2022. As of November 2022, there is no status on the approval of the GSP amendments.

### **Wastewater**

The City's wastewater system consists of a sewer system and Water Quality Control Facility (WQCF) that processes the effluent. The sewer system has sufficient capacity to accommodate buildout of the General Plan that would include the proposed development. The City also has a contract with the Western Hills Water District to process effluent from the Diablo Grande Community.

The WQCF facility is permitted at 2.25 MGD and a reliable capacity of 1.85 MGD. Current average daily flows are at 1.39 MGD. The City has plans to increase capacity by 1.25 MGD near-term and another 1.75 MGD long term. With increased capacity, the WQCF will be able to treat additional demands required to comply with the contract with Diablo Grande.

In 2016, the City completed a Wastewater Master Plan (WWMP). The WWMP concluded that existing sewers were found to be of sufficient capacity to handle flows expected at buildout of the General Plan.

### **Solid Waste**

The City contracts for solid waste services with Bertolotti Disposal. Waste is ultimately sent to the Fink Road Sanitary Landfill, which is currently at 50 percent capacity. There is 7.1 million cubic yards of remaining capacity.

### **Public Works**

The City's Public Works Department maintains approximately 75 miles of roadways that includes 8 percent arterials, 30 percent collectors and 62 percent local residential streets. The Pavement Condition Index (PCI) is a measure of the condition of the roadways. The 2013 study found that the roadway network averages a PCI of 70 which is considered good to excellent. The study estimates it will cost in excess of 59 million over the next 20 years to maintain that condition.

The Public Works Department is also responsible for the storm drainage system. The most significant storm drainage systems that serve urban runoff within the City of Patterson are the Salado Creek storm drainage system and the Walnut/Sycamore storm drain system. Ultimately stormwater finds its way to the San Joaquin River. In 2017 the City reviewed the Storm Water Management Program (SWMP) which concluded that the system has additional capacity, however there were a dozen areas that needed

improvements. The most notable need as to 96-inch cast-in-place concrete pipe that drains to Salado Creek.

## **2.6 – Financial Ability of Agencies to Provide Service**

The City provides both general government services and enterprise services. The general government services such as law enforcement, fire and emergency services, and parks and recreation are funded through a combination of property tax, sales tax, and charges. Enterprise services are for water, wastewater, solid waste collection is funded through direct charges to the landowner. The FY 2020/21 budget is \$75.4 million, including \$22 million for general fund operations, \$23.3 million for enterprise funds and \$30 million for other funds and capital improvements. The main source of general fund revenues are charges averaging 19 percent, while property tax 14 percent and sales tax average 17 percent. The main sources of expenses are law enforcement at 18 percent, public works at 13 percent, and fire at 12 percent.

In 2021, the City had nearly \$67 million in long-term debt. Debt was accumulated primarily in revenue bonds. In 2019, the City spent approximately \$7 million on general fund capital improvements, \$5 million on streets and \$2 million on general government.

For enterprise activities, water, sewer, and solid waste, revenues are almost exclusively charges. A comparison for operating revenues and expenses for water and wastewater shows a deficit; however, on a cash flow basis there is sufficient operating revenues to meet other operating expenses. For solid waste, the major expense is the contract for collection and transfer, since the City does not own the equipment there is no depreciation cost.

In 2017, the City passed a water rate increase and is studying a solid waste increase. Water rates consist of a base rate plus a consumption charge. The City raised water rates (current rates) beginning in March of 2018 and adopted base rate increases for January 1, 2019, through January 1, 2022. From 2019 to 2022 the base rate increases from \$12.27 in 2019 to \$16.79 in 2022. The consumption charge increases from \$1.78 per hundred cubic feet in 2019 to \$2.70 in 2022. The City recently completed a rate study in April 2022 but rates are not effective until after January 2023. Sewer rates were recently adjusted. Sewer rate increases are projected through FY 25/26.

The City is reviewing solid waste rates and recently funded a rate study to assess rates from 2019 to 2022. The City is also conducting an impact fee study to be sure water, sewer, and solid waste rates are in alignment with the requirements of the recently completed Sewer, Water, and Storm Drain Master Plan.

In the FY21 budget, the City has allocated approximately \$5.9 million for capital improvements to the water and sewer system. Long-term debt for water and sewer are in the form of bonds that totaled \$24 million in FY2020-21.

The City's total Other Postemployment Benefits (OPEB) liability for FY 2020/21 was \$12,997,781. The general fund activities included \$8.98 million and enterprise fund activities accounted for the remaining \$4.02 million. In FY 2020/2021 OPEB liabilities increased by \$710,116.



## **2.7 – Status of and Opportunities for Shared Facilities**

The City works cooperatively with a number of neighboring agencies. It has a contract for law enforcement with the Stanislaus County Sheriff. It shares a fire station with the West Stanislaus County Fire Protection District.

The City exhibits management efficiencies through developing plans for service. They include Capital Improvement Plans (CIPs), water master plan, sewer master plan, and an annual budget.

## **2.8 – Accountability Including Government Structure and Operational Efficiencies**

The City is a general law city and operates under a Council-Manager form of government. The City Council consists of four councilmembers elected by district to 4 year staggered terms and a Mayor elected at large to a 2 year term. Council members receive a stipend. The Council meets regularly on the first and third Tuesday at 7:00 p.m. Meetings are noticed according to the Brown Act. Because of COVID-19 outbreak, meetings are held in a hybrid format offering a virtual option, following the guidelines contained in the Governor’s Executive Orders that modify the Brown Act.

The City communicates with residents via its website and a quarterly newsletter. The newsletter highlights community activities as well as activities of each of its departments. Residents have the opportunity to be involved through four boards and commissions that includes the Planning Commission, Parks Recreation and Beautification Commission, Economic Strategic Commission, and the Senior Center. The City also has a resident on the Board of the Turlock Mosquito Abatement District.

The City is currently staffed by 129 full time augmented by 126 part-time employees. New positions have been added for FY 23 but not all have been filled.

## **2.9 – Matters Related to Effective/Efficient Service Delivery Required by Commission Policy**

As the intent of this service review is to support an SOI expansion and annexation of the proposed Zacharias development, LAFCO’s policies on vacant lands, agricultural preservation, annexations, and sphere policies would apply and could affect service delivery. The vacant land policy encourages infill development prior to expanding the sphere. The Agricultural Preservation Policy requires development of a Plan for Agricultural Preservation and identifies a menu of strategies for preserving agricultural lands while encouraging compact, efficient growth patterns. The sphere and annexation policies are based on CKH requirements. The policy states that if the annexation is outside the current SOI, the annexation proposal must include a sphere review. Consequently, this service review includes an analysis of the five areas that are required for the Commission to make determinations.

## **2.10 – Sphere of Influence Matters**

One of the purposes of this MSR is to provide information that will allow the City to request an SOI update to include territory in the proposed Zacharias Master Plan Project. The main portion of the project site encompasses approximately 1,226.9 acres and is bounded by Rogers Road (west), Zacharias Road (north), State Route (SR) 33 and Ward Avenue (east), and existing residential and business park

uses (south). A small, non-contiguous 68.7-acre portion of the project site is located at the southern terminus of Baldwin Road and is bounded by the Delta-Mendota Canal (west), the City of Patterson Corporation Yard (north), and agricultural uses (east and south). The remaining portion of the current SOI, as shown in Exhibit 1-1 will remain unchanged. In order to adopt or update a sphere the Commission must make determinations in five areas identified in Section 1.3.

**Present and planned land uses in the area, including agricultural and open space lands**–The Zacharias Master Plan is divided into three areas: East of Baldwin Road, approximately 628.6 acres; West of Baldwin Road, approximately 598.3 acres; and South of Baldwin Road 68.7 acres for a total of 1295.6 acres. The area West of Baldwin Road and South of the City of Patterson Corporation Yard contains agricultural land. The East of Baldwin Road planning area contains agricultural land west of the Patterson Irrigation District (PID) Canal and rural residential land on the east side. Irrigation canals are present within the East of Baldwin Road and West of Baldwin Road planning areas.

The Stanislaus County General Plan designates the West of Baldwin Road and South of Baldwin Road planning areas as “Agriculture.” The Stanislaus County General Plan designates the East of Baldwin Road planning area “Agriculture” west of the PID Canal and “Urban Transition” east of the Canal. The City of Patterson General Plan designates all three planning areas as “Low Density Residential.”

The East of Baldwin Road area is proposed to be developed with 3,666 residential dwelling units, 505,000 square feet of mixed use, a 14.74-acre school site, 27.09 acres of parks, and 29.17 acres of open space. The area West of Baldwin Road is proposed to include an additional 1,420 residential dwelling units, 350,000 square feet of commercial, 6,910,000 square feet of industrial and 18.15 acres of parks. The South of Baldwin Road area is proposed to include 395 residential dwelling units and 5 acres of parks.

**Present and probable need for public facilities and services**–The proposed project area is currently in agriculture and receives irrigation services from the West Stanislaus Irrigation District, the Del Puerto Water District, and the Patterson Irrigation District. Fire protection is provided by the West Stanislaus Fire Protection District. In addition, the Patterson Cemetery District provides cemetery services. In addition, private wells (irrigation and domestic) and septic systems are used by property owners. Upon development the area would require municipal services such as enhanced fire protection, water, wastewater, solid waste collection, stormwater, and street maintenance services. These municipal services are best provided by the City of Patterson.

**Present capacity of public facilities and adequacy of public services provided by the agency**–The City has sufficient capacity to provide services. The City has a contract with the Stanislaus County Sheriff that could be amended to provide additional sworn personnel as needed to maintain a ratio of 1.1 sworn officers per thousand. The Patterson Fire Department (PFD) already works with the West Stanislaus Fire Protection District. The Fire Department has mutual aid agreements with neighboring fire agencies located within Stanislaus County (including Woodland Avenue Fire District, Salida Fire District, Westport Fire District, and Mountain View Fire District), and CAL FIRE. The City’s water, wastewater, and solid waste service are fee based to allow for expansion of services. The Public Works Department has the capacity to expand services as well.

**Social or economic communities of interest**–The only community of interest is the City of Patterson, as the area surrounding the City is primarily agriculture and is sparsely populated.

**Present and probable need for services to disadvantaged communities**–The City of Patterson MHI exceeds the 80 percent threshold. As noted, there are no DUCs adjacent to the Patterson city limits. At present fire protection is provided by West Stanislaus Fire Protection District. Water and irrigation services are provided by the Patterson Irrigation District and the West Stanislaus Irrigation Districts, stormwater and street lighting by CSA 15. There are no sewer services. Upon development of the Zacharias Master Plan and annexation to the City, the City of Patterson will provide fire, water, and sewer services.

Expansion of the City’s SOI requires a CEQA analysis. The EIR prepared for the for the Zacharias Master Plan Project included the proposed SOI expansion as part of the project description and will be relied upon by LAFCo as a Responsible Agency during review of the proposal.

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### 3: CITY PROFILE

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The City of Patterson was incorporated December 22, 1919 as a general law city in Stanislaus County, located east of I-5. It is 27 miles southeast of Tracy and is part of the Modesto Metropolitan Statistical Area. The City of Patterson encompasses approximately 5,112 acres and its SOI approximately 1,037 acres. The most recent annexations occurred in 2007 with the addition of approximately 703.57 acres, in 2010 when 173.2 acres were added and in 2014 when approximately 1,119 acres were annexed. The Zacharias Project boundaries are adjacent to city limits but the majority of the acreage is outside the City's SOI. Exhibit 1-1 shows the general vicinity and the area to be included in this service review.

Patterson is a rural city surrounded by agricultural land. Patterson is known as the "Apricot Capital of the World"; the town holds an annual Apricot Fiesta to celebrate with many drinks, food, desserts, and games. The area also produces almonds, walnuts, dry beans, tomatoes, broccoli, spinach, peas, and melons.

The area surrounding the City is served by a number of special districts. Fire protection is provided by West Stanislaus Fire Protection District. Water and irrigation services are provided by the Patterson Irrigation District, the Del Puerto Water District, and the West Stanislaus Irrigation Districts. In addition, private wells and septic systems are used by individual property owners. The Patterson Cemetery District includes the City of Patterson as does the Del Puerto Healthcare District. None of these agencies are part of this service review as this review focuses on services provided by the City.

Patterson operates under a Council/Manager form of government. The City government consist of eight departments that provide police, fire, parks and recreation, and public works, along with administration and finance.

Services provided by the City and its structure are discussed in more detail in succeeding sections of this report. The following sections review the areas required by CKH for the MSR and SOI update.

## 4: POPULATION PROJECTIONS

The City of Patterson is one of the fastest growing cities in Stanislaus County. Table 4-1 shows the population change from 1970 to 2019 and the projected population at buildout of the General Plan in 2050. As seen in the table the City has experienced periods of very rapid growth. Between 2000 and 2010 the size of the City nearly doubled. According to the Department of Finance for the State of California, Patterson's population continued to grow to 23,764 in 2019. Continued growth is anticipated so that at buildout in 2050 the City would have an estimated population of 66,000. That equates to an annual average of 6 percent increase per year from present to buildout.

**Table 4-1: Population Estimates 2000-2050**

Year	Population	Net Change	% Change
2000	11,606	–	–
2005	15,677	4,071	35%
2010	20,413	4,736	30%
2015	21,683	1,270	6%
2019	23,764	2,081	10%
2050	66,000	42,236	6%

Source: California Department of Finance, 2020. City of Patterson, 2014b.

### Determinations

- 4.1** The City of Patterson had an estimated population of 23,764 in 2019.
  
- 4.2** The City of Patterson grew at an average rate of 5 percent over that last 19 years. Continued growth is anticipated so that at buildout in 2050 the City would have an estimated population of 66,000.

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## **5: DISADVANTAGED UNINCORPORATED COMMUNITIES**

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Senate Bill (SB) 244 was a significant piece of LAFCo-related legislation passed in 2011. This bill required LAFCo to make determinations regarding disadvantaged unincorporated communities or (DUCs). DUCs are defined as inhabited, unincorporated territory that constitutes all or a portion of a community with an annual median household income that is less than 80 percent of the Statewide MHI. For 2018, 80 percent of the Statewide MHI is \$56,982.

The City of Patterson has an MHI in 2018 of \$54,195 which is above the 80 percent threshold. No evidence exists for DUCs within the unincorporated areas adjacent to Patterson.

### **Determinations**

- 5.1** A DUC is defined as an inhabited area with a median household income of less than 80 percent of the California median household income. The City of Patterson MHI as a whole exceeds the 80 percent threshold. Census blocks to the east and south within the Patterson SOI can be considered disadvantaged, as they meet the lower income threshold. A review of these areas indicates that inhabited portions of the Census blocks are already located within the city limits; therefore, there were no identified disadvantaged communities located in the unincorporated area.

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## 6: PRESENT AND PLANNED CAPACITY OF PUBLIC FACILITIES

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The City functions through its six departments, General Government, Public Safety, Community Development, Engineering, Public Works, and Parks and Recreation. The General Government Department includes staff and activities associated with the City Council, City Manager, City Clerk, City Attorney, Human Resources, Risk Management, Finance, and Information Technology. The Public Safety Department includes law enforcement and fire and emergency services. Community Development includes Economic Development, Housing, and Planning. The Engineering Department includes Building, Capital Projects, and Engineering. Public Works includes the enterprise activities of water, wastewater, solid waste as well as street maintenance and park maintenance. The Parks and Recreation Department includes Community Services, the Senior Center, Youth Programs, and the contract for Crossing Guards. This MSR will review in more detail law enforcement, fire and emergency services, street and park maintenance, parks, and recreation as well as the enterprise services of water, wastewater, and solid waste.

### 6.1 – Law Enforcement

In 1998, the City of Patterson contracted for law enforcement services with the Stanislaus County Sheriff's Department, forming the Patterson Police Services of the Stanislaus County Sheriff's Department. The Patterson City Council, through its City Manager, provides local direction and control of the department, allowing the City to enjoy all the benefits and resources of the Sheriff's Department, while at the same time, allowing the City to retain its local law enforcement autonomy. Services provided include administration, citizen volunteer programs, investigations, patrol, records management, recruitment, specialized enforcement teams, training, and traffic enforcement.

In 2012, the City contracted for a Safety Master Plan. The plan detailed staffing and facilities the City would need from 2012 to buildout of the General Plan. It was anticipated buildout would result in a total of some 66,283 residents. The plan developed a goal and formula for staffing needs. Projections are based on 1.1 sworn officers per thousand and 0.4 civilian staff per thousand. At buildout of the General Plan, the City would require 77.5 sworn officers and 29.5 civilians for a total force of 107. The contract between the City and the Stanislaus County Sheriff relies on those standards.

Crime reports vary by month. Between December 2020 and February 2021, the number of reported crimes were 222 in December, 172 in January, and 117 in February. Over that three-month period Assault was the most committed crime accounting for 31 percent of crime in Patterson.

### 6.2 – Fire and Emergency Services

The PFD provides fire protection and emergency medical services to the City of Patterson. The PFD operates two stations, which are identified in Table 6-1.

**Table 6-1: Patterson Fire Department Station Summary**

Station No.	Address	Apparatus	Staffing
1 (Headquarters)	344 West Las Palmas Avenue	Type-1 Fire Engine (2) Type-2 Rescue Apparatus (1) Chief Officer (Command) Vehicle (3)	Fire Chief (1) Division Chief (2) Line Personnel (2 per 48-hour shift)
2	1950 Keystone Pacific Parkway	Type-1 Fire Engine*(1-Initial Attack, 1-Reserve Engine) Type-1 Ariel 105-foot Ladder Truck* (1) IRB Rescue Boat (1)	Line Personnel (2 per 48-hour shift)
<p>Notes: Station No. 1 shared with West Stanislaus County Fire Protection District. The Initial Attack Engine and Type-1 Ladder Truck are cross-staffed by on-duty personnel at Fire Station No. 2. Source: First Carbon Solutions (FCS) 2022.</p>			

The Del Puerto Health Care District also provides ambulance services to Patterson and surrounding communities. The Health Care District operates the Health Center at 1108 Ward Avenue in Patterson.

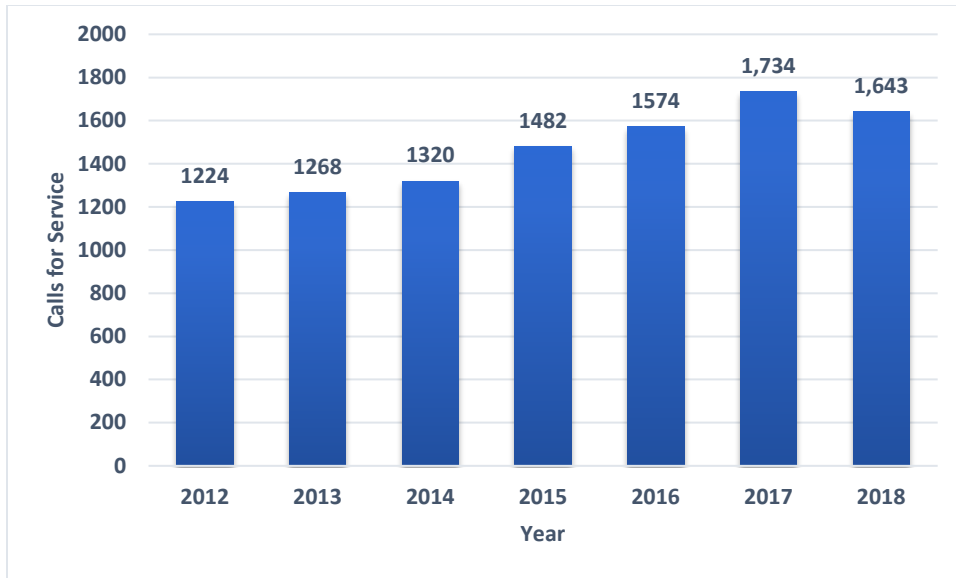
**Staffing**

The PFD is a combination career/volunteer fire agency. The PFD’s sworn personnel consist of the Fire Chief, two Division Chiefs, 15 full-time career firefighters, and approximately 30 volunteer firefighters. The PFD staffs two stations 24 hours a day, 7 days a week with career personnel. The General Plan sets a goal of one firefighter per 1,000 residents. With that in mind the proposed development could add an additional 16,000 residents which would require an additional 16 fire personnel and either one additional fire station or expansion of a current station

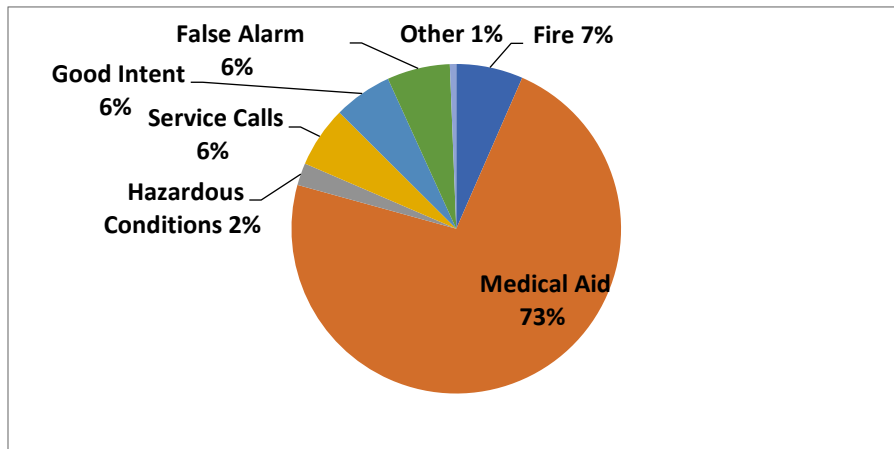
**Calls for Service**

Exhibit 6-1 shows calls for service increased each year from 1224 to 1643. Exhibit 6-2 shows that most of the calls were for medical aid, 73 percent, and an average of 7 percent were for fires.





Source: City of Patterson 2021.  
**Exhibit 6-1: Fire Calls for Service 2012-2018**



Source: City of Patterson 2021a.  
**Exhibit 6-2: Average Distribution of Calls 2012-2018**

## Response Times

The PFD indicated that the average response time is 5 minutes, 26 seconds. According to the Patterson General Plan, the goal for average response time for Priority 1 (emergency) calls is 5 minutes for 95 percent of the calls.

The ISO rates the performance of municipal fire suppression capabilities. The City rating consists of three main areas: receiving and handling of fire alarms, the PFD, and water distribution and supply. The ISO rating is also a tool that helps communities plan for, budget, and justify improvements. Additionally, insurance companies use the ISO rating to help establish fair premiums for fire insurance, generally offering lower premiums in communities with better protection.

The ISO rating is on a scale of 1 to 10 with 1 being the best. In July of 2014, the City of Patterson received a Class 02/2Y rating from ISO.

## Aid Agreements

The PFD has both automatic aid and mutual aid agreements. The difference is that with automatic aid the closest available department responds, whereas with mutual aid the first responder agency must request additional resources. The PFD provides all-risk emergency services to the City of Patterson and, through an automatic aid agreement, portions of the West Stanislaus Fire Protection District service area. The PFD has mutual aid agreements with neighboring fire agencies located within Stanislaus County (including Woodland Avenue Fire Protection District, Salida Fire Protection District, Westport Fire Protection District, and Mountain View Fire Protection District), and CAL FIRE.

## West Stanislaus County Fire Protection District

The West Stanislaus County Fire Protection District (Fire Protection District) provides fire protection and emergency medical services to an approximately 625-square-mile service area that consists of the unincorporated areas that are located west of the San Joaquin River. The Fire Protection District operates six stations, including two shared stations with the PFD and Newman Fire Department. Table 6-2 summarizes the Fire Protection District’s fire stations. The Fire Protection District is staffed by three career Chief Officers, three career administrative staff persons, 10 volunteer Chief Officers, 10 volunteer officers, and 80 volunteer firefighters.

**Table 6-2: West Stanislaus County Fire Protection District Station Summary**

Station Location	Apparatus
Patterson* (Headquarters) Station 51	Type 1 Engine (1) Type 3 Engine (1) Water Tender (1) Light Rescue Vehicle (1) Command Vehicle (4)
Patterson* Station 52	Training Center Quint 52

Station Location	Apparatus
El Solyo (Vernalis) Station 54	Type 1 Engine (1) Type 3 Engine (1)
Newman** Station 55	Type 1 Engine (1) Type 3 Engine (1) Rescue Vehicle (1)
Crows Landing Station 56	Type 4 Engine Tender (1)
Westley Station 53	Type 1 Engine (1) Water Tender (1) Light Rescue Rescue Vehicle (1)
Diablo Grande (Patterson) Station 57	Type 1 Engine (1) Type 3 Engine (1)
Notes: * Shared with the Patterson Fire Department ** Shared with the Newman Fire Department Source: West Stanislaus Fire Protection District 2021.	

### 6.3 – Parks and Recreation

The City maintains 34 parks ranging in size from a fraction of an acre to 12 acres. Most of the existing parks are less than 4 acres and are classified as neighborhood parks. Twenty parks include detention basins for stormwater runoff resulting in periods when a portion or all of the park is unusable for recreation. In total there are 98 acres of parks and facilities which include community facility sites, detention basins and undeveloped park land.

That equates to 4.6 acres per 1,000 residents based on the 2012 population. The 4.6 figure is very close to the General Plan Standard of 5 acres per thousand. Table 6-3 shows current acreage and allocation compared to the standard and needs at buildout of a population of 66,000.

**Table 6-3: Park Acreage Needed to Meet Standards**

Date	Population	Park Standard (Acres)	Acres Needed
2012	21,000	105	7
2022	24,000	120	22
Buildout	66,000	330	232
Source: City of Paterson 2012b			

Table 6-4 shows the distribution of acreage between neighborhood parks and community parks.

**Table 6-4: Parkland Distribution**

Year	Total Acres	Neighborhood Parks	Community Park Game Fields	Community Park Other Uses
2012	98	62	7	29*
Per Standard	105	52.5	28	24.5
2022	120	60	35	25
Buildout	330	165	91	74
Notes: * Including undeveloped acres at Patterson Sports Complex Source: City of Patterson 2022.				

The proposed Zacharias development would add an estimated 5,500 new housing units and approximately 16,500 new residents assuming three persons per household. Based on the standard that would require an additional 82 acres of parkland and open space, nearly double the current acreage.

**Recreation**

The City provides recreation activities for children, teens, adults, and seniors. Activities are identified in the Activity guide published three times a year. Activities range from camps during the summer and sprint break, youth sports, classes, aquatics in the summer, adult sports and programs and events for seniors.

Activities are provided at the Patterson Aquatic Center, the Walnut Gove Gym, city parks sports fields at the T.W. Patterson Sports Complex and the Hammon Senior Center.

The Patterson Aquatic Center includes a six lane 25-meter pool that slopes from 3 feet to 12 feet. It includes a water feature and two one-meter diving boards in the 12-foot section. There are also eight picnic tables located around the lighted deck and pool. Restrooms and changing rooms are located inside the facility. The Center hosts pool parties and allows for various forms of aquatic exercise and activities. The Teen programs include the Youth Action Commission which is a program that provides students in the 6<sup>th</sup> through 12<sup>th</sup> grades with activities that teach leadership, social skills, problem solving and team building. There is also a class that teaches basic skills not taught in high school such as banking, budgeting, cooking, auto repair and etiquette that prepare teens for adulthood. Senior programs are provided at the Hammon Senior Center for adults 50 and older. The senior programs are designed to provide socialization and volunteering opportunities. The Center also provides lunch daily.

**6.4 – Water**

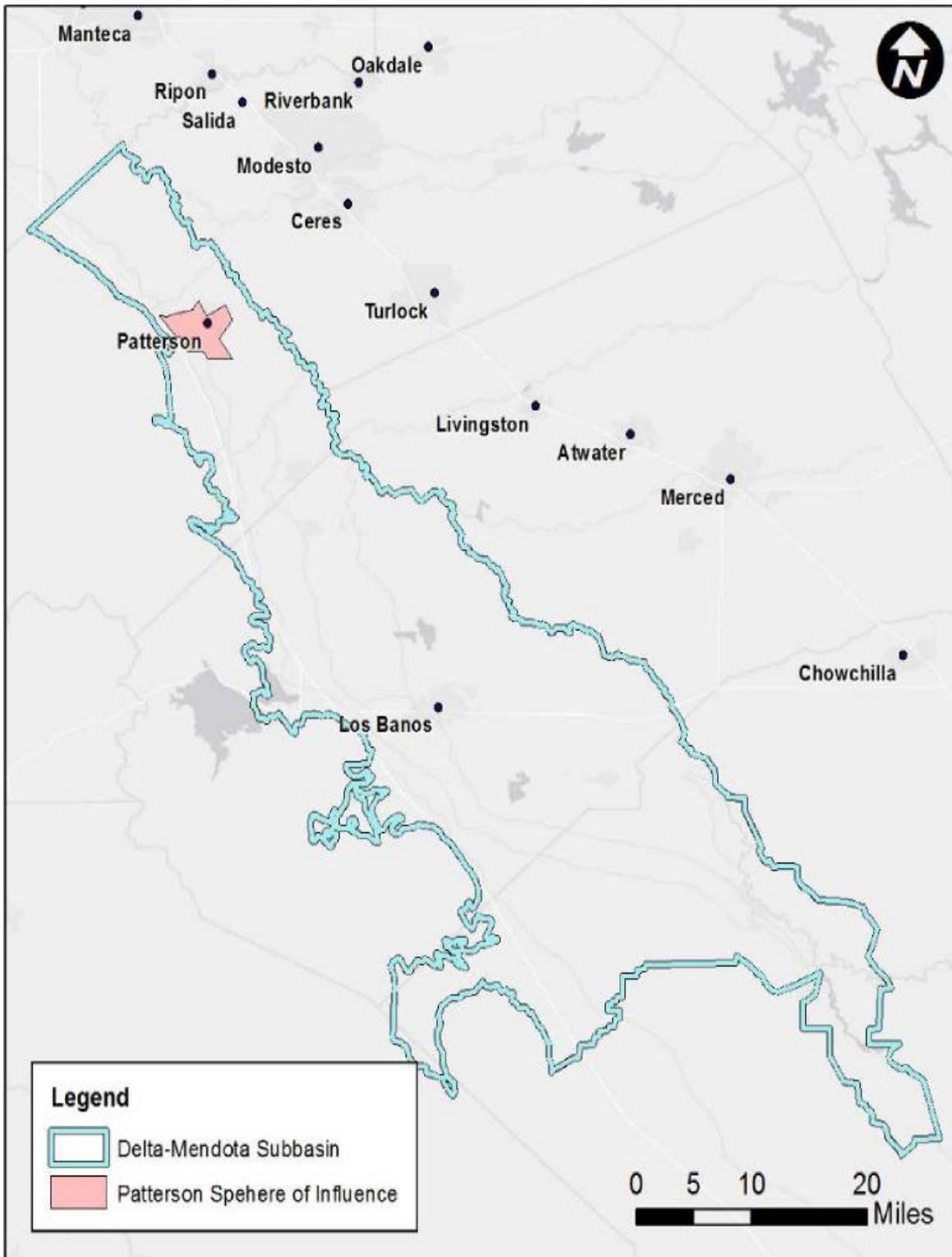
The City Patterson is growing and based on the 2010 General Plan Update could reach a population of 66,673 at buildout, with over 50,000 estimated in 2040. Water demands in the service area are currently around 4,591 AFY as of 2021. Demand is expected to rise to around 9,400 AFY within the next 20 years. Currently, potable supplies are reliably provided solely by the City’s groundwater well network, coupled

with some non-potable sources and significant water efficiency measures in ongoing programs by the City.

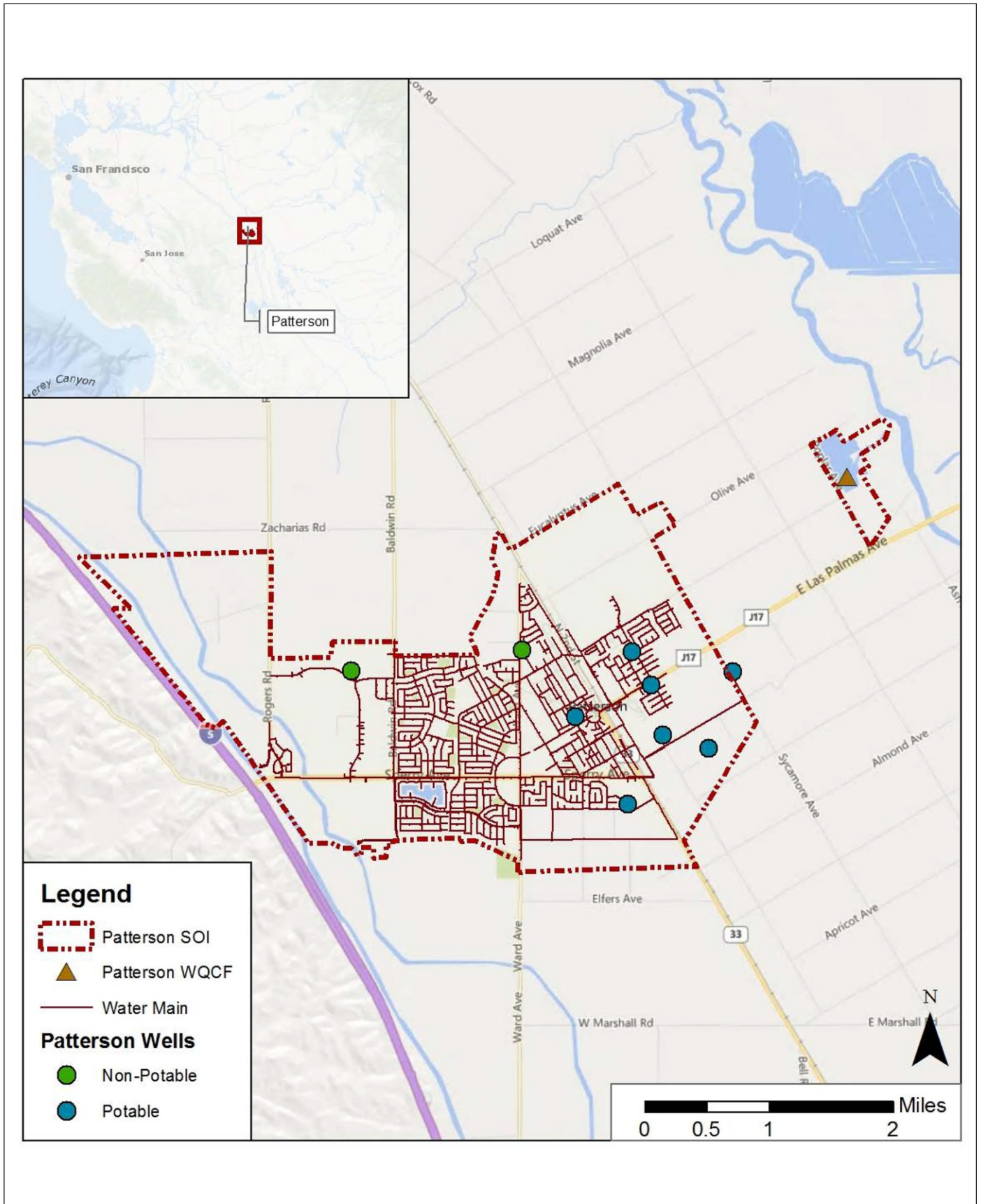
### Supply

The City draws groundwater from the Delta-Mendota Subbasin in the San Joaquin Valley Basin for its water supply. Groundwater beneath the City resides in two aquifers, a lower confined zone and an upper unconfined zone. The two aquifers are separated by the thick, semi-impermeable Corcoran Clay layer. Potable water is drawn from the lower aquifer, which requires only disinfection prior to distribution. Water found above the clay layer is extracted for non-potable use, with total dissolved solids (TDS) and nitrate levels above acceptable levels for potable consumption. Exhibit 6-3 shows the Delta-Mendota Subbasin in relation to the City and its SOI.

The City operates 10 water production wells, seven of which are dedicated to potable supply and three for non-potable use. The City supplies potable groundwater for single-family residential, multi-family residential, industrial, and commercial uses through a combination of wells, storage tanks and distribution network of piping. The City's water system includes three storage tanks, 10 booster pumps at three pump stations and 70 miles of distribution main. In 2008, the City approved a non-potable water program to use lower quality water for irrigation of public and commercial landscaping. Exhibit 6-4 shows the service area and distribution system.



Source: City of Patterson, 2016b  
**Exhibit 6-3: Delta-Mendota Subbasin**



Source: City of Patterson, 2016.

Table 6-5 describes the City’s water system.

**Table 6-5: Water Facilities**

Potable System	Quantity
Wells	7—Capacity 6,700 gallons per minute (gpm)
Pipe	269,280 feet
Pumps	10 at three pump stations
Storage Tanks	3—storage capacity 3.5 million gallons
Meters	6,888
Non-Potable System	Quantity
Wells	3—Capacity 2,250 gpm
Pipe	47,520 feet
Meters	Unknown
Source: City of Patterson 2018c.	

The City is neither a State nor a federal contractor, so it does not receive surface water.

Table 6-6 shows the City’s wells capacity and their use. Shallow wells are used for non-potable uses while the deeper wells provide drinking water.

Table 6-6: Existing Water Wells Capacity and Use

Well Number	Capacity (gpm)	Use
2	800	Potable
4	900	Non-Potable
5	1400	Potable
6	0	Potable (Standby)
7	1500	Potable
8	1000	Potable
9	800	Potable
11	1200	Potable
Keystone	700	Non-Potable
Floragold	650	Non-potable
Source: City of Patterson 2022.		



Some irrigation districts surrounding the City are federal contractors and receive water from the Central Valley Project through the Delta-Mendota Canal including areas within the City’s General Plan boundaries. Some local surface water is pumped directly from the San Joaquin River by some irrigation districts but is used for irrigation as the State prohibits its use as a source for potable water.

### Purchased Water or Imported Water

The City does not currently purchase or import water. However, it may do so in the future. Further discussion of this issue is speculative due to the variables involved.

### Stormwater

The City has evaluated capturing flows from nearby Del Puerto Creek to recharge its groundwater basin. Stormwater flows from the creek would be diverted to infiltration basins which would recharge either the shallow or deep aquifer. Initial estimates indicate that stormwater capture could provide approximately 1,700 AFY on a long-term annual average basis. The City has an agreement with the Del Puerto Water District dated December 1, 2020 that allows it to pursue this option following completion of the proposed Del Puerto Canyon Reservoir Project.

### Recycled Water

The City collects and treats all wastewater within city limits and from the Diablo Grande Community at its WWCF. The City does not currently produce recycled water but may do so in the future. Recycled water would be used for non-potable irrigation within its service area. Initiating a recycled program requires upgrading the WWCF to become Title 22 compliant and connecting the WWCF outlet to the non-potable pipe network. The anticipated amount of recycled water production is 1,512 AFY.

### Demand

Table 6-7 shows current and projected demand of potable and non-potable water through 2050. The table shows that potable demand is roughly a factor of 10 higher than non-potable demand in 2013. With growth potable demand will increase much faster than non-potable demand.

**Table 6-7: Potable and Non-Potable Water Demand Through 2050**

	2021	2030	2050
Potable Average Annual Demand (AFY)	3,173	9,390 <sup>1</sup>	14,231
Non-Potable Average Annual Demand (AFY)	552	–	396 <sup>2</sup>
<b>Total Consumption (AFY)</b>	<b>3,725</b>	<b>9,390</b>	<b>14,627</b>
Unaccounted for Water (AFY) <sup>3</sup>	313	766	1,708
<b>Total Demand (AFY)</b>	<b>4,038</b>	<b>10,156</b>	<b>16,335</b>
Notes: 1. Potable average annual demand for 2030 was determined using interpolation from existing to buildout demands. 2. The non-potable average annual demand only account for Phase III of the Non-Potable Water Program. Future non-potable demands will be revised based on anticipated non-potable retrofits. 3. The unaccounted for water is based on 2021 values. Source: City of Paterson 2018.			

Most of the water supplied or sold goes to residential use. Over the 6 year period from 2015 to 2020, the allocation of water sold averaged 70 percent residential, 21 percent irrigation and 9 percent commercial industrial.

**Table 6-8: Water Sold by Customer Type FY 15–FY20 (cubic feet)**

Type of Customer	2015	2016	2017	2018	2019	2020
Residential	1,027,141	884,153	1,116,364	1,049,166	1,018,052	1,095,305
Commercial/Industrial	132,510	122,608	99,656	123,676	151,297	165,164
Irrigation	331,083	204,934	260,565	287,977	334,844	444,466
<b>Total</b>	<b>1,490,734</b>	<b>1,211,695</b>	<b>1,476,585</b>	<b>1,460,819</b>	<b>1,504,193</b>	<b>1,704,935</b>
Source: City of Patterson 2020.						

As part of the City’s Water Master Plan a consultant was hired to review possible options to provide water for future needs. Based upon an analysis of the portfolio performance, two portfolios were recommended: No. 2–Patterson Control and No. 4–Low Reliance on Groundwater (2). Portfolio No. 2 was recommended because it offers the City independent control of its water supply and easier implementation of water supply projects. The complexity of partnering with regional agencies has the potential to add additional costs not captured in the estimates of the capital expenditure and operations and maintenance of the supply options. Portfolio No. 4 was recommended as it offers the City the least reliance on groundwater in the face of uncertain SGMA regulation. After deliberation, the City selected Portfolio No. 2–Patterson Control, as its preferred portfolio. The City recognizes that the selected portfolio may need to be revisited as SGMA-related plans are developed and put into effect or if the predicted yields or feasibility of any projects within the portfolio are determined to be significantly different during additional pre-design analyses.

**Overdraft Conditions**

Changes in groundwater levels have been monitored by DWR and various cooperators. While the Subbasin as a whole is overdraft, the City’s pumping represents only a fraction of the pumping from the basin. As part of the City’s master planning efforts, the City hired a consultant to conduct an operational yield study. The goal of the study was to determine the volume of water that the City could pump without impacting their current groundwater pumping infrastructure and without significantly impacting the use of groundwater resources in the area surrounding Patterson’s Sphere of Influence. Using the C2VSim numerical groundwater model for California’s Central Valley, the operational yield was determined to be approximately 10,000 AFY to 12,000 AFY.

The basin is drawn on by urban suppliers, agricultural users, and private wells. The City has been monitoring groundwater levels at its wells and have not noticed a significant change in groundwater elevation. The Delta-Mendota Subbasin was included on DWR’s final list of critically overdraft basins (released January 2016). As such, the basin must be managed by a GSP no later than January of 2020.

### Sustainable Groundwater Management Act

On September 16, 2014, Governor Jerry Brown signed into law Senate Bills 1168 and 1319 and Assembly Bill (AB) 1739, known collectively as the SGMA, which went into effect on January 1, 2015. The Act requires all high and medium priority groundwater basins, as designated by the DWR Bulletin 118, to be managed by a GSA.

The Delta-Mendota Groundwater Basin (Basin) has been designated by DWR as a critically overdraft high priority basin. SGMA authorizes any local agency overlying the Basin to elect to become a GSA within the Basin. By definition, the City is eligible to serve as a GSA within the Basin. On that basis, on December 6, 2016, the City passed a resolution to notify DWR that it intends to act as the GSA for those portions of the Basin lying within its boundaries.

As a GSA the City is required to develop an outreach program to include all stakeholders to ensure that all beneficial uses and users of groundwater are considered. Further the GSA must submit a GSP by January 2020. The Patterson GSA is part of the Northern Delta-Mendota GSP area. The Plan outlines the management policies of the GSA for the area within the City limits and other GSAs in the planning area. The plan was submitted by the January 2020 deadline.

Refer to the previous discussion of SGMA for details about the City’s water portfolio.

### Capital Improvements

Through its Water Master Plan, the City developed a long-range CIP. Table 6-9 shows anticipated capital improvement projects over four time periods: near term, 5 year, 10 year and buildout. Buildout is expected to occur sometime between FY35 and FY40. During the period it is expected the City will spend approximately \$160 million to improve water mains, add two storage tanks, and add three pump stations.

**Table 6-9: Water CIP’s**

Timeframe	Funding	Types of Improvements
Near Term FY 19	\$2,949,000	Water mains
5-Year FY20-23	\$61,759,000	Storage tank, recoating two tanks, pump station, water mains
10 Year FY24-28	\$35,861,000	Storage tank, tank recoating, pump station, water main
Buildout FY28-40	\$162,319,000	3 storage tanks, pump station, water mains
<b>Total</b>	<b>\$259,939,000</b>	
Source: City of Patterson 2018c.		

### 6.5 – Wastewater

The City provides wastewater collection, treatment, and disposal services to the Patterson city limits as well as Diablo Grande in unincorporated Stanislaus County.

The existing wastewater collection system serves approximately 24,370 residents within 6,994 dwelling units (DU) and 508 acres of industrial and commercial use. The system consists of three lift stations, one 4-inch force main approximately 160 feet in length, and 8.5 miles of gravity sewers ranging in diameter from 4 to 33 inches. Parallel sewers exist along Sperry Avenue (Sperry North Trunk and Sperry South Trunk Lines), Ward Avenue, and the SR-33 crossing at Walnut Avenue. A flow split occurs on North First Street, approximately 500 feet south of Washburn Street. In 2010, a 12-inch bypass line was installed from the Sperry North Trunk Line to the Sperry South Trunk Line, approximately 450 feet east of Park Center Drive. Lift station data is summarized in Table 6-10.

**Table 6-10: Lift Station Summary**

Location	Pump	Rated Horsepower	Level Setpoints	High Water Alarm	Discharge Diameter (in)
Ward Avenue and	Pump 1	3 HP	On: 8.0 ft/Off 3.0 ft	10.0 ft	12
Vicki Lynn Lane	Pump 2	3 HP	On: 9.5 ft/Off 4.0 ft	10.0 ft	12
Orange Avenue and	Pump 1	3 HP	On: 4.5 ft/Off 1.0 ft	7.0 ft	4
South First Street	Pump 2	3 HP	On: 5.5 ft/Off 1.5 ft	7.0 ft	4
	Pump 1	25 HP	On: 6.0 ft/Off 3.0 ft	7.0 ft	4
Rogers Road	Pump 2	25 HP	On: 6.0 ft/Off 3.0 ft	7.0 ft	4
	Pump 3	25 HP	On: 6.0 ft/Off 3.0 ft	7.0 ft	4

Source: City; of Patterson 2016a

The City of Patterson has a Memorandum of Understanding with Western Hills Water District (WHWD) to accept sewer flows up to 750,000 gpd from the Diablo Grande Community. The agreement specifies collection system improvements required, at the partial expense of WHWD, along Sperry Avenue, Ward Avenue, M Street, and Walnut Avenue. All required improvements have been completed. Provisions limiting peak flows from Diablo Grande are not included in the agreement.

The City has identified a number of deficiencies in the WWMP that need attention. They include:

1. Known cross-connections between storms drains and the sanitary sewer collection system exist at parking lots on First Street and at the Housing Authority on Walnut Avenue. Other cross-connections may exist, but have yet to be identified.
2. The lift station on First Street and Orange Avenue is planned to be eliminated with the construction of a new trunk sewer on Orange Avenue from the 1992 Wastewater System Master Plan.
3. Sewer gases accumulate in the Sperry North Trunk Line due to flat installation. The specific area of concern is between the Delta-Mendota Canal and American Eagle Lane.
4. Wastewater is diverted from the North Line to Sperry South (Diablo Grande) Line near the former airport.

5. Diablo Grande siphons are flushed monthly with approximately 100,000 gallons of water.
6. A sewer trunk extension is required at the south side of the SR-33 commercial area.
7. 8-inch sewers, parallel to Third Street between Salado Creek and M Street, are installed within easements, and access is difficult.

Since the WWMP was completed, the City budget included a number of capital improvement projects for the wastewater system. These include the suggested improvement to the lift station at First and Orange. In FY 19, the City began clarifier improvements at the WQCF. The City has also budgeted to complete Phase III of the WWTP expansion. In addition, the City is in the process of completing construction of an administration building at the WWTP.

The wastewater service area is shown in Exhibit 6-5. The Exhibit shows the service area as well as the City’s SOI. Table 6-11 shows the wastewater flow currently, in the near term and at buildout. In the table, Average Dry Weather Flow (ADWF) is defined as average dry weather flow, PDWF refers to peak dry weather flow, and PWWF refers to Peak Wet Weather Flow.

**Table 6-11: Wastewater Flow Projections**

Development Conditions	Total Wastewater Flow (MGD) <sup>a</sup>		
	ADWF	PDWF	PWWF <sup>b</sup>
Existing	1.7 <sup>c</sup>	2.20	6.57
Near-Term (10-year)	2.00	3.21	8.34
Buildout	6.29	11.08	21.70

Notes:  
<sup>a</sup> Projected total wastewater flow to WQCF based on WGFs, variable DPF, and I/I allowance  
<sup>b</sup> Assumes coincident peaking of PDWF and I/I  
<sup>c</sup> Existing ADWF based on flow meter data  
 Source: City of Patterson 2016<sup>a</sup>

The WWMP concluded that existing sewer infrastructure was found to be of sufficient capacity to handle flows expected at buildout of the General Plan.

### Water Quality Control Facility

The WQCF processes the wastewater collected by the sewer system where it is then treated and disposed of. The flow enters the WQCF headworks and distribution facilities where influent is screened and then pumped to one of three separate processes: The North Activated Sludge Treatment System (NASTS), the Advanced Integrated Pond System (AIPS), and the South Activated Sludge Treatment System (SASTS). Treated effluent is directed to an effluent pump station which pumps the effluent to the percolation ponds for groundwater recharge.

The headworks and distribution facilities, constructed in 2000 and upgraded in 2014 include:

- Mechanical Bar Screen with a rated capacity of 7 MGD.
- 6 mm Screenings Washer/Compactor with a rated capacity of 250 gpm.
- The Influent Pump Station (IPS), which consists of:
  - 3 SASTS pumps with a rated capacity of 1.8 MGD each; 2 operating, 1 standby.
  - 2 NASTS/AIPS pumps with a rated capacity of 1.3 MGD each; 1 operating, 1 standby.

Wastewater flow enters the headworks and is passed through the mechanical bar screen to remove coarse material from the raw wastewater. Solids removed by the bar screen are conveyed to a washer/compactor to reduce moisture content and remove some organic waste. Washed and dewatered screenings are periodically taken to a nearby landfill for disposal.

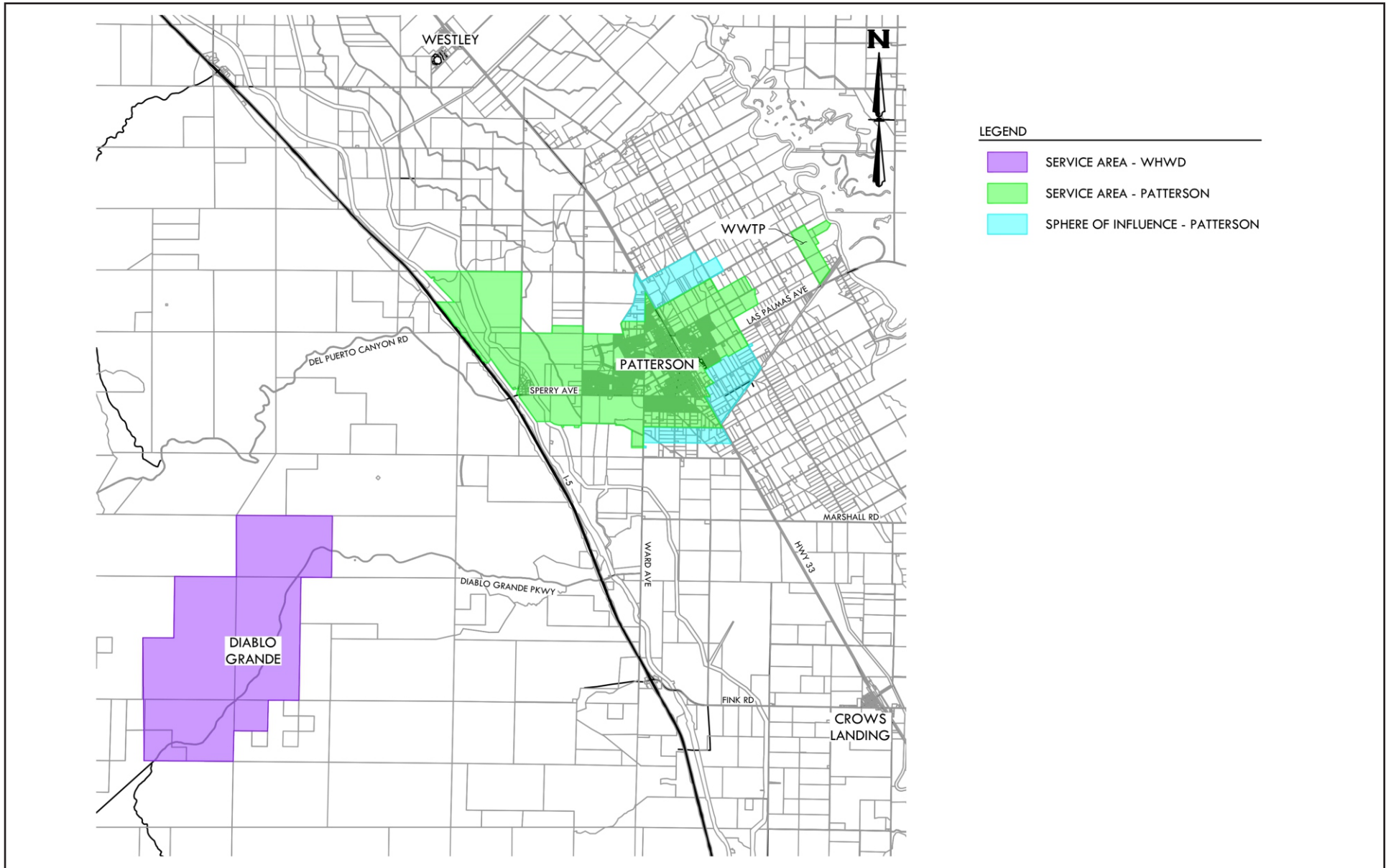
The existing headworks was designed with a peak pumping capacity of 8.0 MGD. The current standard operating procedure is to have one NASTS/AIPS pump in standby and one SASTS pump in standby, resulting in a pumping capacity of 4.9 MGD during regular flows.

Although the WQCF has a total permitted capacity of 2.25 MGD, several issues have been observed with regard to the individual treatment processes. Because of these issues, the WQCF can only reliably treat an approximate total flow of 1.85 MGD. Permitted capacity and reliable capacity for each process is summarized in Table 6-12.

**Table 6-12: Permitted Capacity of the WQCF**

Treatment Process Area	Permitted Capacity (MGD)	Reliable Capacity (MGD)
North Activated Sludge Treatment System	0.8	0.6
Advanced Integrated Pond System	0.2	0 <sup>a</sup>
South Activated Sludge Treatment System	1.25	1.25
<b>Total</b>	<b>2.25</b>	<b>1.85</b>
<sup>a</sup> Does not include flow currently being discharged as part of the Blending Study. WQCF is currently discharging between 0.13-0.18 MGD of AIPS effluent by blending with NASTS and SASTS effluent. [14] Source: City of Patterson 2016a.		

Current average daily flows at the WQCF are 1.7 MGD. Flow is projected to increase by 0.61 MGD by 2025. Based on the assumption that annual flows will increase at a constant rate, the flow projection indicates that the current reliable treatment capacity of the WQCF will be exceeded by 2025. An additional item to consider is that Diablo Grande has already purchased 0.75 MGD of capacity at the WQCF, and currently uses less than 5 percent of the purchased capacity. The projections assumed a 4 percent annual increase in wastewater flow from Diablo Grande.



Source: City of Patterson, 2018.

As a result of the master plan process there are several recommended improvements to both the collection system and the WQCF. Improvements are classified as either ‘near-term’ improvements or ‘buildout improvements.’ Near-term improvements are recommended for completion as soon as practicable, within the next 10 years, to improve the reliability of the wastewater system. Buildout improvements are required as needed to serve future developments and should be completed in the next 10-20 years or beyond. Near-term collection system projects focus on replacement of sewers and cross drain connections, while buildout projects focus on construction of north and south Patterson trunk lines and lift stations. Near-term CIPs for the WQCF would focus on increasing capacity by 1.25 MGD and buildout projects would increase capacity by 1.75 MGD.

The WWMP estimates the City would need \$3.7 million for the collection system and \$27.2 million for WQCF near-term improvements. Buildout improves are estimated as \$25.2 million for the collection system and \$56.8 million for the WQCF 30 year life cycle costs.

The City is in the process of making improvements to increase capacity. The Phase III improvements are expected to increase capacity by 0.6 MGD.

Table 6-13 shows estimated costs for the near term and buildout CIP’s.

**Table 6-13: Wastewater CIP’a Near Term to Buildout**

Project Number	Description	Construction Cost (\$)	Probable Construction Cost (\$) <sup>a</sup>	30-Year Capital Cost (\$)
<b>Near-Term Improvements</b>				
Collection System CIP		2,395,000	3,706,250	–
WQCF CIP		23,731,000	27,168,775	–
<b>Buildout Improvements</b>				
Collection System–Alternative 2	Construct pump stations along NPTS and SPTS alignments with force mains converging at IPS	10.3 M	15.1 M	25.2 M <sup>a</sup>
WQCF–Alternative 1	Construct Phases IV and V of the SASTS and tertiary and disinfection facilities to accommodate buildout flows	26.2 M	31.4 M	56.8 M <sup>b</sup>

Notes:

<sup>a</sup> Includes planning, design, construction management, program administration, and construction contingencies.

<sup>b</sup> Represents 30-yr life cycle cost. Life Cycle Cost Analysis provided with Flow Routing TM [14].

Source: City of Patterson 2016a.



## 6.6 – Solid Waste

The City operates and maintains solid waste services as one of its enterprise functions. The system services 6,300 permanent and part-time customers, 96 percent of which are residential customers. The City also offers commercial can and dumpster services.

The City contracts with Bertolotti Disposal to collect and dispose of solid waste. After collection, the solid waste is transported to the Fink Road Sanitary Landfill in Crows Landing. The facility has the ability to receive 2,400 tons per day. The total capacity is 14,640,000 cubic yards. Currently it is only at 50 percent capacity with an additional 7,184,701 cubic yards remaining. It is anticipated the land fill will be able to operate through 2052.

## 6.7 – Public Works

The Public Works Department is responsible for maintaining and enhancing the City’s infrastructure and natural resources, street maintenance, and storm drainage

### Street Maintenance

The streets division of the Department of Public Works provides maintenance and repair of all City streets, sidewalks, curbs, gutters, streetlights, signal lights and alleys. The division maintains 80 miles of roadways. The condition of the roadways is graded by a PCI. Table 6-14 describes the PCI.

**Table 6-14: Pavement Condition Index Definition**

Pavement Condition	Condition Category	PCI Category
Good to Excellent	I	70-100
Fair	II/III	50-69
Poor	IV	25-49
Very Poor	V	0-24

Source: City of Patterson 2013.

Table 6-15 shows the condition of the roadways in 2013 by roadway type.

**Table 6-15: Pavement Network and Condition 2013**

Functional Class	Centerline Miles	Lane Miles	No. of Management Sections	% of the Network (by area)	Average PCI
Arterial	4.31	8.62	16	8.4	57
Collector	21.61	43.22	82	30.3	74
Residential or Local	48.68	97.36	333	61.3	69

Functional Class	Centerline Miles	Lane Miles	No. of Management Sections	% of the Network (by area)	Average PCI
Total	74.60	149.21	431	100	70 (network average)

Source: City of Patterson 2013.

Table 6-16 shows the pavement condition breakdown by functional class and condition category. The Table shows that residential streets comprise more than half of the road system and roughly two-thirds of residential streets are in good condition.

**Table 6-16: Pavement Condition Breakdown by Functional Class and Condition Category**

Condition Category	PCI Range	Arterial (%)	Collector (%)	Residential/ Local (%)	Entire Network (%)
<b>Good to Excellent (I)</b>	70-100	3.0	22.2	40.5	65.6
<b>Fair (II/III)</b>	50-69	3.0	5.3	7.3	15.6
<b>Poor (IV)</b>	25-49	0.8	2.4	6.1	9.3
<b>Very Poor (V)</b>	<25	1.6	0.4	7.4	9.5
<b>Total (%)</b>	–	<b>8.4</b>	<b>30.3</b>	<b>61.3</b>	<b>100.0</b>

Source: City of Patterson 2013.

In 2013 the City budget allocated \$350,000 annually for maintenance and rehabilitation. If that level of funding is continued, by 2025 the average network PCI would degrade to 45, poor condition, and by 2032 54 percent of the network would be in Poor or Very Poor condition. The City’s study finds that maintaining the current PCI would require \$59.3 million over the next 20 years.

### Storm Drainage

The storm drainage system is maintained by the Department of Public Works. The system consists of a series of detention basins, pipes, and pumps that convey storm runoff to the San Joaquin River. The system consists of 42 miles of storm drainage main lines, nine pump stations, 26 detention basins, 864 manholes, and 781 drain inlets.

Existing developed areas of the City generally drain from south to north and southwest to northeast toward the Salado Creek Outfall to the San Joaquin River. The most significant storm drainage systems that serve urban runoff within the City of Patterson are the Salado Creek storm drainage conveyance system and the Walnut/Sycamore storm drain system. Table 6-17 shows the average capacities of the components of the drainage system.

In the north portion of the City boundaries storm drains discharge into Del Puerto Creek or percolation basins. Smaller sub-basins will discharge flows from detention basins to Del Puerto Creek that are insignificant compared to normal Del Puerto Creek flows.

Undeveloped agricultural lands in the City’s SOI drain from southwest to northeast to tailwater ponds and ditches that discharge to Del Puerto Creek, the San Joaquin River, or Salado Creek.

The SWMP identified approximately a dozen deficiencies that require attention to prevent flooding. Of those the most significant consist of:

1. The existing agricultural ditch that serves as the conveyance facility for Salado Creek downstream of the existing over chute at the Delta-Mendota Canal to the south limit of existing residential development. The ditch has very limited capacity and needs to be enlarged. During storm events that produce runoff rates from the off-site watershed for Salado Creek that exceed the capacity of the existing agricultural ditch, excess runoff spills onto adjacent agricultural lands and causes flooding of residential properties to the north.
2. The existing 28-foot x 3-foot wooden bridge drainage crossing of Salado Creek at the California Northern Railroad (CNRR) downstream of SR-33. The crossing has a very limited capacity and is subject to additional capacity reductions due to clogging during storm events. The result is frequent flooding within and upstream of this area. A new drainage crossing and channel improvements are needed at this location to reduce flooding and to provide discharge capacity for new upstream development.
3. Drainage to the Salado Creek outfall is accomplished through a 96-inch cast-in-place concrete pipe. As of 2017 the capacity of the pipe is not being fully used due to capacity restrictions at and near the inlet just east of SR-33. Capacity improvements have been identified that would fully use the capacity of the pipe. Since the outflow pipe is not operating at capacity, no new outfalls are anticipated.

**Table 6-17: Average Capacities of Drainage Facilities**

<b>Salado Creek Facilities–Upstream to Downstream</b>	
<b>Facility Descriptions</b>	<b>Average Capacity</b>
Open Channel (South End of Residential Development to Sperry Avenue)	>500 cfs
24-foot x 4-foot CBC Crossing at Calvinson Parkway	504 cfs
16-foot x 6.5-foot CBC Crossing at Sperry Avenue	672 cfs
Open Channel (North of Sperry Avenue to Cliff Swallow Drive)	1,220 cfs
22-foot x 4.5-foot (at middle) x 2.5-foot (at sides) CBC Crossing at Shearwater Drive	374 cfs
2-72-inch SDs (Cliff Swallow Drive)	542 cfs
Open Channel (WSWD Ditch to Ward Avenue)	960 cfs
2-9.5-foot x 4.5-foot CBC Crossing at Ward Avenue + 2-30-inch HDPE Underdrains	500 cfs

<b>Salado Creek Facilities—Upstream to Downstream</b>	
Open Channel (Ward Avenue. to SR-33)	866 cfs
24-foot x 5-foot Bridge/Culvert Crossing at SR-33	720 cfs
28-foot x 3-foot Wooden Bridge Crossing at California Northern Railroad (CNR)	Marginal
96-inch Cast-In-Place Pipe (CIPP) to San Joaquin River	538 cfs
36-inch SD to San Joaquin River adjacent to 96-inch CIPP (stormwater/ag tailwater)	40 cfs
<b>Walnut/Sycamore SD System—Upstream to Downstream</b>	
42-inch SD—CNR Crossing Near M Street	35 cfs
48-inch SD—Walnut Avenue (42-inch SD to Bennett Drive)	120 cfs
48-inch SD—Walnut Avenue. (Bennett Drive to 60-inch SD)	70 cfs
60-inch SD—Walnut Avenue (48-inch SD to Sycamore Avenue)	93 cfs
60-inch SD—Sycamore Avenue	93 cfs
60-inch SD—Olive Avenue (Sycamore Avenue to Existing Detention Basin)	63 cfs
Source: City of Patterson 2017	

SWMP estimated the cost of the improvements to detention basins, percolation basins, storm drains, storm outfalls, dewatering, upgrades to the Shearwater Drive Culvert and upgrades to pumpstations at \$5.5 million.

**Determinations:**

***Law Enforcement***

- 6.1** In 1998 the Patterson Police Department consolidated into the Stanislaus County Sheriff’s Department forming the Patterson Police Services of the Stanislaus County Sherriff’s Department. The Patterson City Council, through its City Manager, provides local direction and control of the department.
- 6.2** Services provided include administration, citizen volunteer programs, investigations, patrol, records management, recruitment, specialized enforcement teams, training, and traffic enforcement.
- 6.3** In the 2012 Safety Master Plan, the City plans for growth based on a ratio of 1.1 sworn officers per thousand and 0.4 civilian staff per thousand. At buildout of the general plan the City would require 77.5 sworn officers and 29.5 civilians for a total force of 107. The contract with the Stanislaus County Sheriff allows the City to specify its needed staffing.

### ***Fire and Emergency Services***

- 6.4** The City’s Fire Department is a combination full time and volunteer department. The Fire Department’s sworn personnel consist of the Fire Chief, two Division Chiefs, 21 full-time career firefighters, and approximately 30 volunteer firefighters. The Fire Department staffs two stations 24 hours a day, 7 days a week with career personnel and additional response provided by volunteers.
- 6.5** Between 2012 and 2018 calls for service steadily increased from 1224 to nearly 1700. Of those approximately 73 percent are for medical aid.
- 6.6** The Fire Department indicated that the average response time is 5 minutes, 26 seconds. According to the Patterson General Plan, the goal for average response time for Priority 1 (emergency) calls is 5 minutes for 95 percent of the calls.
- 6.7** The ISO rating is on a scale of 1 to 10 with 1 being the best. The City of Patterson has a Class 02/2Y rating from ISO.
- 6.8** The Fire Department has an automatic aid agreement with West Stanislaus Fire Protection District service area. The Fire Department has mutual aid agreements with neighboring fire agencies located within Stanislaus County (including Woodland Avenue Fire Protection District, Salida Fire Protection District, Westport Fire Protection District, and Mountain View Fire Protection District), and CalFire.

### ***Parks and Recreation***

- 6.9** The City maintains 98 acres of neighborhood and community parks. Based on the standard of 5 acres per thousand residents identified in the General Plan, the City has a deficit of approximately 7 acres. The proposed Zacharias development would add approximately 16,000 new residents requiring an additional 80 acres of parks and open space which is part of the development plan.
- 6.9** The City also provides extensive recreation programs for children, teens, adults, and seniors. The City provides these programs at the Patterson Aquatic Center, the Walnut Grove Gym, the Hammon Senior Center and City sports fields at the T.W. Patterson Sports Complex.

### ***Water***

- 6.10** The City of Patterson relies solely on groundwater from 10 wells located within its service territory. There are two aquifers one shallow above the clay layer and one below the clay layer. The clay layer acts as a seal so that water from the lower aquifer is suitable for drinking.
- 6.11** The City supplies water to 6,888 potable and non-potable connections. The seven potable water wells produce 6,700 gpm while the non-potable wells produce 2,250 gpm.

- 6.12** In 2021, the demand was 4,038 AFY and is expected to increase to 10,156 by 2030. The City has the capacity to serve its residents through buildout of its current general plan horizon. The City anticipates adding another well that would pump 800 gpm in the near future.
- 6.13** While the Subbasin as a whole is overdraft, the City’s pumping represents only a fraction of the pumping from the basin. The City hired a consultant to conduct an operational yield study. The results of the study showed the operational yield was determined to be approximately 10,000 AFY to 12,000 AFY. It is not expected the City will draw 10,000 AFY until 2030.
- 6.14** The City expects to meet most of its water needs through groundwater supplemented by conservation. The City is investigating groundwater recharge with stormwater and the addition of recycled water for non-potable uses.
- 6.15** The City expects to spend approximately \$260 million in the next 30 years to upgrade its water mains, storage tanks, and add a pump station.
- 6.16** The City has formed its own GSA to respond to the requirements of the Sustainable Groundwater Management Act. The Patterson GSA is part of the Northern Delta-Mendota Groundwater Sustainability Plan (GSP) area. The GSP outlines the management policies of the GSA for the area within the City limits and other GSAs in the planning area. The North and Central Delta-Mendota GSP was submitted prior to the January 31, 2020 deadline. However, it was rejected by the Department of Water Resources in January 2022 and was given 180 days to address the identified deficiencies. These deficiencies include: (1) The GSPs did not use the same data and methodologies, (2) The GSPs did not establish common definitions of undesirable results in the Subbasin, (3) The GSPs in the Subbasin did not set sustainable management criteria in accordance with the GSP Regulations and 4) The management areas established in the Plan did not sufficiently address the requirements specified in 23 CCR § 354.20.

Each deficiency has been addressed in the common chapter and in the supporting documents for the Northern and Central Delta-Mendota GSP and sent to DWR for approval in July 2022. As of November 2022, there is no status on the approval of the GSP amendments.

### Wastewater

- 6.17** The City’s wastewater system consists of a sewer system and Water Quality Control Facility (WQCF) that processes the effluent. The sewer system has sufficient capacity to accommodate buildout of the General Plan that would include the proposed development.
- 6.18** The City also has a contract with the Diablo Grande Community to process effluent from their sewer system as well.
- 6.19** The WQCF facility is permitted at 2.25 MGD and reliable capacity is 1.85 MGD. Current average daily flows are at 1.39 MGD. The City has plans to increase capacity by 1.25 MGD near term and another 1.75 MGD long term. The increase capacity will be able to treat additional demands required to comply with the contract with Diablo Grande and projected growth.

## Solid Waste

- 6.20** The City contracts for solid waste services with Bertolotti Disposal. Waste is ultimately sent to the Fink Road Sanitary Landfill, which is currently at 50 percent capacity. There is sufficient capacity through 2023.

## Public Works

- 6.21** The City’s Public Works Department maintains approximately 75 miles of roadways that includes 8.4 percent arterials, 30.3 percent collectors and 61.3 percent local residential streets. The PCI is a measure of the condition of the roadways. The 2013 study found that the roadway network averaged a PCI of 70 which is considered good to excellent. The study estimates it will cost in excess of \$59 million over the next 20 years to maintain that condition.
- 6.22** The Public Works Department is also responsible for the storm drainage system. The most significant storm drainage systems that serve urban runoff within the City of Patterson are the Salado Creek storm drainage system and the Walnut/Sycamore storm drain system. Ultimately stormwater finds its way to the San Joaquin River.
- 6.23** In 2017, the City reviewed the Storm Drainage Master Plan which concluded that the system has additional capacity, however there were a dozen areas that needed improvements. The most notable need is to the 96-inch cast-in-place concrete pipe that drains to Salado Creek.

## 7: FINANCIAL ABILITY OF AGENCIES TO PROVIDE SERVICES

The City provides both general government services and enterprise services. The general government services such as law enforcement, fire and emergency services, and parks and recreation are funded through a combination of property tax, sales tax, and charges. Enterprise services are for water, wastewater, and solid waste collection are funded through direct charges to the landowner. The FY 2020/21 budget is \$75.4 million, including \$22 million for General Fund operations, \$23.3 million for enterprise funds and \$30 million for other funds and capital improvements.

### 7.1 – General Fund

In FY 21, the City Council adopted a general fund budget of \$22 million in expenses and \$21.8 million in revenues. The expenses represent an increase of \$2.5 million due to increase in increase in transfers out to the Capital Improvement Project Fund. The \$21.8 million represents an increase from the previous year of \$2.3 million to inter-government revenues.

Table 7-1 shows revenues and expenses for the most recent 5 years, FY 15-FY19. The table shows revenues have exceeded expenses in all but one of the five years. Should there be a shortfall the City transfers funds from the fund balance. The City’s fiscal policies require that restricted funds be used first if the expense is incurred for purposes for which both restricted and unrestricted fund balances are available. When expenditures are incurred for purposes where only unrestricted fund balances are available, the City uses unrestricted resources for expenses in the following order, committed, assigned, and then unassigned.

**Table 7-1: General Fund Revenue and Expense FY 15–FY 19**

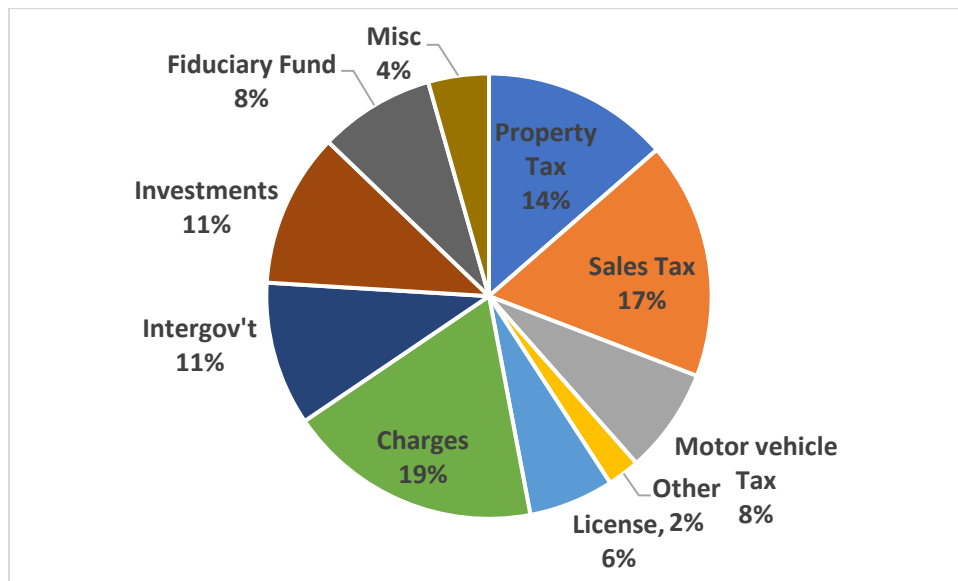
	2015	2016	2017	2018	2019	2020	2021
<b>Total Revenues</b>	23,731,091	29,143,959	25,491,893	28,587,975	30,394,839	33,699,801	37,512,511
<b>Total Expenditures</b>	21,265,172	22,298,601	23,140,523	27,735,597	30,774,276	30,970,188	29,459,366
<b>Net Change in Net Position</b>	\$2,465,919	\$6,845,358	\$2,351,370	\$852,378	(\$379,437)	2,729,613	8,053,145

Source: City of Patterson 2016,2017,2018d,2020a.

Exhibit 7-1 shows average percentage of general fund revenue sources for the 10 year period FY 10 to FY 19. The average provides a fairly robust indication of the proportions of revenues sources that can be extrapolated beyond FY 19. The largest sources are charges for services followed by sales tax and property tax.

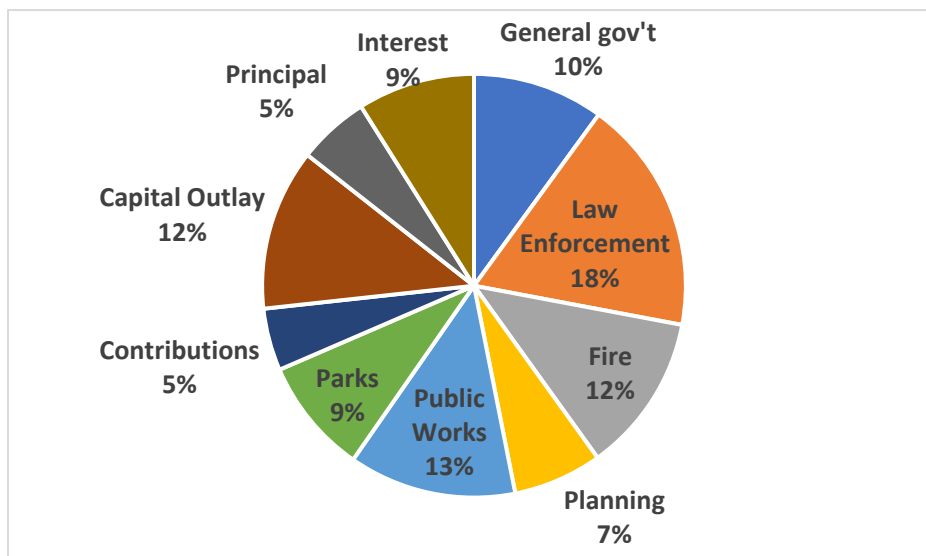


Exhibit 7-2 shows the allocation of general fund expenses over the same 10 year period. As with revenues, the proportions are fairly robust and can be extrapolated beyond FY 19. The exhibit shows that Law Enforcement, Public Works, and Fire account for nearly half the annual expenses.



Source: City of Patterson 2017a, 2018d, 2020a

**Exhibit 7-1: Average General Fund Revenue Sources FY 10 to FY 19**



Source: City of Patterson 2017a, 2018d, 2020a

**Exhibit 7-2: Average General Fund Expense Allocation by Source FY 10 to FY 19**

### Long-Term Debt

Table 7-2 shows the debt was accumulated primarily in revenue bonds, which accounted for most of the debt. There were also capital leases and some settlement payments. In 2021, the City owed nearly \$67 million.

**Table 7-2: Long-Term Debt General Fund**

<b>Governmental Activities:</b>	<b>2017</b>	<b>2018</b>	<b>2019</b>	<b>2020</b>	<b>2021</b>
PPFA 2013 Heartland Ranch Revenue Bonds	\$3,917,488	\$3,531,771	\$3,134,422	\$2,725,976	\$2,292,005
PPFA 2013 Series A Revenue Bonds	63,380,000	61,278,881	59,777,347	58,705,000	56,419,259
Less: bond discount	(739,585)	–	–	(654,187)	–
PPFA 2013 Series B Revenue Bonds	6,160,000	6,030,000	5,890,000	5,740,000	5,575,000
Capital leases	128,967	97,979	66,169	33,518	0
Settlement payable	364,000	364,000	364,000	364,000	364,000
Compensated Absences	394,320	409,006	355,174	468,489	512,606
<b>Total governmental activities</b>	<b>\$73,605,190</b>	<b>\$74,140,637</b>	<b>\$71,890,230</b>	<b>\$69,555,626</b>	<b>\$67,200,852</b>

Source: City of Patterson 2018d, 2020a

### Reserves

The City’s adopted budget maintains 63.47 percent of General Fund reserve in FY2022-23. The City was able to maintain the General Fund operating budget reserve through both Federal and State grant revenues and cost reduction without reducing services. Table 7.3 shows the City was able to maintain minimums, exceed Government Finance Officers Association (GFOA) requirements, and keep adequate reserves.

**Table 7-3: City of Patterson Reserves Actual and Projected**

<b>Description</b>	<b>Amended Budget 2019-20</b>	<b>Proposed Budget 2020-21</b>	<b>Amended Budget 2021-22</b>	<b>Adopted Budget 2022-23</b>
TOTAL EXPENSES—FUND 100	\$19,571,136	\$22,057,710	\$23,590,509	\$28,659,450
16.67% GFOA Recommended Reserve	\$3,262,508.41	\$3,677,020.19	\$3,932,538	\$4,777,530
5% Minimum Reserve	\$978,556.81	\$1,102,885.48	\$1,179,525	\$1,432,972
Total City Reserve Level	\$5,125,497	\$4,968,628	\$15,214,614	\$18,189,666
Unassigned	1,379,548	\$1,202,709	\$11,430,386	\$14,398,681

Description	Amended Budget 2019-20	Proposed Budget 2020-21	Amended Budget 2021-22	Adopted Budget 2022-23
Emergency Contingency Fund	3,745,949	\$3,765,919	\$3,784,228	\$3,790,985
Percentage Reserve	26.19%	22.53%	64.49%	63.47%

Source: City of Patterson 2020b.

## 7.2 – Enterprise Funds

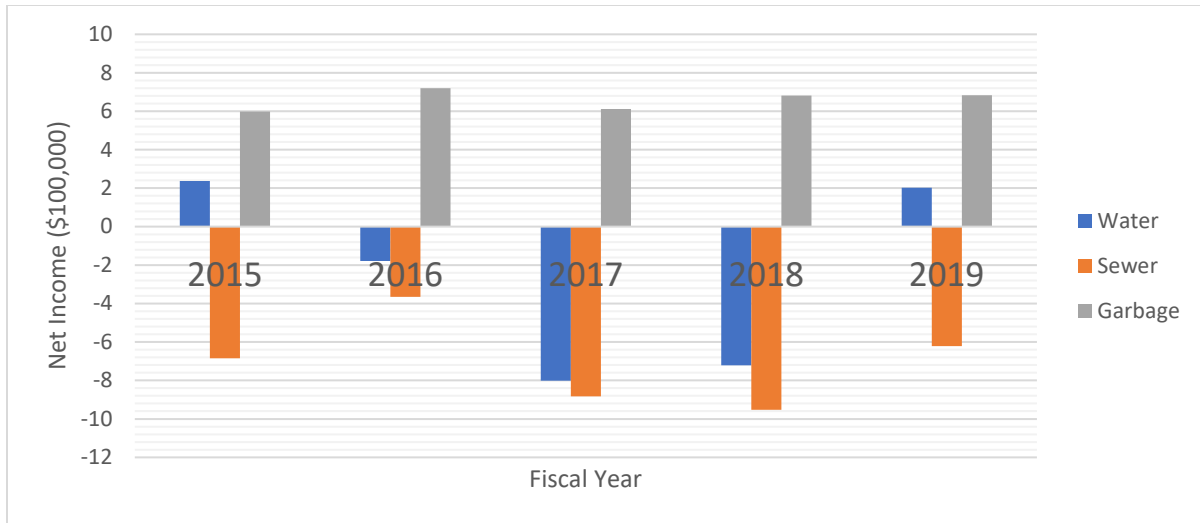
The City provides three enterprise fund services, water, sewer, and solid waste collection. The City contracts for solid waste pick up and transport to the County landfill. Table 7-4 shows revenues and expenses for water, sewer, and solid waste services for FY21. In FY21 water service showed nonoperating income loss but overall a positive net income. However, sewer service is provided as a net loss which is indicative of the need for a rate increase. Solid waste services shows a net income.

**Table 7-4: Enterprise Fund Revenues and Expenses FY21**

Fiscal Measure	Water	Sewer	Solid Waste
Operating Revenues	6,378,759	4,462,018	3,578,144
Operating Expenses	4,514,117	5,349,007	2,774,714
Net Operating Income/(Loss)	1,864,642	-886,989	803,430
Total Nonoperating Income/(Loss)	-514,980	-172,287	5,570
Total Income/(Loss)	1,349,662	-1,059,276	809,000

Source: City of Patterson 2021a.

Exhibit 7-3 shows the net income for business activities for the period of FY 15 through FY 19. The exhibit shows that solid waste has been positive, that water has been negative up until FY19, and that sewer has a net negative income over the five-year period. The trend indicates that water services needed a rate adjustment as does sewer service. With the water rate study completed in FY18 and implemented in FY 19 the water services showed a net positive income in FY19.



Source: City of Patterson 2020a.

**Exhibit 7-3: Net Income for Business Activities FY 15 Through FY19**

**Long-Term Debt**

Interest paid for long-term debt is a major source of nonoperating expenses. Table 7.5 shows the bonds for water and sewer. Also shown is the projected payment for FY2. The payment includes principal, interest, and compensated absences. The Garbage Fund is only compensated absences. In FY21 the City paid \$858,000 to reduce debt. The debt payment represents about 5 percent of total expenses.

**Table 7-5: Long-Term Debt Enterprise Functions**

Fund	Original Issuance	Balance July 1, 2020	Balance June 30, 2021	Due Within One Year
Total water fund	16,230,000	17,269,352	16,916,312	315,000
Total sewer fund	10,509,702	6,569,527	6,278,768	514,686
Total garbage fund	–	26,388	29,192	29,192
Total business-type activities	\$26,739,702	\$23,865,267	\$23,224,272	\$858,878

Source: City of Patterson 2021.

**Rates**

Table 7-6 shows rates for a residential customer. The City recently passed a water rate increase and is studying a solid waste increase. Water rates consist of a base rate plus a consumption charge. The City raised water rates beginning in March of 2018 and adopted base rate increases for January 1, 2019 through January 1, 2022. The table shows the March 2018 increase with increases for the base rate of

\$12.27 in 2019 increasing to \$16.79 in 2022. The consumption charge increases from \$1.78 per hundred cubic feet in 2019 to \$2.70 in 2022. Sewer rates are fairly stable over the same period.

The City is reviewing solid waste rates and recently funded a rate study to assess rates from 2019 to 2022. The City is currently working on the garbage rate study to respond to the new regulation of organic green waste. The study incorporates the Consumer Price Index factor over 5 years.

The City is also conducting a Sewer, Water, and Storm Drain Impact Fee Study. The purpose of the study is to align with the requirements and parameters of the recently completed Sewer, Water, and Storm Drain Master Plans.

**Table 7-6: Residential Rates–Water and Solid Waste (monthly)**

SERVICE	2022	2023	2024	2025	2026
<b>WATER</b>	\$2.70 (Tier 1)	\$2.80 (Tier 1)	\$2.86 (Tier 1)	\$2.92 (Tier 1)	\$3.03 (Tier 1)
	\$3.86 (Tier 2)	\$3.97 (Tier 2)	\$3.97 (Tier 2)	\$4.05 (Tier 2)	\$4.21 (Tier 2)
<b>SOLID WASTE</b>	\$ 38.02	\$ 39.88	\$ 41.83	N/A	N/A
NOTES: <sup>1</sup> WATER RATES CONSIST OF A BASE \$11.04 PLUS \$1.24 PER 100 CF USED. <sup>2</sup> THE AMOUNT SHOWN ASSUMES MINIMUM USE. SOURCE: CITY OF PATTERSON 2014A, 2018B, 2019B, 2020A					

The City recently completed a water rate study and a sewer rate study. The new water rates have yet to be adopted; however, the new residential sewer rates are shown in Table 7-7. Also shown are the special rates for the Community of Diablo Grande.

**Table 7-7: Residential Sewer Rates**

Rate Type	Current	FY 22/23 Effective Jan. 1, 2022	FY 22/23 Effective July 1, 2022	FY 23/24 Effective July 1, 2023	FY 24/25 Effective July 1, 2024	FY 25/26 Effective July 1, 2025
Flat Rate	\$49.94	\$52.94	\$56.12	\$59.49	\$63.06	\$66.84
Diablo Grande <sup>1</sup>	\$74.91	\$79.41	\$84.18	\$89.24	\$94.59	\$100.26
Source: City of Patterson 2021d. <sup>1</sup> Diablo Grande Rate is 1.5 times City Residential Rate.						

New development would fund City services through Community Financing Districts.

**Capital Improvements**

The City’s Engineering, Building and Capital Projects Department includes the Capital Projects Division. The Division is responsible for the short and long range planning, design, and construction of capital

projects. The accumulation of Measure L revenue provides the funding source to the street capital projects that are set to begin upon completion of various water capital pipeline projects.

During the water rate study, the City incorporated the 5-year long range CIP. The City will begin the improvement of the water line projects, clarifier replacement project and street projects to enhance and improve the quality of the water, sewer, and streets infrastructure.

The City maintains a short term, 1-3 years, and long-term, 3+ years, CIP. Table 7-7 shows capital improvements allocations for FY 21 and their funding sources.

**Table 7-8: Capital improvement Projects FY 21**

Service	Expenditures	Funding Sources
Streets	\$7,907,682	Impact fees, ATP Grant, Gas Tax, LTF, CMAQ, Urban Greening Grant, Cal Recycle Grant, Measure L
Sewer	\$3,131,162	CFD2005-1 Business Park, SRF Loan, O&M Funds
Water	\$2,877,250	2019 Water Revenue Bond Proceeds
Storm Drain	\$495,000	Storm Drain Fees
General Government	\$1,474,475	CFD 2001-1 WPFA-LOB Bond Proceeds, Public Safety Impact Fees
<b>Total</b>	<b>\$13,008,319</b>	

Source: City of Patterson 2020b.

**Other Postemployment Benefits**

The City’s total OPEB liability for FY2020/21 was \$12,997,781. The general fund activities included \$8.98 million and enterprise fund activities accounted for the remaining \$4.02 million. In FY2020/21 OPEB liabilities increased by \$710,116.

**DETERMINATIONS:**

- 7.1** The City provides both general government services and enterprise services. The general government services such as law enforcement, fire and emergency services, and parks and recreation are funded through a combination of property tax, sales tax, and charges. Enterprise funds are water, sewer, and solid waste. Enterprise funds are primarily funded through charges.
- 7.2** The FY 2020/21 budget is \$75.4 million, including \$22 million for general fund operations, \$23.3 million for enterprise funds and \$30 million for other funds and capital improvements. The main source of general fund revenues are charges averaging 19 percent, while property tax 14 percent and sales tax average 17 percent. The main sources of expenses are law enforcement at 18 percent, public works at 13 percent, and fire at 12 percent.

- 7.3** In FY2021, the City had nearly \$67 million in long-term debt. Debt was accumulated primarily in revenue bonds.
- 7.4** In FY 2018-19, the City anticipates spending approximately \$7 million on general fund capital improvements, \$5 million on streets and \$2 million on general government.
- 7.5** A comparison of operating revenues and expenses for the period FY15 thru FY19 showed a deficit for water and wastewater. The City conducted a water rate study in 2018 that showed the need for a rate increase. The increase took effect in 2019 which resulted in net income. An updated study was conducted and approved by the City Council in April 2022.
- 7.6** The deficit for wastewater was addressed through a rate study which proposed rate increases to eliminate the deficit. New rates were adopted through FY 25/26.
- 7.7** For solid waste services, the major expense is the contract for collection and transfer. Since the City does not own the equipment there is no depreciation cost.
- 7.8** Long-term debt for water and sewer are in the form of bonds that totaled \$15 million in FY 2018- 19.
- 7.9** In the FY 21 budget the City has allocated approximately \$13 million for capital improvements. Of that \$5.9 million is allocated to the water and sewer system.
- 7.10** The City's total OPEB liability for FY2020/21 was \$12,997,781. The general fund activities included \$8.98 million and enterprise fund activities accounted for the remaining \$4.02 million. In FY2020/21 OPEB liabilities increased by \$710,116.

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## 8: STATUS AND OPPORTUNITIES FOR SHARED FACILITIES

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The City works cooperatively with several State and local agencies. The City shares Fire Station No. 1 with West Stanislaus County Fire Protection District. The City also works with the Del Puerto Health Care District which provides ambulance services to Patterson and surrounding communities by assessing an impact fee on new development for capital improvements. The Health Care District operates the Health Center at 1108 Ward Avenue in Patterson.

The Fire Department has an automatic aid agreement with West Stanislaus Fire Protection District service area. The Fire Department has mutual aid agreements with neighboring fire agencies located within Stanislaus County (including Woodland Avenue Fire Protection District, Salida Fire Protection District, Westport Fire Protection District, and Mountain View Fire Protection District), and CalFire.

In 1998, the City contracted with the Stanislaus County Sheriff's Department for law enforcement services, forming the Patterson Police Services division of the Stanislaus County Sheriff's Department. The Patterson City Council, through its City Manager, provides local direction and control of the department, allowing the City to enjoy all the benefits and resources of the Sheriff's Department.

The City shares its WQCF capacity with the Community of Diablo Grande. The City is looking to upgrade the WQCF so that it can produce recycled water to help alleviate the demand for irrigation water. The City of Patterson has a Memorandum of Understanding with WHWD to accept sewer flows up to 750,000 gpd from the Diablo Grande Community.

The City also uses the Fink Road Sanitary Landfill in Crows Landing with other communities in Stanislaus County.

One measure of management efficiency is whether the agency develops plans for delivery of services. The City generates a number of plans and studies. They include CIP's, water master plan, sewer master plan, and an annual budget. The City's Sewer, Water, and Storm Drain Master Plans were all completed in 2019. The City has a strategic plan which is used as a guide for the budget and various City programs.

### **DETERMINATIONS:**

- 8.1** The City works cooperatively with a number of neighboring agencies. It has a contract for law enforcement with the Stanislaus County Sheriff. It shares a fire station with the West Stanislaus County Fire Protection District. It has an MOU with the WHWD to accept sewage from the Community of Diablo Grande. In addition, the City disposes of solid waste at the Fink Road Sanitary Landfill, as do other communities in Stanislaus County.
- 8.2** The City exhibits management efficiencies through developing plans for service. They include CIP's, water master plan, sewer master plan, and an annual budget.



## 9: ACCOUNTABILITY AND GOVERNMENT STRUCTURE

Patterson is a general law city as opposed to a charter city. Patterson has Council-Manager form of government. The City is governed by a five member Council, including the Mayor, elected by district to four year staggered terms. The Mayor is elected at large separately to a 2-year term. Council members receive a stipend. The FY22-23 budget has allocated Council members \$26,928 for stipends.

The Council meets regularly on the first and third Tuesday of the month at 7:00 p.m. Meetings are noticed according to the Brown Act. Because of COVID-19 outbreak, meetings are held in a hybrid format with a virtual option, following the guidelines contained in the Governor’s Executive Orders that modify the Brown Act.

The City also communicates with residents through a quarterly newsletter. The newsletter includes articles from each of the City departments that might provide residents useful information about programs and upcoming events in the City during that quarter. The newsletter provides contact information for City departments.

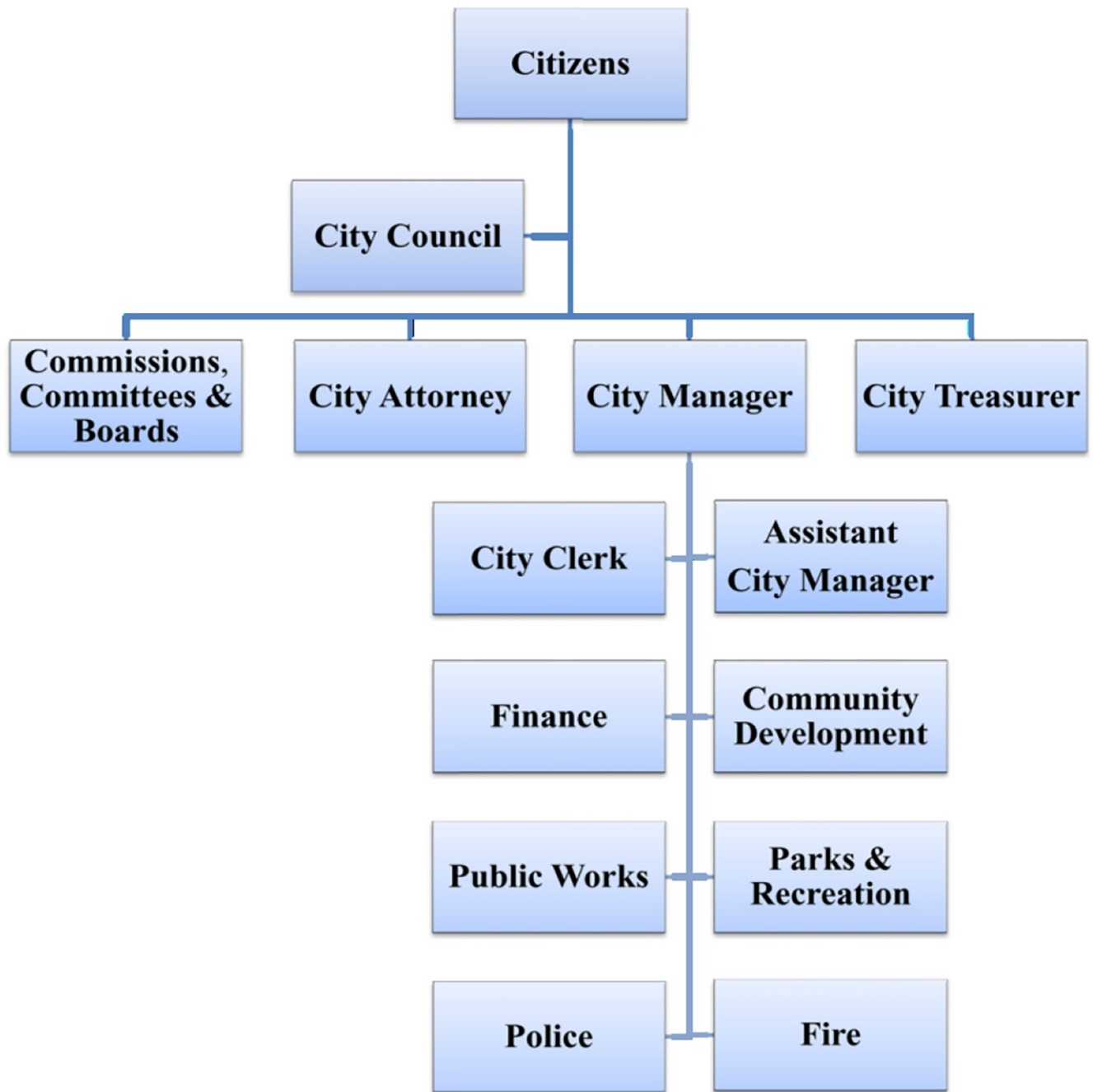
The City also operates and maintains a website. The website provides information about City operations, provides agendas and staff reports for City Council meetings. On the website residents can view key reports such as the strategic plan, the annual budget, the annual comprehensive fiscal analysis, the general plan, and City ordinances.

The City involves local residents through a number of boards and commissions. The City Council makes appointments to the boards and commissions shown in Table 9-1- as well as the length of their terms.

**Table 9-1: Patterson Boards and Commissions**

Board/Commission	Number of Members	Length of Term
Planning Commission	5	2 years
Parks Recreation and Beautification Commission	5	2 years
Economic Strategic Commission	5	2 years
Senior Center Board of Directors	5	2 years
Turlock Mosquito Abatement District	1	4 years
Source: City of Patterson 2018c.		

The City operates with a staff of 129 full time staff augmented by 126 part-time positions. That represents a decrease from previous years in part-time staff. The reduction was due the current pandemic which has caused loss of revenues. Exhibit 9-1 shows the City’s organizational chart.



Source: INDIGO. Hammond & Playle Architects LLP, 2014.

**DETERMINATIONS:**

- 9.1** The City is a general law city and operates under a Council-Manager form of government. The City Council consists of four councilmembers elected by district to 4-year staggered terms and a Mayor elected at large to a 2 year term. Council members receive a stipend.
- 9.2** The Council meets regularly on the first and third Tuesday at 7:00 p.m. Meetings are noticed according to the Brown Act. Because of COVID-19 outbreak, meetings are held virtually, following the guidelines contained in the Governor’s Executive Orders that modify the Brown Act.
- 9.3** The City communicates with residents via its website and a quarterly newsletter. The newsletter highlights community activities as well as activities of each of its departments.
- 9.4** Residents have the opportunity to be involved through four boards and commissions that includes the Planning Commission, Parks Recreation and Beautification Commission, Economic Strategic Commission, and the Senior Center. The City also has a resident on the board of the Turlock Mosquito Abatement District.
- 9.5** The City is currently staffed by 129 full time augmented by 126 part-time employees. No new positions are anticipated for FY 21.

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## **10: MATTERS RELATED TO EFFECTIVE/EFFICIENT SERVICE DELIVERY, AS REQUIRED BY COMMISSION POLICY**

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As the intent of this service review is to support an annexation of the proposed Zacharias development, three LAFCO policies would potentially affect service delivery. Policy 21 applies to development of vacant or underutilized land prior to annexation of additional territory. Policy 22 is related to agricultural preservation. The section on spheres and annexation policies is also relevant.

Policy 21 is the vacant lands policy and describes the desire to encourage the development of vacant or underutilized lands before considering additional annexation and development. In addition, it requires that annexations of undeveloped or agricultural lands show urbanization is imminent and that urban development is contiguous with existing or proposed development.

Policy 22 is the Commission's Agricultural Preservation Policy adopted in 2012. The premise of the policy is that urban development should be proposed, evaluated, and approved in a manner consistent with continuing growth and vitality of agriculture in Stanislaus County. The goals of this policy are consistent with CKH, to guide development away from agricultural lands and to encourage infill development prior to conversion of agricultural lands. In addition, this policy requires consideration of impacts on existing agricultural lands, to minimize the conversion of agricultural lands to other uses, and to promote preservation of agricultural lands while balancing the need for planned orderly development and the provision of services.

Compliance with Policy 22 can be accomplished in part through the CEQA process and also with a required Plan for Agricultural Preservation. The policy identifies strategies to minimize the loss of agricultural lands that include swapping agricultural land from an existing sphere, the establishment of agricultural easements, or a mitigation program of at least 1:1, that is 1 acre preserved for each acre lost. A third strategy would be to adopt a voter approved urban growth boundary. The Policy also provides guidelines for the Commission to approve development of agricultural lands.

The sphere and annexation policy are based on CKH requirements. The policy states that if the annexation is outside the current SOI the annexation proposal must include a sphere review. Consequently, this service review includes an analysis of the five areas that require the Commission to make determinations.

### **DETERMINATION**

**10.1** LAFCO's policies on vacant lands, agricultural preservation, and annexation and sphere policies would apply and could affect service delivery. The City of Patterson is surrounded by agricultural land. Future expansion of the City will inevitably occur on agricultural land. The City has historically prioritized developing on nonagricultural lands within the city limits. The City's inventory of undeveloped infill properties for residential development has largely been exhausted, creating the need to annex adjoining agricultural lands. The City's proposed annexation follows logistic and orderly planning principles including the use of hard boundaries (i.e., roadways, canals, etc.) in the interests of promoting compatibility with adjoining agricultural lands not proposed for annexation.

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## 11: SPHERE OF INFLUENCE CONSIDERATIONS

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One of the purposes of this MSR is to provide information that will allow the City to request an SOI expansion to include territory in the proposed Zacharias Master Plan Project. The main portion of the project site encompasses approximately 1,226.9 acres and is bounded by Rogers Road (west), Zacharias Road (north), SR-33 and Ward Avenue (east), and existing residential and business park uses (south). A small, non-contiguous 68.7-acre portion of the project site is located at the southern terminus of Baldwin Road and is bounded by the Delta-Mendota Canal (west), the City of Patterson Corporation Yard (north), and agricultural uses (east and south). The remaining portion of the current SOI, as shown in Exhibit 1-1 will remain unchanged. In order to adopt or update a sphere the Commission must make determinations in the following five areas.

**Present and planned land uses in the area, including agricultural and open space lands**–The Zacharias Master Plan is divided into three areas, East of Baldwin Road, approximately 628.6 acres, West of Baldwin Road, approximately 598.3 acres, and South of Baldwin Road 6837 acres for a total of 1295.6 acres. The area West of Baldwin Road and South of Baldwin Road contains agricultural land. The East of Baldwin Road planning area contains agricultural land west of the PID Canal and rural residential land on the east side. Irrigation canals are present within the East of Baldwin Road and West of Baldwin Road planning areas.

The Stanislaus County General Plan designates the West of Baldwin Road and South of Baldwin Road planning areas as “Agriculture.” The Stanislaus County General Plan designates the East of Baldwin Road planning area “Agriculture” west of the PID Canal and “Urban Transition” east of the canal. The City of Patterson General Plan designates all three planning areas as “Low Density Residential.”

The East of Baldwin Road area is proposed to be developed with 3,666 residential DUs, 505,000 square feet of mixed use, a 14.74 acre school site, 27.09 acres of parks, and 29.17 acres of open space. The area West of Baldwin Road is proposed to include an additional 1,420 residential DUs, 350,000 square feet of commercial, 6,910,000 square feet of industrial and 18.15 acres of parks. The South of Baldwin Road area is proposed to include 395 residential DUs and 5 acres of parks.

**Present and probable need for public facilities and services**–The proposed project area is currently in agriculture and receives irrigation services from the West Stanislaus Irrigation District, the Patterson Irrigation District, and the Del Puerto Water District. Fire protection is provided by the West Stanislaus Fire Protection District. In addition, the Patterson Cemetery District provides cemetery services. Existing residences in the area are served by on-site wells and septic systems. Upon development the area would require municipal services such as enhanced fire protection, water, wastewater, solid waste collection, stormwater, and street maintenance services. These municipal services are best provided by the City of Patterson.

**Present capacity of public facilities and adequacy of public services provided by the agency**–The City has sufficient capacity to provide services. The City has a contract with the Stanislaus County Sheriff that could be amended to provide additional sworn personnel as needed to maintain a ratio of 1.1 sworn officers per thousand. The PFD and the West Stanislaus Fire Protection District share facilities and

resources, and are overseen by the same Fire Chief. The Fire Department has mutual aid agreements with neighboring fire agencies located within Stanislaus County (including Woodland Avenue Fire District, Salida Fire District, Westport Fire District, and Mountain View Fire District), and CalFire. The City's water, wastewater, and solid waste service are fee based to allow for expansion of services. The Public Works Department has the capacity to expand services as well.

**Social or economic communities of interest**–The only community of interest would be the City of Patterson as the area surrounding the City is primarily agriculture and is sparsely populated.

**Present and probable need for services to disadvantaged communities**–The City of Patterson MHI exceeds the 80 percent threshold. There are no DUCs adjacent to the Patterson city limits.

Expansion of the City's SOI requires a CEQA analysis. The CEQA analysis for the Zacharias Master Plan Project included the proposed changes to the City's SOI and will be relied upon by LAFCo as a Responsible Agency.

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## 12: SUMMARY OF DETERMINATIONS

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### Population Projections

- 4.1 The City of Patterson had an estimated population of 23,764 in 2019.
- 4.2 The City of Patterson grew at an average rate of 5 percent over that last 19 years. Continued growth is anticipated so that at buildout in 2050 the City would have an estimated population of 66,000.

### Disadvantaged Unincorporated Communities

- 5.1 A DUC is defined as an area with a median household income of less than 80 percent of the California median household income. The City of Patterson MHI exceeds the 80 percent threshold. There are no DUCs adjacent to the Patterson city limits.
- 5.2 CKH requires identification of backbone services to DUCs. At present there are no municipal services, however, fire is provided by the West Stanislaus Fire Protection District and water is provided by the West Stanislaus Irrigation District to the area north and west of Patterson, including the area along Zacharias Rd. East and south water is provided by the Patterson Irrigation District.

### Present and Planned Capacity of Public Facilities

#### *Law Enforcement*

- 6.1 In 1998, the Patterson Police Department contracted with the Stanislaus County Sheriff's Department forming the Patterson Police Services of the Stanislaus County Sherriff's Department. The Patterson City Council, through its City Manager, provides local direction and control of the department.
- 6.2 Services provided include administration, citizen volunteer programs, investigations, patrol, records management, recruitment, specialized enforcement teams, training, and traffic enforcement.
- 6.3 In the 2012 Safety Master Plan, the City plans for growth based on a ratio of 1.1 sworn officers per thousand and 0.4 civilian staff per thousand. At buildout of the general plan the City would require 77.5 sworn officers and 29.5 civilians for a total force of 107. The contract with the Stanislaus County Sheriff allows the City to specify its needed staffing.

#### *Fire and Emergency Services*

- 6.4 The City's Fire Department is a combination full time and volunteer department. The Fire Department's sworn personnel consist of the Fire Chief, two Division Chiefs, 21 full-time career firefighters, and approximately 30 volunteer firefighters. The Fire Department staffs two stations 24 hours a day, 7 days a week with career personnel and additional response provided by volunteers.

- 6.5** Between 2012 and 2018, calls for service steadily increased from 1224 to nearly 1700. Of those approximately 73 percent are for medical aid.
- 6.6** The Fire Department indicated that the average response time is 5 minutes, 26 seconds. According to the Patterson General Plan, the goal for average response time for Priority 1 (emergency) calls is 5 minutes for 95 percent of the calls.
- 6.7** The ISO rating is on a scale of 1 to 10 with 1 being the best. The City of Patterson has a Class 02/2Y rating from ISO.
- 6.8** The Fire Department has an automatic aid agreement with West Stanislaus Fire Protection District service area. The Fire Department has mutual aid agreements with neighboring fire agencies located within Stanislaus County (including Woodland Avenue Fire District, Salida Fire District, Westport Fire District, and Mountain View Fire District), and CAL FIRE.

### ***Parks and Recreation***

- 6.9** The City maintains 98 acres of neighborhood and community parks. Based on the standard of 5 acres per thousand residents identified in the General Plan, the City has a deficit of approximately 7 acres. The proposed Zacharias development would add approximately 16,000 new residents requiring an additional 80 acres of parks and open space, which is part of the development plan.
- 6.9** The City also provides extensive recreation programs for children, teens, adults, and seniors. The City provides these programs at the Patterson Aquatic Center, the Walnut Grove Gym, the Hammon Senior Center and City sports fields at the T.W. Patterson Sports Complex.

### ***Water***

- 6.10** The City of Patterson relies solely on groundwater from nine wells located within its service territory. There are two aquifers: one shallow above the clay layer and one below the clay layer. The clay layer acts as a seal so that water from the lower aquifer is suitable for drinking.
- 6.11** The City supplies water to 6,888 connections. The seven potable water wells produce 6,700 gpm while the non-potable wells produce 2,250 gpm.
- 6.12** In 2013, the demand was 4,432 AFY and is expected to increase to 10,156 by 2030. The City has the capacity to serve its residents through buildout of its current general plan horizon. The City anticipates adding another well that would pump 800 gpm in the near future.
- 6.13** While the Subbasin as a whole is overdraft, the City's pumping represents only a fraction of the pumping from the basin. The City hired a consultant to conduct an operational yield study in 2018. The results of the study showed the operational yield was determined to be approximately 10,000 AFY to 12,000 AFY. It is not expected the City will draw 10,000 AFY until 2030.



- 6.14** The City expects to meet most of its water needs through groundwater supplemented by conservation. The City is investigating groundwater recharge with stormwater and the addition of recycled water for non-potable uses in 2025.
- 6.15** The City expects to spend approximately \$260 million in the next 30 years to upgrade its water mains, storage tanks, and add a pump station.
- 6.16** The City has formed its own GSA to respond to the requirements of the Sustainable Groundwater Management Act. The Patterson GSA is part of the Northern Delta-Mendota Groundwater Sustainability Plan (GSP) area. The GSP outlines the management policies of the GSA for the area within the City limits and other GSAs in the planning area. The Northern and Central Delta-Mendota GSP was submitted prior to the January 31, 2020 deadline. However, it was rejected by the DWR in January 2022 and was given 180 days to address the identified deficiencies. These deficiencies include: (1) The GSPs did not use the same data and methodologies, (2) The GSPs did not establish common definitions of undesirable results in the Subbasin, (3) The GSPs in the Subbasin did not set sustainable management criteria in accordance with the GSP Regulations and (4) The management areas established in the Plan did not sufficiently address the requirements specified in 23 Code of Regulations Section 354.20.

Each deficiency has been addressed in the common chapter and in the supporting documents for the Northern and Central Delta-Mendota GSP and sent to DWR for approval in July 2022. As of November 2022, there is no status on the approval of the GSP amendments.

### *Wastewater*

- 6.17** The City's wastewater system consists of a sewer system and Water Quality Control Facility (WQCF) that processes the effluent. The sewer system has sufficient capacity to accommodate buildout of the General Plan that would include the proposed development.
- 6.18** The City also has a contract with the Western Hills Water District to process effluent from their sewer system as well.
- 6.19** The WQCF facility is permitted at 2.25 MGD and reliable capacity is 1.85 MGD. Current average daily flows are at 1.39 MGD. The City has plans to increase capacity by 1.25 MGD near term and another 1.75 MGD long term. The increase capacity will be able to treat additional demands required to comply with the contract with Diablo Grande and projected growth.

### *Solid Waste*

- 6.20** The City contracts for solid waste services with Bertolotti Disposal. Waste is ultimately sent to the Fink Road Sanitary Landfill, which is currently at 50 percent capacity. There is 7.1 million cubic yards of remaining capacity.

### *Public Works*

- 6.21** The City's Public Works Department maintains approximately 75 miles of roadways that includes 8.4 percent arterials, 30.3 percent collectors and 61.3 percent local residential streets. The PCI is a measure of the condition of the roadways. The 2013 study found that the roadway network

averaged a PCI of 70 which is considered good to excellent. The study estimates it will cost in excess of \$59 million over the next 20 years to maintain that condition.

- 6.22** The Public Works Department is also responsible for the storm drainage system. The most significant storm drainage systems that serve urban runoff within the City of Patterson are the Salado Creek storm drainage system and the Walnut/Sycamore storm drain system. Ultimately stormwater finds its way to the San Joaquin River.
- 6.23** In 2017 the City reviewed the Storm Drainage Master Plan which concluded that the system has additional capacity, however there were a dozen areas that needed improvements. The most notable need is to the 96-inch cast-in-place concrete pipe that drains to Salado Creek.

### **Financial Ability of Agencies to Provide Services**

- 7.1** The City provides both general government services and enterprise services. The general government services such as law enforcement, fire and emergency services, and parks and recreation are funded through a combination of property tax, sales tax, and charges. Enterprise funds are water, sewer, and solid waste. Enterprise funds are primarily funded through charges.
- 7.2** The FY 2020/21 budget is \$75.4 million, including \$22 million for general fund operations, \$23.3 million for enterprise funds and \$30 million for other funds and capital improvements. The main source of general fund revenues are charges averaging 19 percent, while property tax 14 percent and sales tax average 17 percent. The main sources of expenses are law enforcement at 18 percent, public works at 13 percent, and fire at 12 percent.
- 7.3** In FY 2018-19 the City had nearly \$72 million in long-term debt. Debt was accumulated primarily in revenue bonds.
- 7.4** In FY 2018-19, the City anticipates spending approximately \$7 million on general fund capital improvements, \$5 million on streets and \$2 million on general government.
- 7.5** A comparison of operating revenues and expenses for the period FY15 through FY19 showed a deficit for water and wastewater. The City conducted a water rate study in 2018 that showed the need for a rate increase. The increase took effect in 2019 which resulted in net income.
- 7.6** The deficit for wastewater was addressed through a rate study which proposed rate increases to eliminate the deficit. New rates were adopted through FY 25/26.
- 7.7** For solid waste the major expense is the contract for collection and transfer. Since the City does not own the equipment there is no depreciation cost.
- 7.8** Long-term debt for water and sewer are in the form of bonds that totaled \$15 million in FY 2018- 19.
- 7.9** In the FY 21 budget the City has allocated approximately \$13 million for capital improvements. Of that \$5.9 million is allocated to the water and sewer system.

- 7.10** The City's total OPEB liability for FY 2017/18 was \$10,697,510. The general fund activities included \$7.46 million and enterprise fund activities accounted for the remaining \$3.24 million. In FY 2017/18 OPEB liabilities increased by \$115,849.

### **Status and Opportunities for Shared Facilities**

- 8.1** The City works cooperatively with a number of neighboring agencies. It has a contract for law enforcement with the Stanislaus County Sheriff. It shares a fire station with the West Stanislaus County Fire Protection District. It shares WQCF capacity with the Community of Diablo Grande and has an MOU with WHWD to accept sewage. In addition, the City shares capacity at the Fink Road Sanitary Landfill with other communities in Stanislaus County.
- 8.2** The City exhibits management efficiencies through developing plans for service. They include CIP's, water master plan, sewer master plan, and an annual budget.

### **Accountability and Government Structure**

- 9.1** The City is a general law city and operates under a Council-Manager form of government. The City Council consists of four councilmembers elected by district to 4-year staggered terms and a Mayor elected at large to a 2 year term. Council members receive a stipend.
- 9.2** The Council meets regularly on the first and third Tuesday at 7:00 p.m. Meetings are noticed according to the Brown Act. Due to COVID-19 outbreak, meetings are held virtually, following the guidelines contained in the Governor's Executive Orders that modify the Brown Act.
- 9.3** The City communicates with residents via its website and a quarterly newsletter. The newsletter highlights community activities as well as activities of each of its departments.
- 9.4** Residents have the opportunity to be involved through four boards and commissions that includes the Planning Commission, Parks Recreation and Beautification Commission, Economic Strategic Commission, and the Senior Center. The City also has a resident on the Board of the Turlock Mosquito Abatement District.
- 9.5** The City is currently staffed by 121 full-time augmented by 106 part-time employees. No new positions are anticipated for FY 21.

### **Matters Related to Effective or Efficient Service Delivery, as Required by Commission Policy**

- 10.1** LAFCO's policies on vacant lands, agricultural preservation, and annexation and sphere policies would apply and could affect service delivery. The City of Patterson is surrounded by agricultural land. Future expansion of the City will inevitably occur on agricultural land. The City has historically prioritized developing on nonagricultural lands within the city limits. The City's inventory of undeveloped infill properties for residential development has largely been exhausted, creating the need to annex adjoining agricultural lands. The City's proposed annexation follows logistic and orderly planning principles including the use of hard boundaries (i.e., roadways, canals, etc.) in the interests of promoting compatibility with adjoining agricultural lands not proposed for annexation.

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## **EXHIBIT C**

**Stanislaus County Letter dated June 6, 2023  
Re: MOU Between Stanislaus County &  
City of Patterson**



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**CHIEF EXECUTIVE OFFICE**

Jody L. Hayes  
CHIEF EXECUTIVE OFFICER

Patrice M. Dietrich  
ASSISTANT EXECUTIVE OFFICER/  
CHIEF OPERATIONS OFFICER

Tina M. Rocha  
ASSISTANT EXECUTIVE OFFICER

Ruben Imperial  
ASSISTANT EXECUTIVE OFFICER

June 6, 2023

Sara Lytle-Pinhey, Executive Officer  
Local Agency Formation Commission  
1010 10<sup>th</sup> Street, 3<sup>rd</sup> Floor  
Modesto, CA 95354

**RE: Patterson Sphere of Influence Expansion**

Ms. Lytle-Pinhey:

Pursuant to California Government Code Section 56425, representatives of Stanislaus County and the City of Patterson met on January 18, 2023, to discuss the City's proposed Sphere of Influence (SOI) expansion for the Zacharias and Baldwin Ranch Master Plan areas. At the meeting, the County expressed its concern with mitigation measures and asked the City to consider establishing a Memorandum of Understanding (MOU) clarifying implementation and mitigation measures. The Board of Supervisors has authorized an MOU, which establishes the following development standards:

- Agricultural Resources. For the storm drain recharge basin, the MOU provides for buffer and use standards to be applied by the City if the basin is either: (1) developed for any other purpose that would allow the general public access; or, (2) is located outside of the City's proposed city limits and within the unincorporated County territory. If the basin is developed in a way to allow the general public access, the City agrees to implement agricultural buffers consistent with County standards requiring setbacks, fencing, and landscaping (Section 8 of the MOU). The basin's ultimate location is still uncertain; therefore, if ultimately located outside city limits, the County will have the opportunity to review and approve the design of the basin (Section 9 of the MOU). If ownership of the storm drain recharge basin site is transferred to the City, and not annexed and ultimately used as a basin, the City agrees to limit the use of the property to uses permitted by the County's zoning code (Section 9a of the MOU).

The flood retention area, which is to be developed as a regional park adjoining a future high school site on the east, the City agrees to implement agricultural buffers consistent with County standards along the western and northern boundaries of the regional park (Section 11 of the MOU). In the event the regional park develops prior to the high school, the City will implement the buffers along the eastern boundaries (Section 12 of the MOU). The City is also agreeing to limit use of the property to uses permitted within the County's A-2 (General Agriculture) zoning district until development of the regional park (Section 13 of the MOU).

Acknowledging that Zacharias Road will serve as the urban/rural interface between the City and the unincorporated area, the City will require the project applicant to develop Zacharias Road with setbacks, fencing, and landscaping providing for a 150-foot buffer consist with the County's agricultural buffer standards (Section 15 of the MOU).

A portion of Baldwin Road (in the Baldwin Ranch Master Plan and the southern boundary of the Baldwin Ranch Master Plan) will serve as the urban/rural interfaces between the City and the unincorporated area. The City will require the project applicant to develop the Baldwin Road right-of-way, located along the eastern boundary of the Baldwin Ranch Master Plan, and the southern boundary of the Baldwin Ranch Master Plan with an agricultural buffer consistent with County standards (Section 17 of the MOU).

- Transportation. Per Section 5 of the MOU, the City will consult with County staff in the development and review of the Community Facilities District (CFD) formation or annexation documents, specifically the development standards and planning and zoning requirements underlying the formation of the CFD. Within the County's jurisdiction, the MOU provides the County with the opportunity to approve the estimated project costs utilized for the development of the rate and method of apportionment. In addition, the City shall present to the County all engineer's estimates for improvements for which the project will have a fair share contribution and are located within the County's jurisdiction. The County will have the opportunity to review and approve the engineer's estimates. The County is obligated to conduct its review and provide a response or approval in writing to the City within twenty (20) business days of receipt of the documents for review. The deadline for review and response may be extended by a mutually written agreement.

Recognizing that a portion of Zacharias Road is contemplated as a potential alignment for the South County Corridor, the City agrees to require the project applicant to dedicate a minimum right-of-way width of 135-feet to accommodate any future widening of Zacharias Road (Section 15 of the MOU).

Sara Lytle-Pinhey, Executive Officer

May 16, 2023

Page 3

In addition to expanding the City's SOI, the City is seeking to annex the Zacharias and Baldwin Ranch Master Plan areas. If annexation of the areas in their entirety does not occur concurrent with the SOI expansion, the Stanislaus County General Plan's Land Use Element SOI Policy delineates the County's role in managing the development of agriculturally zoned lands within city SOI's. The SOI policy provides that the County shall refer all development proposals to the applicable city to determine whether the proposal should be approved. Development requiring discretionary review, other than agricultural uses and churches, cannot be approved by the County unless written communication is received from the city memorializing their approval. Development within a city SOI is subject to conformance to the city's development standards. Development will also be subject to the City/County property tax sharing agreement.

With the understanding that development will be mitigated and subject to the development standards outlined in the executed MOU and the County General Plan Policy, the County agrees that the proposed City of Patterson SOI expansion is both logical and orderly. The Board of Supervisors made this finding at its May 2, 2023, meeting.

Sincerely,



Jody L. Hayes  
Chief Executive Officer  
Stanislaus County

Enclosures (2): Board Agenda Item, Memorandum of Understanding

cc: Ken Irwin, City Manager, City of Patterson  
Tina Rocha, Assistant Executive Officer, Stanislaus County  
Angela Freitas, Director, Planning and Community Development, Stanislaus County  
David Leamon, Director, Public Works, Stanislaus County

**THE BOARD OF SUPERVISORS OF THE COUNTY OF STANISLAUS  
BOARD ACTION SUMMARY**

DEPT: Planning and Community Development

BOARD AGENDA:5.D.3  
AGENDA DATE: May 2, 2023

**SUBJECT:**

Authorization of a Memorandum of Understanding between Stanislaus County and the City of Patterson for Development Standards applicable to the development of the Zacharias and Baldwin Ranch Master Plan and Approval of the Findings that the City of Patterson's Sphere of Influence is Logical and Orderly

**BOARD ACTION AS FOLLOWS:**

**RESOLUTION NO. 2023-0207**

On motion of Supervisor Chiesa Seconded by Supervisor B. Condit  
and approved by the following vote,

Ayes: Supervisors: B. Condit, Chiesa, Withrow, Grewal, and Chairman C. Condit

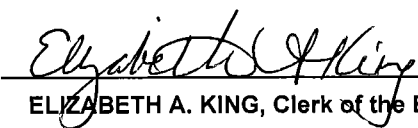
Noes: Supervisors: None

Excused or Absent: Supervisors: None

Abstaining: Supervisor: None

- 1)  Approved as recommended
- 2)  Denied
- 3)  Approved as amended
- 4)  Other:

**MOTION:**

ATTEST:   
ELIZABETH A. KING, Clerk of the Board of Supervisors

File No.C-4-C-7

**THE BOARD OF SUPERVISORS OF THE COUNTY OF STANISLAUS  
AGENDA ITEM**

DEPT: Planning and Community Development

BOARD AGENDA:5.D.3  
AGENDA DATE: May 2, 2023

CONSENT:

CEO CONCURRENCE: YES

4/5 Vote Required: No

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**SUBJECT:**

Authorization of a Memorandum of Understanding between Stanislaus County and the City of Patterson for Development Standards applicable to the development of the Zacharias and Baldwin Ranch Master Plan and Approval of the Findings that the City of Patterson's Sphere of Influence is Logical and Orderly

**STAFF RECOMMENDATION:**

1. Authorize a Memorandum of Understanding (MOU) between Stanislaus County and the City of Patterson for Development Standards applicable to development of the Zacharias and Baldwin Ranch Master Plan.
2. Approve the finding that the City of Patterson's Sphere of Influence (SOI) expansions is logical and orderly subject to the City of Patterson's execution of the MOU with Stanislaus County for development standards.
3. Authorize the Chief Executive Officer to execute the MOU with the City of Patterson and to notify the Stanislaus Local Agency Formation Commission of the County's agreement with the SOI expansion request.

**DISCUSSION:**

The City of Patterson is pursuing a request to annex the Zacharias and Baldwin Ranch Master Plan areas. The Zacharias project area is 1,296 acres located on the north end of the City of Patterson generally bounded by Rogers Road (west), Zacharias Road (north), the California Northern Railroad tracks and Ward Avenue (east), and existing residential and business park uses (south). The project area also includes a 30.1-acre Recharge Basin located on the north side of Zacharias Road to the west of the project area, and a 39.4-acre Federal Emergency Management Agency (FEMA) flood retention area on the north side of Zacharias Road, between Rogers and Baldwin Road. The Baldwin Ranch project area is 66 acres located at the south end of Baldwin Road and is contiguous to the Delta-Mendota Canal (west), the City of Patterson Corporation Yard (north), and agricultural uses (east and south). Included in the annexation request to the Stanislaus Local Agency Formation Commission (LAFCO) is a request to expand the City's Sphere of Influence (SOI) to border both Master Plan areas. A location map of the Master Plan areas is provided as Attachment 1. A small area on the west side of the Zacharias Master Plan area, just west of Ward Avenue is already located within the City's LAFCO adopted SOI.

The Zacharias project proposes to provide up to 5,086 residential units, 855,000 square feet of retail uses, and 6,910,000 square feet of business park. The Baldwin Ranch project area proposes a 66-acre residential community with 305 single family dwelling units and five acres of park. Conceptual Land Use Plans for both the Zacharias and Baldwin Ranch Master Plan areas are provided as Attachments 2 and 3.

County lands within the City's proposed SOI expansion area have, with limited exception, a General Plan designation of "Agriculture" and are zoned General Agriculture, 40-acre minimum (A-2-40). The exception is the small area on the west side of the Zacharias Master Plan area that is already located within the City's SOI. This small area has a general plan designation of Urban Transition and is zoned General Agriculture, 10-acre minimum (A-2-10)

California Government Code Section 56425 requires that at least 30 days prior to submitting an application for an expansion of a SOI to LAFCO, that representatives of the city meet with county representatives to discuss the proposed sphere and its boundaries. These discussions are intended to help the city and county reach agreement on proposed boundaries, development standards, and zoning requirements within the sphere. They are further intended to ensure that development within the sphere reflects the concerns of the city and is accomplished in a manner that promotes the logical and orderly development of areas within the sphere. If an agreement is reached, the agreement is to be forwarded to the LAFCO.

On June 4, 2019, the Board of Supervisors authorized a settlement agreement with the City of Patterson relating to a lawsuit filed by the City in relation to the County's approval of the Crows Landing Industrial Business Park (CLIBP) Specific Plan. In the settlement agreement, the County agreed to support the City's SOI modification and annexation of the Northwest Patterson Specific Plan (NWP Master Plan), a 1,200-acre area included in the Zacharias Master Plan area, provided that the City adequately address the County's comments to the Environmental Impact Report (EIR) prepared for the project. The County's agreement was in exchange for City's commitment to develop a framework for financing and installing sewer system upgrades to increase the City's wastewater treatment plan to serve the CLIBP.

Under the settlement agreement, the County got the opportunity to review and comment on the Administrative Draft EIR (ADEIR), which is typically reviewed only by the lead agency, which, in this case, was the City of Patterson. The City in turn was obligated to incorporate into the Draft EIR (DEIR) a discussion of all County comments to the ADEIR and to incorporate mitigation measures proposed by the County as part of the certified EIR to the extent the City determined such measures were consistent with the constitutional nexus requirements applicable to the California Environmental Quality Act (CEQA). The City further agreed to implement all, and to not exclude any, of the County's proposed mitigation measures that have been adopted into the Final EIR (FEIR).

The County's comments on the ADEIR and DEIR were focused on potential impacts to agricultural resources, hydrology/water quality, and transportation. The FEIR for the Zacharias and Baldwin Ranch Master Plan was certified by the City on August 16, 2022 and provided a response to the County's concerns. The following is an overview of the concerns and the City's efforts to address:

- Agricultural resources: Impacts from urban development on the adjacent agricultural lands at the urban/rural interfaces of the project. Concerns include the development of a storm drain recharge basin and flood retention area on the north side of Zacharias Road and the design of development along the interface area, particularly along roadways. The flood retention area, in the Zacharias project area, is proposed as a regional park and will be built adjoining a 40-acre site acquired by the Patterson Unified School District for development of a new high school. While not initially proposed, the recharge basin has the potential to be developed with athletic fields. People intensive parks/athletic fields have the potential to negatively impact adjacent agricultural operations.

To mitigate for the impact to agricultural resources, the City has adopted mitigation measures requiring farmland mitigation at a ratio of no less than 1:1 for each acre of Important Farmland converted to non-agricultural use by the proposed project and the requirement for 150-foot minimum setbacks to be established between the proposed project and all agricultural lands in the unincorporated Stanislaus County zoned General Agriculture (A-2) and outside the City's SOI.

The 1:1 farmland mitigation measure is in response to LAFCO's Agricultural Mitigation Policy and provides two options for mitigating the loss of farmland: (1) the direct preservation through an irrevocable instrument at no less than a 1:1 ratio or (2) payment of fees into an adopted fee program that would preserve farmland at no less than a 1:1 ratio. The City's mitigation will be applied to Important Farmland, as mapped by the California Department of Conservation Farmland Mapping and Monitoring Program (FMMP), converted to non-agricultural use by the proposed project. The City's mitigation applies to conversion of farmland to all uses and not just residential uses; whereas the County's farmland mitigation policy applies only to the conversion of farmland to residential use.

- Hydrology/water quality: Subsidence impacts, impacts to existing wells in the unincorporated area near the proposed well fields, and need to meet the requirements of the Sustainable Groundwater Management Act.

In response to the County's concerns, the City has clarified that the City's Water Master Plan, which the DEIR utilized for project analysis, found that groundwater supply is sufficient to meet the demand at project buildout. The City has indicated that the Groundwater Sustainability Plan outlines specific thresholds and management actions related to subsidence that the City would be required to address, should they be triggered. While the City anticipates the potential for construction of future new wellfields, there are no plans specific to this project for development. If the City pursues development of an additional well field or fields, additional environmental analysis will be required to address the potential effects of subsidence and well interference within the City's SOI, at that time. Additionally, the City's Operational Yield Study, contained in the City's Water Master Plan, found that the City could implement their selected supply strategy without impacting their current groundwater pumping infrastructure and without significantly impacting the use of groundwater resources in the area surrounding the City's SOI. The City's Water Master Plan analyzed the project water use for the City and also found that sufficient supply is available, and that expected



water usage would not significantly impact groundwater resources in the subbasin.

In response to concerns raised, in general, about the continued reliance on groundwater for the water supply with an overall declining trend in groundwater storage in the upper and lower aquifers, the City has identified that the analysis shows that Groundwater Sustainability Plan project implementation, including the City's Stormwater Capture and Recharge Project, would contribute to future subbasin sustainability based on projected future water demands which have accounted for the demands of the proposed project. As a Groundwater Sustainability Agency, the City has committed to monitoring groundwater levels within its boundary on a regular basis and coordinates with other groundwater sustainability agency members to compare those data against established numerical Minimum Thresholds for to ensure the sustainability of the subbasin. Upon reviewing the FEIR, County staff is satisfied with the City's assessment of potential impacts to hydrology/water quality.

- Transportation: Impacts to roadways and roadway intersections in the unincorporated area resulting from the increased traffic generated by development within the City limits.

To mitigate for impacts to transportation, the City has adopted mitigation measures requiring the establishment of a Community Facilities District (CFD), or other financing mechanism, to fund transportation improvements and a fair share fee requirement for the improvements at the following locations:

- Interstate 5/Sperry Avenue
- Sperry Avenue/Rodgers Road
- Sperry Avenue/State Route 33
- M Street/Walnut Avenue/State 33
- Olive Avenue/State Route 33
- Park Center/Keystone Pacific Parkway
- Rodgers Road/Keystone Pacific Parkway
- Rodgers Road/Zacharias Road
- Baldwin Road/Zacharias Road
- Zacharias Road/State Route 33
- State Route 33/Eucalyptus Avenue
- Baldwin Road/State Route 33
- Rodgers Road/State Route 33
- Sycamore Avenue/E. Las Palmas Avenue
- West Main Avenue/Jennings Avenue
- State Route 33/East-West Connection

- Ward Avenue/East-West Connection
- State Route 33/Grayson Road
- State Route 33/Marshall Road
- State Route 33/Crows Landing Road
- Widening from two to four lanes of State Route 33 between Baldwin Avenue and Sperry Avenue
- Widening Zacharias Road to four lanes between Baldwin Road and State Route 33
- Widening Baldwin Road to four lanes between north of Zacharias Road and the new East-West Connector
- Widening Sperry Road to four lanes between Rodgers and Baldwin Roads,
- Adding of eastbound through lane to Sperry Avenue at Del Puerto Avenue

Transportation mitigations also includes the requirement to identify applicable transportation demand mitigation measures for both residential and commercial uses.

While the EIR incorporates mitigation measures to address the County's concerns, the mitigation measures lack clarity needed to ensure the County's concerns are addressed over the long-term development of the project.

On January 18, 2023, County staff (Chief Executive Office, Department of Environmental Resources, Planning, and Public Works) met with City staff to review the City's proposed SOI expansion. At the meeting, the County expressed its concern with the mitigation measures and asked the City to consider establishing a Memorandum of Understanding (MOU) clarifying implementation of the mitigation measures. A draft MOU for Board consideration is provided as Attachment 4. The MOU establishes the following development standards:

- **Agricultural Resources.** For the storm drain recharge basin, the MOU provides for buffer and use standards to be applied by the City, if the basin is either: (1) developed for any other purpose that would allow the general public access, or (2) is located outside of the City's proposed city limits and within the unincorporated County territory. If the basin is developed in a way to allow the general public access, the City agrees to implement agricultural buffers consistent with County standards requiring setbacks, fencing, and landscaping (Section 8 of the MOU). Because the basin's ultimate location is still uncertain, if ultimately located outside city limits, the County will have the opportunity to review and approve the design of the basin (Section 9 of the MOU). If for some reason ownership of the storm drain recharge basin site is transferred to the city and not annexed and ultimately used as a basin, the city agrees to limit use of the property to uses permitted by the County's zoning code (Section 9a of the MOU).

For the flood retention area, which is to be developed as a regional park adjoining a future high school site on the east, the City agrees to implement

agricultural buffers consistent with County standards along the western and northern boundaries of the regional park (Section 11 of the MOU). In the event the regional park develops prior to the high school, the City will implement the buffers along the eastern boundaries (Section 12 of the MOU). The City is also agreeing to limit use of the property to uses permitted within the County's A-2 (General Agriculture) zoning district until develop of the regional park (Section 13 of the MOU).

In acknowledgement that Zacharias Road will serve as the urban/rural interface between the City and the unincorporated area, the City will require the project applicant to develop Zacharias Road with setbacks, fencing, and landscaping providing for a 150-foot buffer consist with the County's agricultural buffer standards (Section 15 of the MOU).

In acknowledgement that a portion of Baldwin Road, in the Baldwin Ranch Master Plan, and the southern boundary of the Baldwin Ranch Maser Plan will serve as the urban/rural interfaces between the City and the unincorporated area, the City will require the project applicant to develop the Baldwin Road right-of-way, located along the eastern boundary of the master plan, and the southern boundary of the Baldwin Ranch Master Plan with an agricultural buffer consistent with County standards (Section 17 of the MOU).

- **Transportation.** Per Section 5 of the MOU, the City will consult with County staff in the development and review of the CFD formation or annexation documents, specifically the development standards and planning and zoning requirements underlying the formation of the CFD. The MOU provides the County with the opportunity to approve the estimated project costs utilized for the development of the rate and method of apportionment, that are located within the County's jurisdiction. In addition, the City shall present the County all engineer's estimates for improvements for which the project will have a fair share contribution and are located within the County's jurisdiction. The County will have the opportunity to review and approve the engineer's estimates. The County is obligated to conduct its review and provide a response or approval in writing to the City within twenty (20) business days of receipt of the documents for review. The deadline for review and response may be extended by mutual written agreement.

In acknowledgment that a portion of Zacharias Road is contemplated as a potential alignment for the South County Corridor, the City agrees to require the project applicant dedicate a minimum right-of-way width of 135-feet to accommodate any future widening of Zacharias Road (Section 15 of the MOU).

The City Council will also be considering the MOU at its May 2, 2023 meeting. County staff's recommendation is to approve the finding, that the City of Patterson's SOI expansion is logical and orderly, subject to the City of Patterson's execution of the MOU.

The City anticipates that the Master Plan will develop over a period of twenty plus years. During the EIR review, LAFCO questioned why the entire project area needs to be

added to the SOI and city limits if development is not imminent. The City maintains that the entire Baldwin and Zacharias Master Plan areas need to be annexed in order to ensure that urban services and infrastructure can be provided in an orderly manner, ensuring improvements such as: roadways, water, sewer, storm drainage, schools, parks, and an off-site flood control basin are fully functional for each phase. Phase 1 would consist of the areas immediately adjacent to the Patterson city limits and Phase 2 would consist of the outlying areas. However, as a practical matter, infrastructure needed to serve both phases would be located throughout the Master Plan boundaries. Thus, it is the City's position that, annexing the entire area would be consistent with sound planning principles because it would allow for the timely and efficient development of infrastructure improvements.

The Stanislaus County General Plan's Land Use Element SOI Policy delineates the County's role in managing the development of agriculturally zoned lands within city SOI's. The SOI policy provides that the County shall refer all development proposals to the applicable city to determine whether the proposal should be approved. Development, other than agricultural uses and churches, requiring discretionary review, cannot be approved by the County unless written communication is received from the city memorializing their approval. Development within a city SOI is subject to conformance to the city's development standards. Development will also be subject to the City/County property tax sharing agreement.

With the understanding that development will be mitigated and subject to the development standards outlined in the proposed MOU, County staff is in agreement that the proposed City of Patterson SOI expansion is both logical and orderly. If the Board of Supervisors concurs, it is recommended that it direct staff to notify LAFCO of the County's agreement with the City's proposal.

#### **POLICY ISSUE:**

Policy 1.11 of the Stanislaus County General Plan's Agricultural Element recognizes the desire of cities to grow and prosper and states that the County shall not oppose reasonable requests consistent with city and county agreements to expand, provided the resulting growth minimizes impacts to adjacent agricultural lands. The County's policy is implemented by: 1) the County continuing to urge LAFCO to strengthen its policies, standards, and procedures for evaluating proposed annexations of agricultural land and SOI's onto agricultural land to insure resulting urban growth minimizes impacts to adjacent agricultural lands; and 2) requiring the County actively review LAFCO referrals to ensure proposed projects are consistent with County General Plan policies.

Policy 2.13 of the Agricultural Element recognizes that in order to minimize impacts to adjacent agricultural land, the County shall encourage LAFCO to use physical features such as roads and irrigation laterals as boundaries for SOI expansions. The County's policy is implemented by the County encouraging LAFCO to consider buffer guidelines adopted by the County when cities propose to expand their boundaries.

Policy 2.13 of the Agricultural Element recognizes that unincorporated land within SOI's of cities ultimately will be urbanized and the County shall cooperate with cities in managing the development in SOI areas. The policy is implemented for city growth with the County continuing to implement its policies and agreements with cities regarding the development of unincorporated lands with SOI's.

With an MOU in place, County staff believes that the City's SOI expansion is consistent with the County's General Plan policies relating to city growth and requires the authority of the Board of Supervisors to notify LAFCO in accordance with State law.

**FISCAL IMPACT:**

The expansion of the city's SOI by itself does not trigger any changes in property tax distribution. The change in distribution of property taxes only occurs upon annexation and is governed by the existing City/County Property Tax Agreement. Upon annexation, the County shall retain its one hundred percent (100%) share of the Ad Valorem Property Tax revenue attributed to the Base Property Tax year amount. After annexation, the annexing city shall receive a fifty percent (50%) share of the County's Incremental Property Tax Revenue. The County shall retain the remaining fifty percent (50%) share of the County's Incremental Property Tax Revenue. Under the agreement, Ad Valorem Property Tax means the tax imposed on real and tangible personal property based upon the value of the property and Incremental Property Tax Revenue means the total amount of property tax revenue increase or decrease computed from the assessed valuation over the Base Property Tax Year. The Base Property Tax Year means the tax year immediately preceding the year in which the State Board of Equalization recognized and notified the County Auditor-Controller of the annexation.

**BOARD OF SUPERVISORS' PRIORITY:**

Approval of this action supports the Board of Supervisors' priorities of *Delivering Efficient Public Services* and *Enhancing Community Infrastructure* by finding the City of Patterson's SOI expansion is logical and orderly.

**STAFFING IMPACT:**

There are no staffing impacts associated with this item.

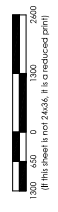
**CONTACT PERSON:**

Angela Freitas, Planning and Community Development Director

Telephone: (209) 525-6330

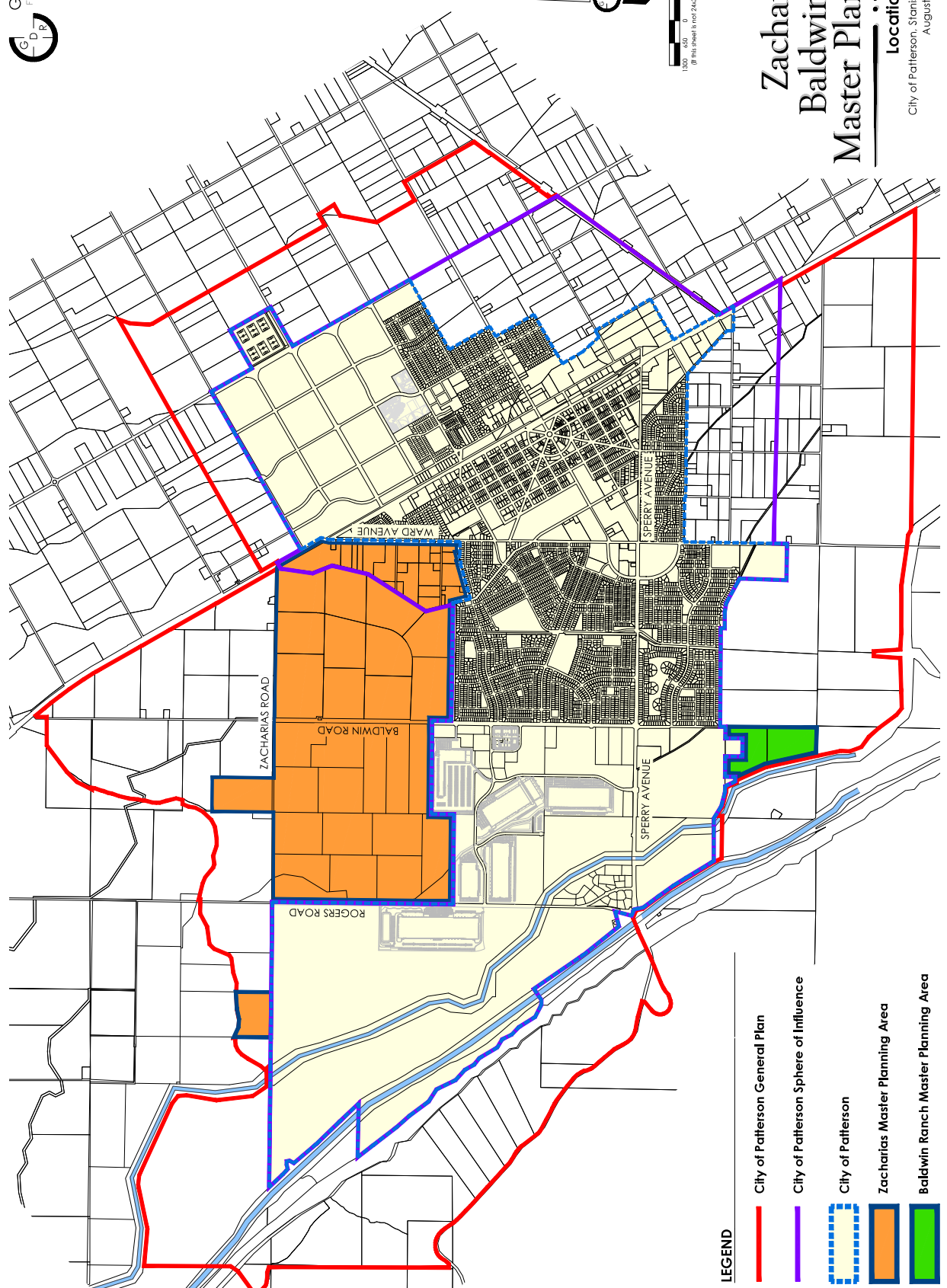
**ATTACHMENT(S):**

1. Location Map
2. Zacharias Land Use Plan
3. Baldwin Ranch South Land Use Plan
4. City and County MOU



# Zacharias & Baldwin Ranch Master Planning Area

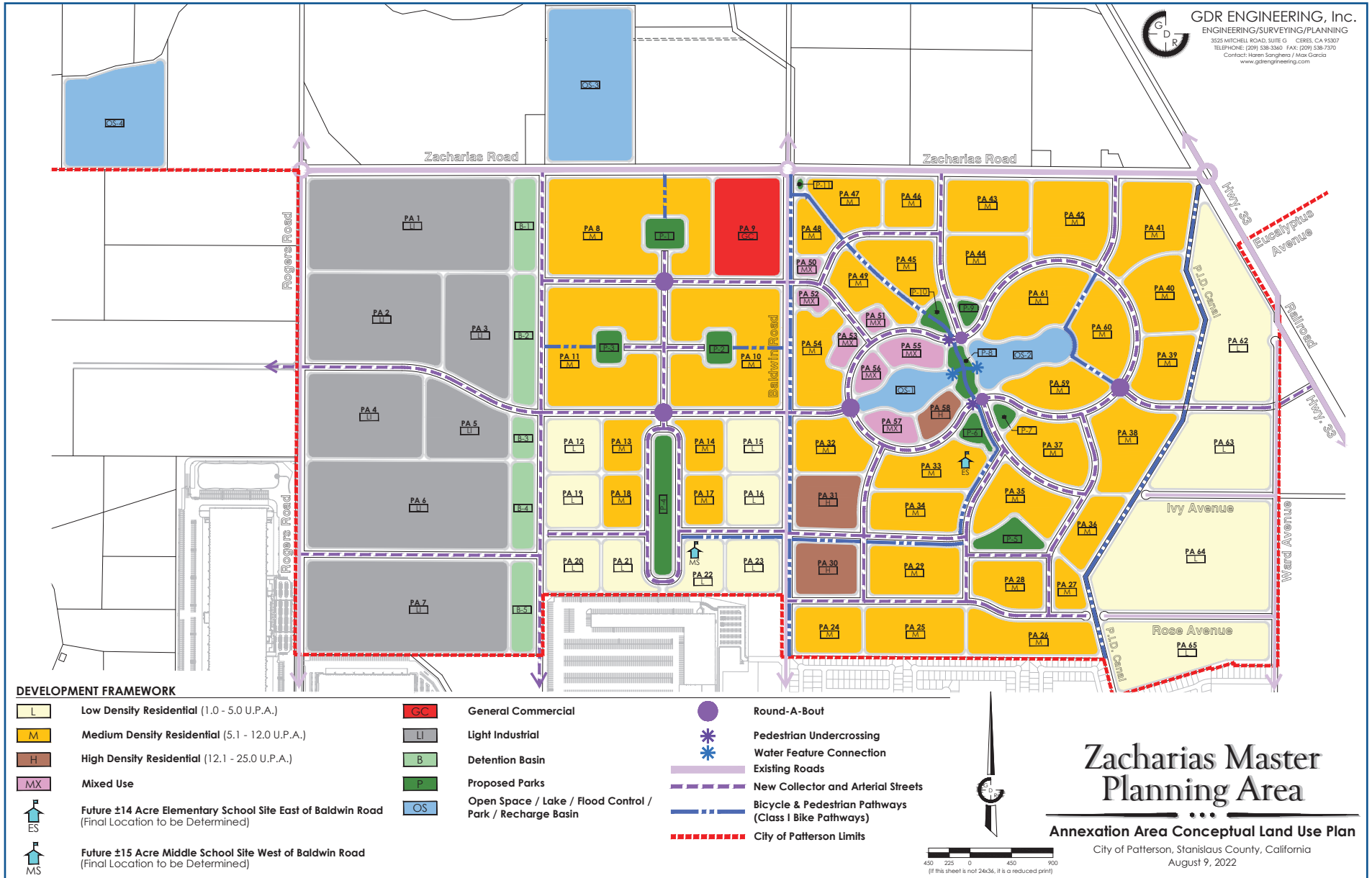
**Location Map**  
 City of Patterson, Stanislaus County, California  
 August 8, 2022



**LEGEND**

- City of Patterson General Plan
- City of Patterson Sphere of Influence
- City of Patterson
- Zacharias Master Planning Area
- Baldwin Ranch Master Planning Area

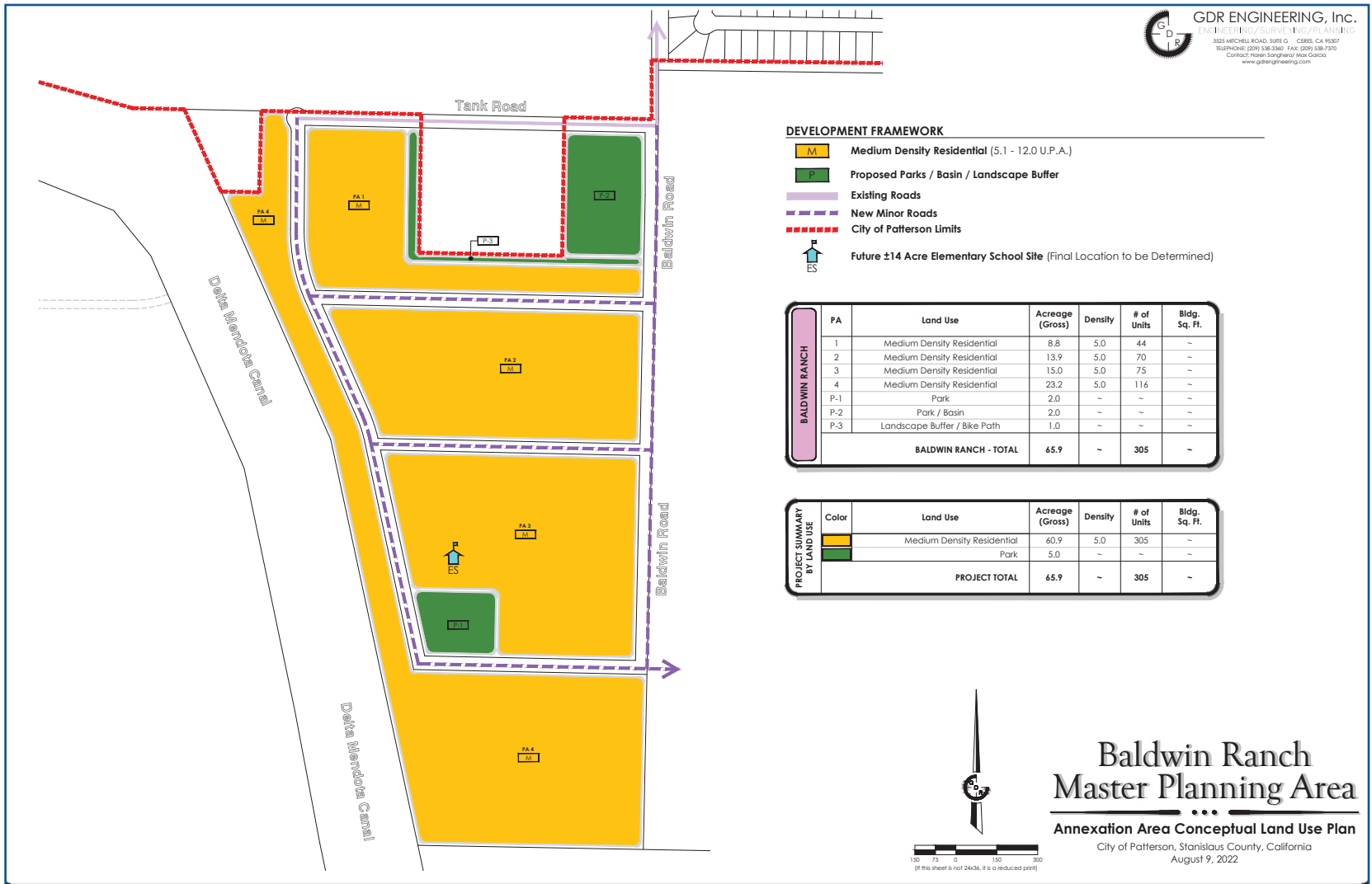
Figure 5: Zacharias Land Use Plan



Attachment: Patterson Zacharias Master Plan\_080922 (Zacharias and Baldwin Ranch Master Plan

Exhibit B

Figure 7: Baldwin Land Use Plan



Attachment: EXH B Ord Baldwin Ranch Prezone 080922 (Zacharias and Baldwin Ranch Master Plan



**MEMORANDUM OF UNDERSTANDING  
BETWEEN THE COUNTY OF STANISLAUS  
AND  
THE CITY OF PATTERSON  
FOR  
DEVELOPMENT STANDARDS ASSOCIATED WITH  
THE ZACHARIAS AND BALDWIN RANCH MASTER PLAN**

This **MEMORANDUM OF UNDERSTANDING (“MOU”)**, entered this 2nd day of May 2023, and is between the County of Stanislaus (“County”), whose address is 1010 10<sup>th</sup> Street, Suite 6800, Modesto CA 95354, and City of Patterson (“City”) whose address is 1 Plaza, P.O. Box 667, Patterson, CA 95363. County and City may herein be referred to individually as a “Party” and collectively as the “Parties.” There are no other parties to this MOA.

**WHEREAS**, the City is in the process of submitting an application to the Stanislaus Local Agency Formation Commission (“LAFCO”) for a reorganization to expand the City limits to include an area of 1297 gross acres split between an area located at the north end of the City and a second smaller area located at the south end of the City contiguous to the Delta-Mendota Canal to facilitate the development of the Zacharias and Baldwin Ranch Master Plan (“Project”); and

**WHEREAS**, the City’s reorganization application includes an expansion of the City’s sphere of influence (“SOI”); and

**WHEREAS**, Government Code section 56425(b) requires that prior to a city submitting an application to update its SOI, representatives from the city and county shall meet to establish an agreement with regard to the development standards and planning and zoning requirements within the updated SOI; and

**WHEREAS**, on January 18, 2023, the City and County met to discuss the SOI and established a framework for the development standards and planning and zoning requirements within the SOI that is agreeable to both Parties; and

**WHEREAS**, as required by Government Code section 56425(b), the City and County enter into this MOU to record their agreement and provide it in writing to LAFCO.

**NOW THEREFORE**, County and the City agree as follows:

**ARTICLE 1  
PURPOSE**

1. The recitals set forth above (“Recitals”) are true and correct and are hereby incorporated into and made part of this MOU by this reference. In the event of any inconsistency between the Recitals and Section 1 through 25 of this Agreement, Sections 1 through 25 shall prevail.

2. The general purpose this MOU is to establish the development standards and planning and zoning requirements within the City's revised SOI based on the development of the Project.

**ARTICLE 2  
PROJECT PARTICIPATION IN A  
COMMUNITY FACILITIES DISTRICT ("CFD")**

3. The City shall require the Project applicants to form a new Community Facilities District ("CFD") to finance installation and ongoing maintenance of public improvements serving the Project area pursuant to the Mello-Roos Community Facilities District Act (Gov. Code, § 53311 et seq.).

4. City shall complete all necessary proceedings to establish a CFD or annex the project area into an existing CFD.

5. City shall consult with County staff in the development and review of CFD formation or annexation documents, specifically the development standards and planning and zoning requirements underlying the formation of the CFD. City shall provide County with the CFD formation or annexation documents and County may approve the estimated project costs utilized for the development of the rate and method of apportionment, that are located within Stanislaus County's jurisdiction, and may further provide comment regarding the development standards and planning and zoning requirements underlying the formation of the CFD. In addition, City shall present to the County all engineer's estimates for improvements for which the Project will have a fair share contribution, and that are located within Stanislaus County's jurisdiction, for the County's review and approval. In the event the County does not provide a response or approval in writing to the City within twenty (20) business days of receiving the documents contemplated in this section, the City's obligation under this section shall be considered satisfied. The Parties may extend the deadlines set forth in this Section by mutual written agreement.

6. City shall establish the new CFD or annex into an existing CFD prior to recordation of the first final map in the Project.

**ARTICLE 3  
RECHARGE BASIN DESIGN STANDARDS**

7. The Parties acknowledge and agree that the Project includes a stormwater capture and recharge basin that is to be located within the City's proposed city limits, along Del Puerto Creek, north of Zacharias Road, as preliminarily depicted in **Exhibit A**, attached hereto and incorporated herein by this reference ("Recharge Basin").

8. In the event the Recharge Basin is ultimately developed for any other purpose that would allow the general public to access, the City shall ensure that the following

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design standards are implemented along the western, northern, and eastern boundaries of the Recharge Basin: turfed areas shall be maintained a minimum of 150-feet from the boundaries; a minimum 6-foot tall fence designed to prevent trespassing onto unincorporated lands shall be installed; and a double row of evergreen trees, with a growth potential of at least 15 feet in height shall be installed along the boundaries.

9. In the event the Recharge Basin is ultimately located outside of the City's proposed city limits and within unincorporated County territory, the County shall review and approve the design of the Recharge Basin. The County shall not withhold its approval without good cause.

- a. If ownership of the Recharge Basin site as depicted in Exhibit A is transferred to the City and not annexed and ultimately used as a Recharge Basin, notwithstanding Government Code section 53091 et seq., and Zack v. Marin Emergency Radio Authority (2004) 118 Cal.App.4<sup>th</sup> 617, 628 (county exempt from city ordinance) and Lawler v. City of Redding (1992) 7 Cal.App.4<sup>th</sup> 778, 784 (city sports complex, located in county territory, exempt from county zoning) the City agrees to limit use of the property to uses permitted by County's zoning Code.

#### **ARTICLE 4 FEMA FLOOD RETENTION AREA**

10. The Parties acknowledge and agree that the Project includes a FEMA Flood Retention Area on the north side of Zacharias Road, between Rogers and Baldwin Road, that is proposed to be developed as a regional park to be built adjoining a 40-acre site acquired by the Patterson Unified School District for development of a new high school. The location of the site is depicted in **Exhibit C**, attached hereto and incorporated herein by reference ("Regional Park").

11. City shall ensure that the following design standards are implemented along the western and northern boundaries of the Regional Park: turfed areas shall be maintained a minimum of 150-feet from the boundaries; a minimum 6-foot-tall fence, designed to prevent trespassing onto unincorporated lands, shall be installed; and a double row of evergreen trees, with a growth potential of at least 15 feet in height, shall be installed along the boundaries.

12. In the event the Regional Park is developed prior to the high school, the City shall implement the design standards specified in Section 5 of this MOU along the eastern boundary of the Regional Park.

13. Until development of a Regional Park, the City shall limit use of the property to uses permitted within the County's A-2 (General Agriculture) zoning district without a discretionary permit. Use other than those permitted in the A-2 zoning district may be

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permitted with written support of the County, including the implementation of design standards to protect surrounding agricultural uses in the unincorporated area.

**ARTICLE 5  
ZACHARIAS ROAD/SOUTH COUNTY CORRIDOR  
DESIGN STANDARDS**

14. The Parties acknowledge and agree that the portion of Zacharias Road in the Zacharias Project area is contemplated as a potential alignment for the County transportation project referred to as the South County Corridor, as more fully depicted in **Exhibit B**, attached hereto and incorporated herein by this reference. The parties also acknowledge that if the South County Corridor is not developed, Zacharias Road, with the exception of the Recharge Basin and Regional Park areas, will serve as the urban/rural interface between the City of Patterson and the unincorporated area.

15. For the portion of Zacharias Road in the Zacharias Project area that is to further be contemplated for inclusion in the South County Corridor as an alignment alternative, the City shall require the Project applicant to dedicate a minimum right-of-way to the width of 135 feet to accommodate any future widening of Zacharias Road to meet County standards for a 6-lane roadway. The portion of West Main that is contemplated as the future South County Corridor is designated as a "Partially Access Controlled Other Principal Arterial Highway" in the Stanislaus County General Plan. Zacharias Road will need similar access control to function as the South County Corridor. West Main and Zacharias Road are shown as viable alternatives in the 2016 South County Corridor Feasibility Study, specifically Alternatives 4D and 7A. Additionally, the City shall require the Project applicant to develop the Zacharias Road/South County Corridor right-of-way with setbacks, fencing, and landscaping to provide for a 150-foot buffer, as provided in Appendix VII-A, Agricultural Buffer, and Setback Guidelines, of the Stanislaus County General Plan and Mitigation Measure AG-3 of the Baldwin Master Plan/Zacharias Master Plan Project Environmental Impact Report.

16. The Parties acknowledge and agree that a portion of Baldwin Road, in the Baldwin Ranch Master Plan, and the southern boundary of the Baldwin Ranch Master Plan will serve as the urban/rural interfaces between the City of Patterson and the unincorporated areas.

17. The City shall require the Project applicant to develop the Baldwin Road right-of-way and the southern boundary of the Baldwin Ranch Master Plan with setbacks, fencing and landscaping to provide for a 150-foot buffer, as provided in Appendix VII-A of the Stanislaus County General Plan Agricultural Buffer and Setback Guidelines and Mitigation Measure AG-3 of the Baldwin Master Plan/Zacharias Master Plan Project Environmental Impact Report.

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**ARTICLE 6  
GENERAL PROVISIONS**

18. **Necessary Acts and Further Assurances.** The Parties shall at their own cost and expense execute and deliver such further documents and instruments and shall take such other actions as may be reasonably required or appropriate to evidence or carry out the intent and purposes of this MOU.

19. **Entire Agreement.** This MOU, together with its specific references, attachments and exhibits, constitutes the entire agreement of the Parties with respect to the subject matters hereof, and supersedes any and all prior negotiations, understanding and agreements with respect hereto, whether oral or written.

20. **Amendment.** Any amendment of this MOU shall be in writing, signed by both Parties hereto.

21. **Negotiated Agreement.** The Parties arrived at this MOU through negotiation. Neither Party is to be deemed the party that prepared this MOU within the meaning of California Civil Code Section 1654.

22. **Indemnity.** Neither Party, nor any of its officers or employees, shall be responsible for any damage or liability occurring by reason of any act or failure to act by the other Party under or in connection with any work delegated to that Party under this MOU. The Parties further agree, pursuant to Governmental Code Section 895.4, that each Party shall fully indemnify and hold harmless the other Party and its agents, officers, employees, and contractors from and against all claims, damages, losses, judgments, liabilities, expenses and other costs, including litigation costs and attorney fees, arising out of, resulting from, or in connection with any work delegated to or action taken or omitted to be taken by such Party under this MOU.

23. **Notices.** Any notices required herein shall be in writing and be given personally or by certified mail, return receipt requests, addressed to the respective Parties as follows:

To County: Stanislaus County  
Chief Executive Office  
1010 10<sup>th</sup> Street, Suite 6800  
Modesto, CA 95354

To City: City of Patterson  
City Manager's Office  
1 Plaza, PO Box 667  
Patterson, CA 95363

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24. **Counterparts.** This MOU may be executed simultaneously and in several counterparts, each of which shall be deemed an original, but which together shall constitute one and the same instrument.

25. **Governing Law; Venue.** The validity, interpretation, and performance of this MOU shall be controlled by and construed pursuant to the laws of the State of California. Venue for all legal proceedings shall be in the Superior Court for the County of Stanislaus.

**IN WITNESS WHEREOF**, the parties have caused this MOU to be executed by their duly authorized representatives.

COUNTY OF STANISLAUS

CITY OF PATTERSON

  
\_\_\_\_\_  
Jody Hayes, Chief Executive Officer

  
\_\_\_\_\_  
Ken Irwin, City Manager

Date Signed: 5/9/23

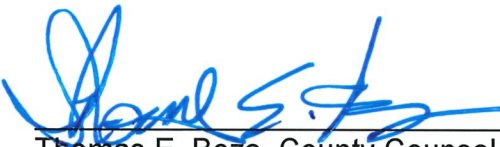
Date Signed: 5/4/23

APPROVED AS TO FORM:

APPROVED AS TO FORM:

COUNTY COUNSEL

CITY ATTORNEY

  
\_\_\_\_\_  
Thomas E. Boze, County Counsel

  
\_\_\_\_\_  
Nubia I. Goldstein

**EXHIBIT A**  
**PRELIMINARY RECHARGE**  
**BASIN LOCATION**

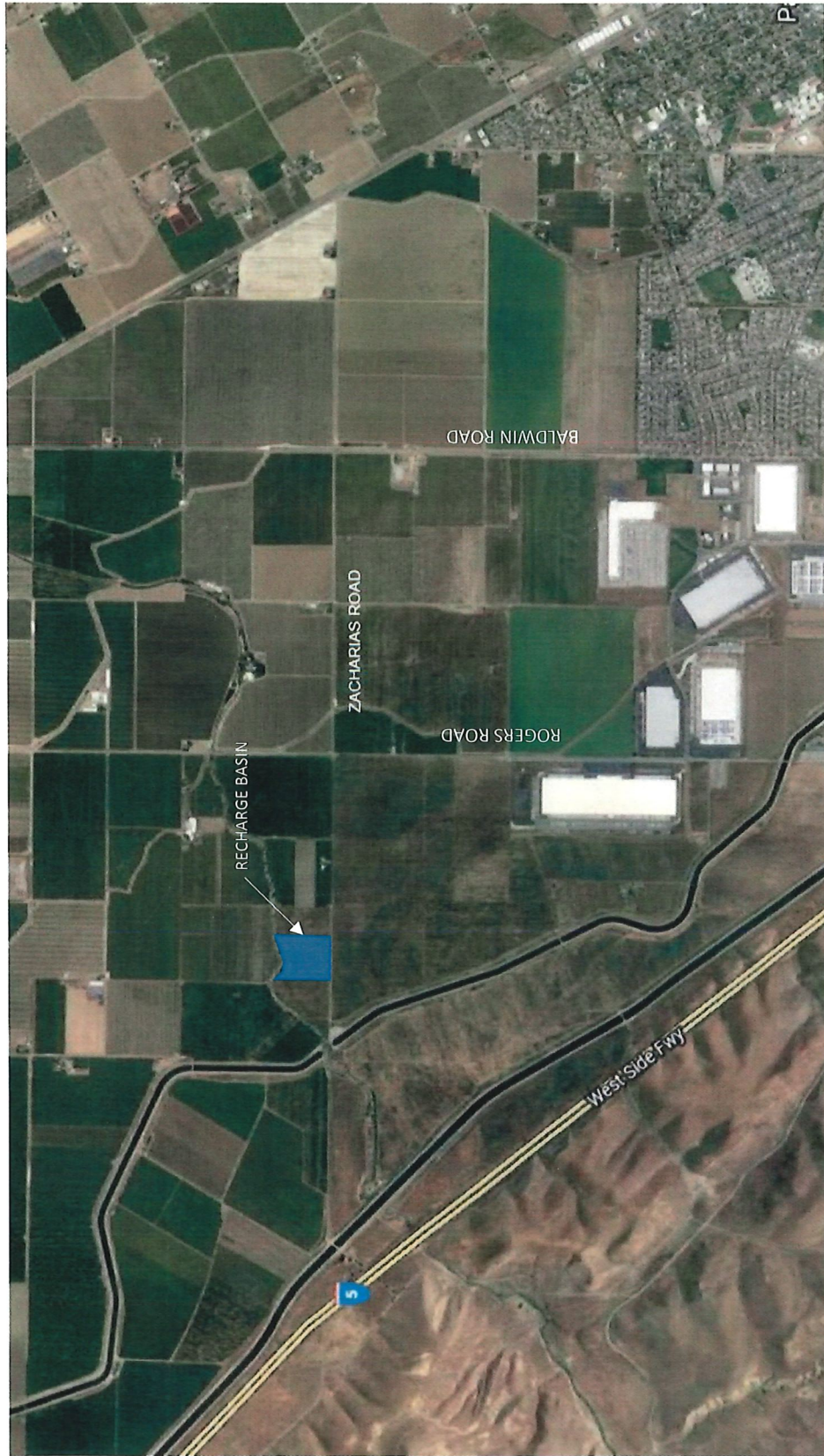


EXHIBIT B  
SOUTH COUNTY CORRIDOR  
POTENTIAL ALIGNMENT

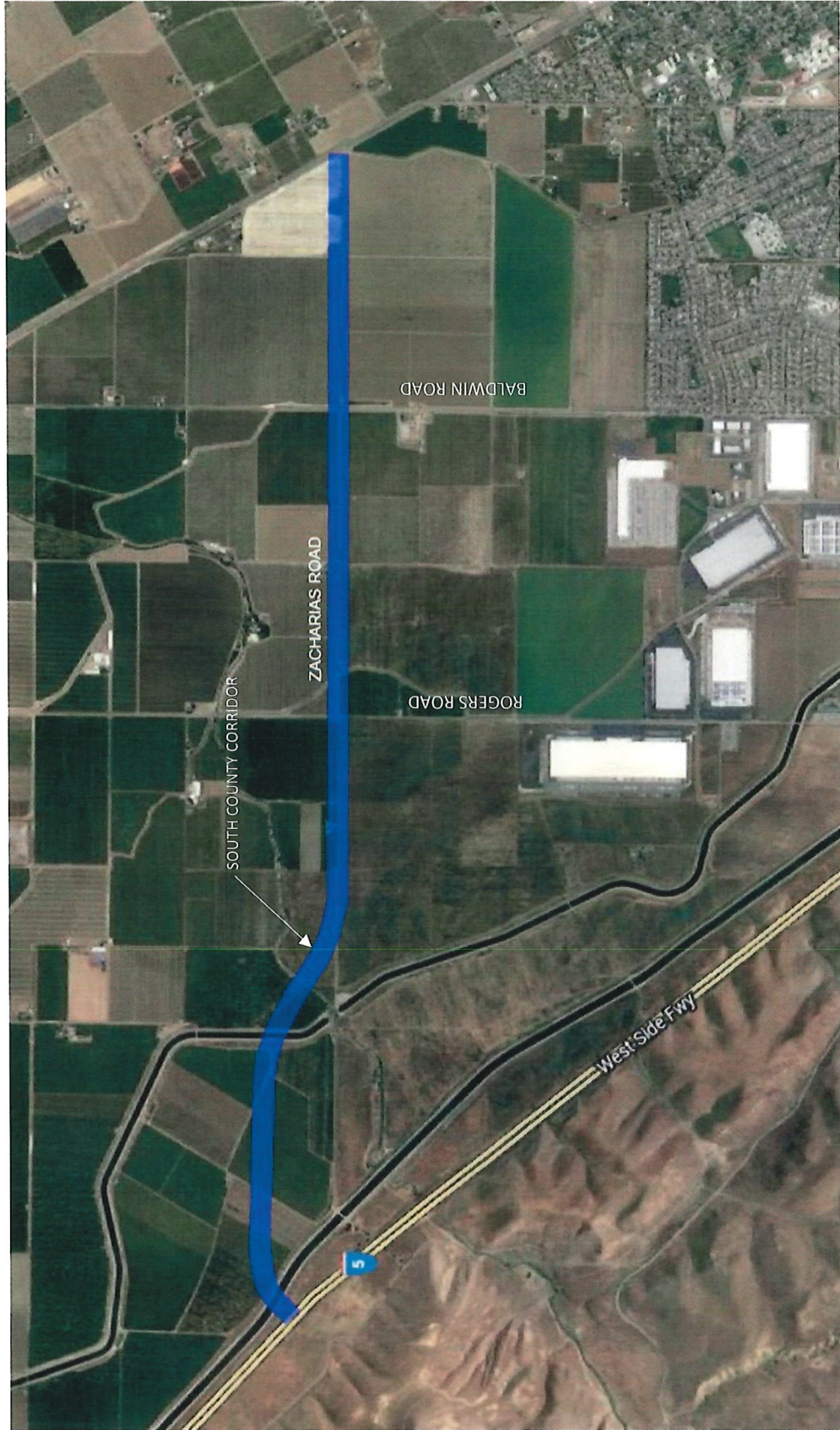
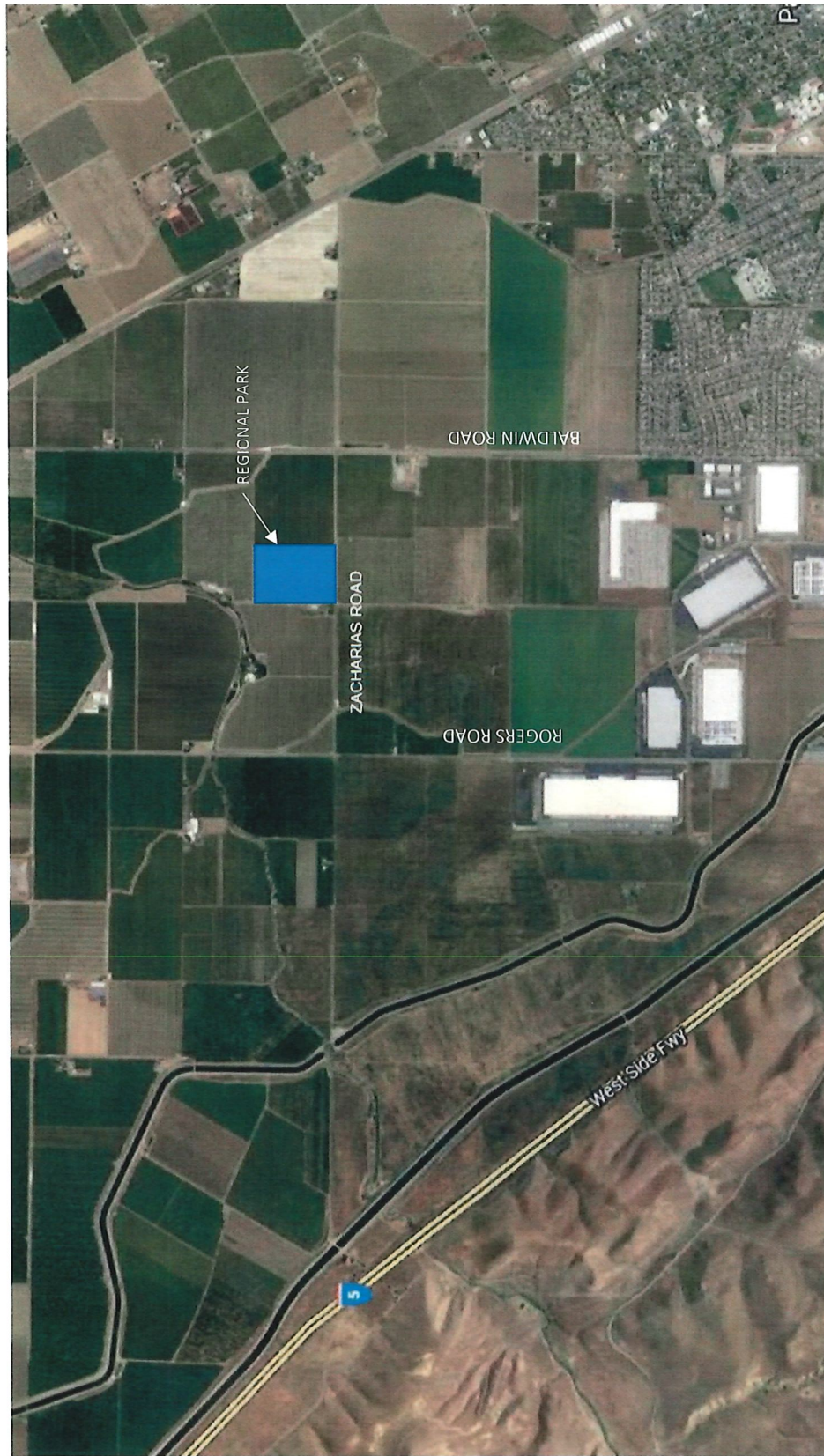




EXHIBIT C  
PRELIMINARY REGIONAL  
PARK LOCATION



## **EXHIBIT D**

### **Plan for Services**

**PLAN FOR SERVICES**

**ZACHARIAS & BALDWIN RANCH MASTER PLAN  
REORGANIZATION TO THE CITY OF PATTERSON**

**January 2023**

## **Project Description**

This Plan for Services evaluates the proposed Zacharias and Baldwin Ranch Master Plan (ZBRMP) annexation area which is located within unincorporated Stanislaus County, adjacent to the City of Patterson. The Master Plan project is comprised of two areas. The Zacharias project area is 1,227.1 acres located on the north end of the City of Patterson bounded by Rogers Road (west), Zacharias Road (north), the California Northern Railroad tracks and Ward Avenue (east), and existing residential and business park uses (south). The Baldwin Ranch project area is 65.9 acres located at the south end of Baldwin Road and is contiguous to the Delta-Mendota Canal (west), the City of Patterson Corporation Yard (north), and agricultural uses (east and south).

The majority of the Zacharias and all of the Baldwin Ranch portion of the Master Plan Area are outside the City's Sphere of Influence (SOI). A portion of the Zacharias area is within City's Primary Sphere of Influence. The entire project area is within the City of Patterson General Plan. An application to amend the SOI to include the entire project area within the Primary SOI is included as a part of the project.

### *A. Zacharias Project Area*

The Zacharias project area proposes a 1,227.1-acre master-planned community with the following main components:

- Residential neighborhoods with a mix of densities ranging from 3 to 25 dwelling units per acre
- A mixed-use town center with a lake feature as a focal point
- A commercial center for local and community retail needs
- A business park area to provide for employment opportunities
- The Ivy/Rose "ranchette" area with potential for future residential development
- A "complete streets" network with bicycle and pedestrian trails connecting the community
- Public schools
- An interconnected network of parks and open space for both passive and active recreation

A total of up to 4,781 residential units, 855,000 square feet of retail uses, and 6,910,000 square feet of business park uses are proposed.

### *B. Baldwin Ranch Project Area*

The Baldwin Ranch project area proposes a 65.9-acre residential community in the southern part of Patterson with 305 single family dwelling units and five acres of park. Low-medium density residential uses are planned at densities averaging five dwelling units per acre.

## **General Plan and Zoning**

The Patterson General Plan designates areas in the SOI as Low Density Residential, a holding designation pending annexation and detailed designation for urban development. The Zacharias and Baldwin Ranch Master Plan proposal meets the intent of the Patterson General Plan by providing detailed planning and designation of the subject area. The Master Plan includes a detailed discussion of General Plan consistency.

Currently, the ZBRMP area is designated by the Stanislaus County General Plan as Agriculture and Urban Transition (UT). Existing County zoning for the Plan Area is Agriculture (A-2-10/A-2-40).

With the adoption of the ZBRMP, the City of Patterson amended the Patterson General Plan and pre-zoned the plan area to provide for the land uses specified by the Master Plan (Low Density, Medium Density, and High Density Residential, Mixed Use, General Commercial, Light Industrial, and Parks and Open Space), with a Major Project Overlay to provide that the zoning designations included in the ZBRMP will govern future development opportunities within the Plan Area. At the same time the City Council approved the proposed annexation request, the Council also approved the Master Plan and associated Finance Plan.

The project area currently includes 25 existing dwellings.

## **Environmental**

The City of Patterson completed and certified an Environmental Impact Report (SCH# 2018122052) for the proposed project as the City Council reviewed and approved the project at their meeting of August 16, 2022, and authorized staff to submit an annexation request for the ZBRMP area to Stanislaus LAFCO. The City's certifying resolution (2022-62) identifies the potential for significant impacts, identifies and requires mitigation measures, where feasible, and identifies significant and unavoidable impacts and adopts a statement of overriding considerations. The Resolution also adopts Finding of Fact and Statement of Overriding Considerations and the Mitigation Monitoring and Reporting Program (MMRP).

## **Public Services**

### **A. Water**

Water supply for the ZBRMP area is discussed in the ZBRMP EIR and the Master Plan, Chapter 5.3 and associated Finance Plan. A Water Supply Analysis (WSA) was prepared in connection with the EIR and is included as Appendix I to the EIR. Water service would be provided to the ZBRMP area by the City of Patterson, upon annexation.

The City of Patterson is the water supplier within the City Limits. The City's water supply comes from groundwater pumping from the Delta-Mendota Groundwater Subbasin. The City currently operates 10 wells, 8 potable (drawing from the lower aquifer) and 2 non-potable (drawing from the upper aquifers).

The City of Patterson will provide potable and non-potable water supply services to the Plan Area. The water supply distribution piping network will be connected to the City water system in accordance with the Water Master Plan (2020) and the water facilities and distribution system.

To meet anticipated water needs, two (2) new additional wells will be needed for the Zacharias portion of the project and will need to be completed as part of the water system serving the Project Area. The City's well fields are programmed to be on the east side of the City. The development will also be required to provide related infrastructure (e.g. storage tank(s) and pumps) as needed to support future development. The Zacharias Project Area will be served by a looped water system consisting of 8-inch, 10-inch, 12-inch, and 16-inch potable water lines within the boundaries of Rogers Road, Zacharias Road, and Ward Avenue, and State Route 33. The looped system will connect to existing utility lines on Rogers Road, Baldwin Road, and Ward Avenue / State Route 33 (3 connections), to tie into the existing potable system. A new 12-inch water line will be installed on Ward Avenue parallel to existing water lines and connected to the existing lines. Individual development projects are responsible for installing all water lines necessary to serve the development, with provision for reimbursement of certain facilities through the Public Facilities Fee program as applicable.

In addition to the above-described potable water system, The Zacharias Project Area will connect to the existing non-potable mains on Rogers Road and Baldwin Road. A 12-inch line size will be used as a loop around the exterior of the project, with interior lines of 6-inch, 8-inch, and 10-inch sizes in-between. The non-potable lines will connect parks, school sites, and lake sites within the Project Area. Individual development projects are responsible for installing all water lines necessary to serve the development, with provision for reimbursement of certain facilities through the Public Facilities Fee program as applicable.

The smaller Baldwin Park Project Area will not require new wells or associated facilities. Baldwin Ranch Project Area will provide a closed loop system consisting of 8-inch, 10-inch, and 12-inch potable water lines, with the limits of the boundaries consisting of the existing Tank access Road to the north, the Delta Mendota Canal to the west, and the existing properties to the south and east. Connection to the existing utility line will occur on Baldwin Avenue to the northeast, to tie into the existing potable system. Future connections will occur on Tank Road for the northern parcel, and on Baldwin Avenue to the southern parcel.

The Water Supply Assessment (Appendix I to the EIR) concluded that the City of Patterson has adequate supply to serve the Zacharias and Baldwin Master Plan areas.

In recognition of long-term needs, the project will contribute to long-term water supply needs by installing facilities to recharge both upper and lower groundwater aquifers. The Master Plan would promote upper (non-potable) aquifer recharge throughout the development area by incorporating pervious surfaces. The estimated yield of the on-site capture and recharge to the upper aquifer provided by the Master Plan is approximately 1,185 AFY, which would more than offset the increase in non-potable demand of 140 AFY. The non-potable demand could be reduced or mitigated through drought tolerant landscaping or by requiring more specific landscaping efficiencies.

The Master Plan will contribute to lower (potable) aquifer recharge by constructing recharge facilities. Specifically, the project will dedicate land and construct facilities (e.g. collection ponds, pumping stations, and transmission facilities) to allow for surface waters to be captured and routed to a basin that will allow for recharge of the lower aquifer.

## **B. Wastewater Collection and Treatment**

Wastewater collection and treatment plans for the ZBRMP area are discussed in the ZBRMP EIR and the Master Plan and associated Finance Plan. Wastewater collection and treatment is discussed in the Master Plan in Chapter 5.5. Sanitary sewer collection and treatment would be provided to the ZBRMP area by the City of Patterson upon annexation.

The City of Patterson through its Public Works Department Wastewater Division provides wastewater collection, treatment, and disposal for both the City of Patterson and Diablo Grande. A network of sanitary sewer collection pipelines, approximately 63.4 miles in length and ranging in diameter from 6 to 33 inches, collects wastewater throughout the City. The main trunk pipeline is located beneath Walnut Avenue. Two lift stations assist in the conveyance of wastewater to the Water Quality Control Facility. The Water Quality Control Facility, which occupies approximately 240 acres, is located at 14901 Poplar Avenue and is permitted to treat 2.25 million gallons per day. The facility treats an average of 1.65 million gallons on a daily basis. Treated effluent is disposed of via percolation and evaporation ponds.

The City of Patterson has prepared improvement plans and acquired land for expansion of the facility (often referred to as the Phase 3 expansion). The plans call for expanding the facility's treatment capacity to 3.50 million gallons per day (mgd). The City also has plans for subsequent treatment plant expansion (Phases 4 and 5) that will result in an ultimate capacity of 6.0 MGD. The Master Plan areas in total are estimated to generate a total of 1.013 mgd of wastewater flow.

Development within the Zacharias Project Area will be sequenced to recognize existing available line capacity and areas to be served by newly constructed lines, including the planned North Patterson Trunk Sewer Line.

Project implementation in the Zacharias Project Area can only occur in stages that follow expansion of treatment plant capacity. An infrastructure monitoring and reporting program will be required to ensure that development phasing is adequately served by necessary infrastructure improvements.

The existing treatment plant has previously been designed per the City of Patterson Wastewater Master Plan to include the proposed annexation area as a part of its future buildout area. A sewer main will be constructed in Baldwin Road connecting the Baldwin Ranch Planning Area. This line will flow north, connecting to the existing South Sperry Trunk Line (SSTL) in Sperry Avenue.

Development in the Project Areas will be assessed sewer connection fees to fund capital improvements to the municipal wastewater collection and treatment system, including capacity upgrades at the Water Quality Control Facility. Individual development projects are responsible for installing all sewer lines necessary to serve the development, with provision for reimbursement of certain facilities through the Public Facilities Fee program as applicable.

### **C. Storm Drainage**

Storm Drainage plans for the ZBRMP area are discussed in the ZBRMP EIR and the Master Plan and associated Finance Plan. Storm Drainage facilities are discussed in Chapter 5.4 of the ZBRMP.

Storm drainage control facilities will be implemented within the Zacharias Project Area to provide for two goals: storm drain recharge and flood control. The storm drainage system will utilize multiple stages of storage involving both detention and retention purposes for the project site. These include:

1. Recharge Basin. A storm drain recharge basin facility will be built west of the annexation area on the north side of Zacharias Road. The purpose of this facility is to provide recharge of ground water to the lower aquifer where potable water is drawn by city wells, with the ground filtering the water prior to reaching the water table. Recharge facilities will include dedication of land and the installation of pump stations and a pressure main to convey surface water collected in stormwater facilities to the recharge area where it will recharge the lower aquifer.
2. 100-year FEMA Flood Protection. For flood mitigation, the proposed Regional Park to the West of the future High School site on the north side of Zacharias Road will be designed to store the anticipated 183 acres of flood water runoff for a 100-year, 24-hour storm event, mitigating the effects of floodwaters shown in the 100-Year Flood Depths for Del Puerto Creek Hydraulic Model provided by Balance Hydrologics, Inc. This will serve as the FEMA solution for flood protection for a 100-year storm.



3. Detention and Retention Basins and Lakes. The storm drainage system will provide multiple stages of storage and retention within the project site. These include retention and detention basins and major storm drain facilities (lakes, FEMA basin, and recharge basin).

The Baldwin Ranch Project Area will utilize the City's storm drain detention system, with an extended detention basin in the northeast corner of the development area. The runoff will be drained from the basin through a SCADA-controlled outlet to the existing storm drain / irrigation lateral on Baldwin Avenue heading north to Sperry Avenue. Alternatively, the project may connect its basin to the Baldwin Ranch North project basin, subject to it being built.

Individual development projects are responsible for installing all storm drainage facilities necessary to serve the development, with provision for reimbursement of certain facilities through the Public Facilities Fee program as applicable.

#### **D. Fire Protection**

The ZBRMP area is currently served by the West Stanislaus County Fire Protection District; as a part of the proposed reorganization, the area would be removed from this District. Fire protection and emergency medical services in Patterson are provided by the Patterson Fire Department. The Fire Department operates two stations located at 344 West Las Palmas Avenue (No. 1) and 1950 Keystone Pacific Parkway (No. 2). In 2020, the Fire Department employed 18 sworn personnel to staff the two stations 24 hours a day, 7 days a week. The General Plan aims to ensure an adequate level of fire and emergency medical services is maintained as new development occurs, with a goal to achieve and maintain an overall fire insurance (ISO) rating of five or better, an average response time for Priority 1 (emergency) calls of five minutes for 95 percent of the calls, and a staffing level of 1.0 fire fighters per 1,000 population.

Fire Station No. 2 is located 2.5 miles from the furthest portion of the Zacharias area, and 1.7 miles from the Baldwin Ranch area, resulting in a 4 minute 17 second response time for the Zacharias area and a 2 minute 55 respond time for the Baldwin Ranch area. These are considered acceptable response times and the Master Plan would not require the construction of a new fire station to achieve and maintain adequate response times.

In 2013, the City adopted a Public Safety Master Plan (PSMP) to establish a vision of the future public safety needs and services as the City grows toward build-out in accordance with the General Plan. The PSMP seeks to ultimately build a public safety facility that houses police, fire, and EOC functions, and four new fire stations built incrementally as development occurs.

Buildout of the Master Plan will generate the need for approximately 21 additional firefighters and may create a citywide need for an additional fire station or expansion of one of the existing stations. The Master Plan will be required to annex to the Police and

Fire Community Services District (CFD) in order to fund the appropriate share of future public safety personnel and facilities.

Fire protection services and related facilities are discussed further in the ZBRMP EIR, Master Plan and associated Finance Plan.

## **E. Police Protection**

The Stanislaus County Sheriff's Department provides law enforcement services throughout the unincorporated areas of the county, including the ZBRMP area. Police services in Patterson are provided on a contractual basis by the Stanislaus County Sheriff's Department, thus on annexation this service would transition to the contractual arrangement. Police Services is headquartered at 33 South Del Puerto Avenue in downtown Patterson. In 2020, Police Services employed 21 sworn staff and four non-sworn staff. The General Plan aims to ensure an adequate level of police service is maintained as new development occurs, with a goal of a three-minute Priority 1 (emergency) response time of three minutes and a staffing level of 1.5 police officers per 1,000 population.

Police headquarters are located 3.7 miles from the furthest portion of the Zacharias area, and 2.5 miles from the Baldwin Ranch area. The Patterson Police regularly patrol all parts of the city limits and police units would be expected to respond to calls within both areas within acceptable response times. The Master Plan would not require the construction of new police facilities to achieve and maintain adequate response times. In 2013, the City adopted a Public Safety Master Plan (PSMP) to establish a vision of the future public safety needs and services as the City grows toward build-out in accordance with the General Plan. The PSMP seeks to ultimately build a public safety facility that houses police, fire, and EOC functions.

Buildout of the Master Plan will generate the need for approximately 29 additional police personnel and may create a citywide need for an additional office space. Plans are currently being completed for a new Public Safety Center that will house the existing Sheriff personnel and future police services. Construction of the new Center will begin construction the spring. The Master Plan will be required to annex to the Police and Fire Community Services District (CFD) in order to fund the appropriate share of future public safety personnel and facilities.

Police protection services and related facilities are also discussed in detail within the ZBRMP EIR, Master Plan and associated Finance Plan.

## **F. Circulation**

The circulation framework for the proposed annexation area is discussed in the ZBRMP EIR, Master Plan Chapters 3 and 5.2, and associated Financing Plan. Chapter 5.2 of the ZBRMP also indicates access points to adjacent roadways that will serve to connect the internal project to existing roadways.

Development of the area pursuant to the Master Plan will implement the City of Patterson’s “Complete Streets” network with an integrated roadway and trail system including walking and bicycling pathways, which extend the City’s existing circulation routes throughout the Plan Area.

Buildout of the Master Plans would contribute new trips to intersections, roadways, and freeways forecast to operate at unacceptable levels. The project is required to participate in funding programs to address off-site traffic impacts. In most cases, the Master Plan will contribute to these off-site improvements on a fair share basis. Some of the improvements will be the project’s responsibility as outlined in the Public Facility Financing Program (PFFP). Some of the facilities are outside the jurisdiction of the City and the City will need to coordinate with regional agencies (Caltrans and Stanislaus County) to implement such improvements. Roadway segments and intersections identified as requiring improvements are shown in Table 6, Major Transportation Improvements in the Master Plan Document, section 5.2, Circulation, as shown below for reference.

<b>Sperry Ave/I-5 Interchange</b>
Installation of signals at both ramp terminals and adaptive signal operations
<b>Sperry Avenue/Rogers Road Intersection</b>
Additional eastbound left turn, eastbound right-turn and add additional through lane for both directions making Sperry Avenue four lane road Improvements shall include the following lane geometry for Rogers Road extension northbound approach: double left-turn, through and right-turn lanes.
<b>Sperry Avenue: Rogers Road to Baldwin Road</b>
Widen to four lanes. If determined to be necessary by the City of Patterson, an additional northbound left turn lane shall be installed.
<b>Sperry Avenue at Del Puerto Avenue</b>
Add an eastbound through lane.
<b>Sperry Avenue /State Route 33 Intersection.</b>
Signalize the intersection and adding a left turn lane to each approach. If determined to be necessary by the City of Patterson, a second left turn lane shall be installed on the north bound approach.
<b>M Street / Walnut Avenue / State Route 33 Intersection.</b>
Install a shared through and right-turn lane on the southbound approach, an additional westbound left-turn lane and northbound right-turn lane. If determined to be necessary by the City of Patterson, two through lanes shall be installed on SR-33.
<b>Olive Avenue / State Route 33 Intersection</b>
Signalize the intersection and add a left turn lane to each approach. If determined to be necessary by the City of Patterson, a second left turn lane shall be installed on the north bound approach.
<b>Park Center/Keystone Pacific Parkway Intersection</b>
Signalize the intersection and add an eastbound right- turn lane and northbound left-turn lane.
<b>Rogers Road / Keystone Pacific Parkway Intersection</b>
Signalize the intersection, add a left turn lane to each approach, widen Rogers Road to two through lanes on each approach, and widen Keystone Pacific Parkway to two through lanes on each approach.
<b>Rogers Road / Zacharias Road Intersection</b>
Signalize the intersection, add a left turn lane to each approach, and widen Zacharias Road to two through lanes on each approach. If determined to be necessary by the City of Patterson, Rogers Road shall be widened to provide three through lanes on the northbound approach.

<b>Baldwin Road / Zacharias Road Intersection</b>
Signalize the intersection, add a left turn lane to each approach, and widen Zacharias Road to two through lanes on each approach.
<b>Zacharias Road / State Route 33 Intersection</b>
Add two left-turn lanes on the northbound approach and two right-turn lanes on the eastbound approach. Because the proposed South County Corridor would reconfigure this intersection as an overcrossing, the City of Patterson has the discretion to forego this mitigation measure in order to avoid conflicts with the planned improvements. The City shall transfer the fees to the County of Stanislas or Caltrans to implement the improvement provided that an agreement is in place with the respective agencies.
In conjunction with this measure, the Zacharias Road railroad grade crossing shall be upgraded with flashers, gates, and a concrete panel roadbed.
<b>State Route 33 / Eucalyptus Avenue Intersection</b>
Signalize the intersection and widen State Route 33 to provide two lanes on each approach. The City shall transfer the fees to the County of Stanislas or Caltrans to implement the improvement provided that an agreement is in place with the respective agencies.
<b>Baldwin Road/State Route 33 Intersection</b>
Signalize the intersection, adding a left turn lane on the northbound approach, and widening State Route 33 to provide two lanes on each approach. The City shall transfer the fees to the County of Stanislas or Caltrans to implement the improvement provided that an agreement is in place with the respective agencies.
<b>Rogers Road / State Route 33 Intersection</b>
Signalize the intersection, adding a left turn lane on the northbound approach, and widening State Route 33 to provide two lanes on each approach. The City shall transfer the fees to the County of Stanislas or Caltrans to implement the improvement provided that an agreement is in place with the respective agencies.
<b>Sycamore Avenue / E. Las Palmas Avenue Intersection</b>
Signalize the intersection, adding left turn lanes on the northbound and southbound approaches. The City shall transfer the fees to the County of Stanislas to implement the improvement provided that an agreement is in place with the respective agencies
<b>West Main Avenue/Jennings Avenue Intersection</b>
Signalize the intersection, adding a left turn lane on the eastbound approach. The City shall transfer the fees to the County of Stanislas to implement the improvement provided that an agreement is in place with the respective agencies.
<b>State Route 33/East-West Connector</b>
Signalize the intersection, installing two northbound left- turn and one southbound right-turn lanes, and widening State Route 33 to two lanes in each direction.
<b>Ward Avenue / East-West Connection</b>
Signalize the intersection, installing two southbound left- turn lanes. Provide two lanes in each direction.

Both Project Areas will require on-site transportation improvements. Larger transportation improvements may be funded by the Community Facilities District (CFD) established for the projects. Those not specifically funded by the CFD will be funded by other fee programs or will be the responsibility of individual developers.

## G. Population

Currently, there are twenty-five (25) existing single-family located within the ZBRMP area. The owners of these parcels may ultimately choose to develop or sell their property, pending annexation of the area.

The proposed Master Plan Land Use Diagram provides approximately 216.4 acres for Low-Density Residential, 536.9 acres for Medium-Density Residential, and 30.5 acres for High-Density Residential.

The Master Plan, once fully developed, could provide opportunities for as many as 5,086 new dwelling units and a potential population of 19,998 new residents. The total population and number of dwelling units for each land use designation are *assumptions* used for the purposes of analysis, and not a regulatory aspect of the Specific Plan.

The Plan also makes provision For Light Industrial, General Commercial, and Mixed Use with a non-residential component, providing for up to 7,765,000 square feet of light industrial and commercial square footage.

Additionally, the Master Plan acknowledges 29 acres provided for two schools an Elementary and a Middle School, and approximately 78.1 acres is designated for Parks/Open Space including lakes and bike-pedestrian paths.

## **EXHIBIT E**

### **Comment Letters Received as of July 18, 2023**

- **Patterson Irrigation District & West Stanislaus Irrigation District (June 8, 2023)**
- **West Stanislaus Fire Protection District (June 9, 2023)**
- **City of Patterson (July 11 & 17, 2023)**
- **Henry & Jill Gnesa (July 17, 2023)**
- **List of Patterson Irrigation District Detachment Protests Received**

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June 8, 2023

**VIA EMAIL**

Stanislaus Local Agency Formation Commission  
1010 Tenth Street, 3<sup>rd</sup> Floor  
Modesto, California 95354  
Email: [lafco@stancounty.com](mailto:lafco@stancounty.com)

Re: LAFCO APPLICATION NO. 2023-01 – ZACHARIAS-BALDWIN MASTER PLAN  
REORGANIZATION TO THE CITY OF PATTERSON – REQUEST FOR COMMENTS

To Whom It May Concern:

This letter is submitted on behalf of Patterson Irrigation District and West Stanislaus Irrigation District (**Districts**) in response to the Request for Comments dated May 26, 2023 on the application by the City of Patterson (**City**) to annex approximately 1,375 acres into the City and detach the same from the service area of the Districts in accordance with the Zacharias-Baldwin Master Plan (**Project**). The proposed Project area is currently served by water deliveries from the Districts.

The Districts' concerns focus on the Project's anticipated serious adverse impacts to groundwater supplies, and, in turn, the potential to adversely impact sustainability of the groundwater basin. As the LAFCO Application makes clear, the City relies solely on groundwater from the subbasin's lower aquifer to provide potable water supplies (Municipal Service Review, p. 6-6). The Project's Master Plan states two new *additional* wells will need to be completed in order to meet the anticipated needs of the affected territory (Master Plan p. 93). The increased potable supply is proposed to be extracted from the subbasin's lower aquifer. The Northern & Central Delta-Mendota Region Groundwater Sustainability Plan (**GSP**) identifies lower aquifer groundwater extraction as one of the key causes of inelastic land subsidence in the subbasin. Land subsidence has the potential to impact infrastructure of statewide and local importance, causing serious operational, maintenance, and construction design issues.

To add insult to injury, the City is not only pumping additional groundwater, it is pumping groundwater to supply lands historically irrigated with surface water supplies. The affected territory currently receives long-term average surface water deliveries from the Districts of approximately 2,014 acre-feet/year. The demand of the Project at full build-out is anticipated to be 2,159 acre-feet/year with a projected potable water demand of 1,560 acre-feet/year from the lower aquifer. Therefore, the proposed annexation and detachment will result in a shift from reliance on surface water to reliance on groundwater extraction from the lower aquifer, further exacerbated by a stark increase in population.

The City acknowledges in the LAFCO Application that the subbasin underlying the Project is critically overdrafted, but attempts to quell concerns regarding its proposed increase in



groundwater pumping by stating “the City’s pumping represents only a fraction of the pumping from the basin.” This is not a sufficient explanation or justification. Annexation of the affected territory will result in an irrefutable increase in groundwater extraction, decreased surface water use, and is in direct opposition of the goals of the GSP.

In acknowledging the resulting increase in demand from the lower aquifer, the City proposes mitigation in the form of on and off-site recharge basins. The Master Plan states the estimated yield of on-site capture and recharge to the *upper* aquifer to be 1,185 acre-feet/year. The Municipal Service Review contemplates capturing flows from nearby Del Puerto Creek to recharge “either the shallow or deep aquifer” with approximately 1,700 acre-feet/year. This proposed mitigation fails to evidence recharge to the lower aquifer, where potable groundwater is extracted, and further evidences the lack of a concrete plan for recharge as the City has no water right to stormwater from Del Puerto Creek nor a clear indication of water available for recharge in light of the Del Puerto Canyon Reservoir project which aims to divert the same flow for storage purposes.

Several of the factors that the LAFCO must consider in reviewing annexation proposals are relevant here (Section 56668):

**(c) The effect of the proposed action and of alternative actions, on adjacent areas, on mutual social and economic interests, and on the local governmental structure of the county.**

Section 2.2.1 of the EIR states that the City of Patterson will provide potable water service to the entire Plan area via extraction from the sub-Corcoran lower aquifer. The City of Patterson presently draws all of its supply of potable water from the lower aquifer. The EIR discloses that the City anticipates developing new well heads within the Zacharias planning area to extract more potable water from the lower aquifer to meet increased demands from this new development, as compared to existing conditions. The EIR estimates the existing water demand for the Project area to be 5,384 acre feet per year (AFY); the EIR estimates the total water demand of the project at full build-out to be 2,159 AFY, which the EIR touts as a net reduction compared to existing conditions. However, this comparison is invalid and inaccurate because of the erroneous project description. **Contrary to what is stated in the EIR, the majority of the existing water demand for the property is currently provided by surface water delivered by the Districts; therefore, there will not be a net reduction in groundwater pumping but rather a reduction of surface water use with associated recharge, and a net increase in 2,159 AFY of below Corcoran clay layer pumping to meet Project demands in the affected territory.**

The City elected to become a Groundwater Sustainability Agency (GSA) and joined with several GSAs to adopt the GSP for the northern and central portions of the Delta Mendota Subbasin (Basin No. 5-022.07). The City adopted the GSP on December 17, 2019. Once adopted, the Northern & Central Delta-Mendota Region GSP governs sustainable groundwater management actions within the jurisdictional boundaries of each GSA, including the City.

The GSP identified lower aquifer groundwater extractions as one of the key causes of inelastic land subsidence in the Delta-Mendota subbasin. The City of Patterson relies solely on groundwater from the lower aquifer for its potable water supply and plans to increase that reliance via Project extraction. The City is located directly east of the Delta Mendota Canal where land subsidence occurred at a rate of 0.22 feet/year during the most recent drought, thus reinforcing the connection between lower aquifer groundwater pumping and inelastic subsidence. Land subsidence has the potential to impact infrastructure of statewide and local importance, causing serious operational,

maintenance, and construction design issues. In sum, allowing annexation of these lands into the City would result in direct and indirect significant environmental impacts caused by pumping additional water from the lower aquifer, which are neither addressed nor mitigated in the EIR for the project and which pose a serious threat to continued District operations.

The City's total potable water demand as of 2018 was 3,102 AF/year, already substantially above the sustainable amount as determined by the GSP. The DEIR further predicts a projected potable water demand for both projects at full buildout to be 1,560 AF/year. The result would be a total potable water demand from the lower aquifer for the City of Patterson of approximately 4,662 AF/year. This amount far exceeds what the City's own GSP has found to be sustainable, and such pumping cannot be offset by any supposed recharge, discussed below. **In short, after annexing the Project, the demand for potable water will greatly exceed the amount of groundwater pumping that is sustainable from the aquifer as determined by the GSP, and adopted by the City.**

**(e) The effect of the proposal on maintaining the physical and economic integrity of agricultural lands, as defined by Section 56016.**

As discussed, the proposed project will contribute to adverse groundwater conditions in the basin, thus imposing disproportionate requirements upon agricultural lands to reach sustainability. In addition, adverse impacts on subsidence on agricultural delivery infrastructure facilities will have an adverse impact on the continued economic integrity of agricultural lands.

**(j) The comments of any affected local agency or other public agency.**

**(l) Timely availability of water supplies adequate for projected needs as specified in Section 65352.5**

The Water Supply Assessment (WSA) prepared for the project erroneously concludes that existing water demands in the Project are supplied by shallow groundwater wells. As documented above, the Project area currently receives surface water supplies from the Districts for agricultural use. Water supply assessments, under SB 610, determine water supply sufficiency for a 20-year projection in addition to the demand of existing and other planned future uses. Ultimately, the goal of the WSA is to evaluate whether the City's total projected water supplies available during normal, single-dry and multiple-dry water years during a 20-year projection are sufficient to meet the projected water demand associated with the proposed project, in addition to the water agency's existing and planned future uses, including agricultural and manufacturing uses. (See Wat. Code § 10910(c)(3).) When groundwater is the source, the WSA must include an analysis of the sufficiency of the groundwater from the basin(s) from which the proposed project will be supplied to meet projected water demand associated with the proposed project.

In *Vineyard Area Citizens for Responsible Growth v. City of Rancho Cordova* (2007) 40 Cal.4th 412 ("Vineyard"), the Supreme Court struck down an EIR and established four general rules that must be satisfied in an EIR's water supply analysis, two of which are relevant here:

- CEQA's informational purposes are not satisfied by an EIR that simply ignores or assumes a solution to the problem of supplying water to a proposed land use project; thus, an EIR must present sufficient facts to evaluate the pros and cons of supplying the amount of water the project will need. (Vineyard, supra, 40 Cal.4th at

431.) The City cannot simply assume that its unsubstantiated recharge projects will solve its water problems. Nor can the City conclude there is no adverse impact to the groundwater basin or subsidence without a basic analysis.

- In cases where uncertainty regarding the actual availability and reliability of a future water source remains after a complete discussion and analysis, an EIR must discuss possible replacement or alternative sources of water and must analyze the environmental consequences of utilizing such alternative sources. (*Id.* at 432).

The discussions above regarding *Vineyard* and SB 610 illustrate that the City has not complied with either – in particular, the City has erroneously assumed that it can simply continue to pump groundwater (and in fact *increase* pumping by annexing the affected territory) when independent reports and the GSP that the City itself adopted confirm that the City’s continued pumping is not sustainable. Yet, the City has not discussed possible realistic replacement or alternative sources of water. Based upon the above factors, LAFCO should not approve the proposed annexation request.

However, should LAFCO wish to proceed with the request, the Government Code grants LAFCOs the power to impose a broad range of conditions on the approval of an application. No annexation should proceed unless Stanislaus LAFCO impose a condition on approval of the Project requiring the City to meet with the Districts to develop a plan to finance capital improvements to increase verifiable recharge to the lower aquifer or to purchase and deliver additional surface water supplies equal to the amount of additional groundwater that will be pumped to replace the surface water historically provided to the subject property.

Thank you for considering the Districts’ concerns.

Very truly yours,



Jeanne M. Zolezzi  
Attorney-at-law

DATE: June 9, 2023

TO: Stanislaus LAFCO  
1010 10<sup>th</sup> Street, 3<sup>rd</sup> Floor  
Modesto, CA 95354

FROM: West Stanislaus County Fire Protection District

SUBJECT: Project Review Comments

PROJECT TITLE: **LAFCO APPLICATION NO. 2023-01 – ZACHARIAS-BALDWIN  
MASTER PLAN REORGANIZATION TO THE CITY OF PATTERSON**

**PROJECT DESCRIPTION:** A request to annex approximately 1,375 acres to the City of Patterson and simultaneously detach the area from the West Stanislaus Fire Protection District, West Stanislaus Irrigation District, Patterson Irrigation District and Del Puerto Water District. The project is comprised of three areas. Area “A” is 1,279 acres generally located north of the City limits and south of Zacharias Road, west of Ward Avenue, and east of Rogers Road. Area “B” consists of 30 acres located south of Del Puerto Creek, west of Rogers Road, north of Zacharias Road and east of the Delta Mendota Canal. Area “C” includes 66 acres located south of the City limits, west of Ward Avenue, contiguous to the Delta Mendota Canal. The proposal includes a corresponding request for a Sphere of Influence expansion and a Municipal Service Review Update.

Based on the agency’s particular field(s) of expertise, it is our position the project described above:

- Will have an effect on the ability of this agency to provide service(s).
- Will not have an effect on this agency.
- No comments.

Listed below are facts which support our determination (e.g., infrastructure needs, additional police/fire personnel, limited capacity, etc.)

1. The annexation should only proceed without detachment of the affected territory from the West Stanislaus County Fire Protection District (“District”).

As noted in the Municipal Service Review for the District, the District serves over a 600-square-mile area and provides fire protection services through volunteer firefighters.

The District has only one source of revenue – real property taxes and assessments. An increase in property taxes and assessments is governed by applicable law. Detachment of the District would lead to a reduction in allocated property tax and applicable assessments.

The prospective revenue lost will result in an increased inability by the District to acquire applicable apparatus and life safety equipment and trained volunteer firefighters which will result in a reduction in response time – the critical component for a local agency providing services for the protection of life and property.

2. The City of Patterson (“City”) cannot continue on a piecemeal basis to annex property to the City even without detachment. Renegotiation of the City/Fire District contract wherein the District pays 40% of certain City costs for fire suppression and prevention must be renegotiated so that adequate revenues are available to both the City and the District to maintain apparatus, equipment, and personnel (in the case of the District, Volunteer

Firefighters) to maintain response times for critical fire and life safety matters.

Listed below are methods for reducing effects this project will have on this agency.

1. Do not detach the affected territory from the District.
2. Ensure that sequential annexations by the City are not subject to detachment.
3. Require the renegotiation of the contract between the District and the City for fire services so that the District is not paying for 40% of the City's fire services.

In addition, our agency has the following comments: (attach additional sheets if necessary).

This was prepared by District Staff and District Counsel after input from the District Board of Directors:



Amy Best

\_\_\_\_\_  
Administrative Manager  
West Stanislaus County Fire Protection District

June 9, 2023

July 17, 2023

**VIA U.S. MAIL & EMAIL**

Sara Lytle-Pinhey  
Stanislaus Local Agency Formation Commission  
1010 10<sup>th</sup> Street, 3<sup>rd</sup> Floor  
Modesto, CA 95354  
[lafco@stancounty.com](mailto:lafco@stancounty.com)

**Re.: LAFCO Application No. 2023-01 – Zacharias-Baldwin Master Plan  
Response to Patterson Irrigation District and West Stanislaus Irrigation District  
Comments**

Dear Ms. Lytle-Pinhey,

On behalf of the City of Patterson (“City”), the applicant associated with Application No. 2023-01 (“Application”), thank you for the opportunity to submit a response to the comment letter submitted by Patterson Irrigation District and West Stanislaus Irrigation District (“Districts”) on June 8, 2023. The Application proposes to annex approximately 1,375 acres into the City and detach that same area from the Districts’ service area, as part of the Zacharias-Baldwin Master Plan project (“Project”). The Districts’ comments mirror many of the comments that were made and addressed through the City’s environmental review process for the Project. As more fully discussed in this letter, the Districts’ concerns with regard to the Project and its impacts on groundwater are unfounded.

Before addressing the issues highlighted in the Districts’ comment related to Stanislaus Local Agency Formation Commission’s (“LAFCO”) review of the Project under the factors established by Government Code section 56668, the City would like to clarify a number of points with regard to groundwater impacts from the Project. First, the Districts’ comment alleges that the Project “has the potential to impact infrastructure of statewide and local importance” as a consequence of inelastic land subsidence. As has been previously addressed in response to the Districts’ comment on the Project Environmental Impact Report (“EIR”), there are indications that some of the land subsidence near the City is elastic. The City monitors for any subsidence and uses that data, along with groundwater extraction data, to evaluate and manage pumping to meet the sustainable management criteria set forth in the Groundwater Sustainability Plan (“GSP”) for the City.<sup>1</sup> This ensures that the City and the

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<sup>1</sup> City of Patterson-Baldwin Master Plan/Zacharias Master Plan Project Final EIR (“Final EIR”), p. 3-71.

Project do not impact infrastructure of statewide and local importance as a consequence of inelastic land subsidence.

Next, the Districts' comment alleges that the Districts have made surface water deliveries to the Project area of approximately 2,014 acre-feet/year. The Project EIR assumed that existing water demand in the Project area is 5,384 acre-feet/year and conservatively assumed that all current agricultural irrigation water demand was supplied by groundwater.<sup>2</sup> Consequently, the EIR's assumptions did not rely on the Districts' 2,014 acre-feet/year surface water deliveries to meet the current water demand in the Project area. This approach was taken to provide a worst-case scenario of currently existing demand on the groundwater aquifer to compare to the Project's potential future demand. That future demand was included in the projected water budget contained in the GSP that establishes the City's future demand as 10,944 acre-feet/year, including 9,642 acre-feet/year of potable supply from the Lower Aquifer and 1,302 acre-feet/year of non-potable supply from the Upper Aquifer.<sup>3</sup> At build-out the Project is projected to have a demand of 2,159 acre-feet per year.<sup>4</sup> Far less than the current demand even taking into account the Districts' surface water deliveries.

Lastly, the Districts' comment disputes the efficacy of the City's proposed re-charge project. The proposed re-charge basin is located 1,500 feet east of the Delta-Mendota Canal, directly adjacent to the Del Puerto Creek channel in an abandoned gravel pit.<sup>5</sup> This location was selected to increase the likelihood of the recharge into the Lower Aquifer, offsetting the Project's impact. Borings in the area west of the City show the Corcoran Clay thinning on the western edge of the City which indicates that water recharged there is more likely to enter the Lower Aquifer. Moreover, recent studies have shown that groundwater levels have reached historic highs in 2017 and modeling has shown that, with the City's projects, the basin will be sustainable into the future.<sup>6</sup> That modeling includes the City's existing demand and the demand based on Project build-out.

The Districts' comment then turns to the factors LAFCO must consider under Government Code section 56668, highlighting four subdivisions for which it has concerns with regard to the Project. Each of those subdivisions is discussed in turn:

**(c) The effect of the proposed action and of alternative actions, on adjacent areas, on mutual social and economic interests, and on the local governmental structure of the county.**

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<sup>2</sup> Final EIR, p. 3-70.

<sup>3</sup> Final EIR, p. 3-75.

<sup>4</sup> Final EIR, p. 3-70.

<sup>5</sup> Final EIR, p. 3-72-3-73.

<sup>6</sup> Final EIR, p. 3-73.

The Districts' comment once again alleges that the City's existing water demand analysis for the Project area fails to properly account for the Districts' surface water deliveries to the Project area. By failing to account for the Districts' deliveries, the comment alleges that the Project results in an increase in groundwater demand of 2,014 acre-feet/year. As previously discussed, the City assumed the current water demand in the Project area of 5,384 acre-feet/year was provided through groundwater. This assumed current existing demand is the worst case scenario for the current demand on the aquifer. At Project build-out the City anticipates that demand will be 2,159 acre-feet/year.<sup>7</sup> Taking into account the Districts' surface water supplies reduces the assumed current water demand to 3,370 acre-feet/year. With that decreased current demand, the Project still results in a further decrease of groundwater demand of 1,211 acre-feet/year.

The Districts' comment then once again discusses the potential for subsidence to result from approval of the Project. The City monitors and addresses land subsidence within its jurisdiction. It uses data to direct its pumping to avoid impacts that exceed the sustainable management criteria set forth in the GSP for the City and has seen evidence of some elastic subsidence near the City between Checks 6 and 7 and between Checks 7 and 8 on the Delta-Mendota Canal.<sup>8</sup>

Finally, the District's comment letter addresses the City's total potable water demand. The City's future demand was included in the projected water budget contained in the GSP. The GSP's water budget provides that the City's future demand is 10,944 acre-feet/year, including 9,642 acre-feet/year of potable supply from the Lower Aquifer and 1,302 acre-feet/year of non-potable supply from the Upper Aquifer.<sup>9</sup> Both the City's currently existing demand and the Project demand at full buildout have been and continue to be included in that water budget. Annexing the Project will not exceed the amount of water that can be sustainably pumped from the aquifer because that pumping is already included in the GSP, which ensures that the Basin is sustainably managed.<sup>10</sup>

**(e) The effect of the proposal on maintaining the physical and economic integrity of agricultural lands, as defined by Section 56016.**

The City's proposal to annex agricultural land comes only after nearly all undeveloped residentially zoned land within City limits has been entitled for development.<sup>11</sup> This is consistent with ensuring that the physical and economic integrity of agricultural land is maintained. The Districts' comment relies on the impacts from groundwater use to assert that the Project will have a harmful effect on agricultural lands. As previously explained, the

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<sup>7</sup> Final EIR, p. 3-70.

<sup>8</sup> Final EIR, p. 3-71.

<sup>9</sup> Final EIR, p. 3-75.

<sup>10</sup> The Department of Water Resource has deemed the GSP inadequate, but the City is still required to monitor and report its pumping activity as a GSA established under Water Code section 10723.

<sup>11</sup> Final EIR, p. 3-76.



Project will not have a deleterious effect on groundwater resources in the Basin which would impact agricultural lands. The Project's EIR specifically addresses the impacts that could result from the Project on agricultural land and provides mitigation where it is feasible, consistent with LAFCO policy.

**(j) The comments of any affected local agency or other public agency**

Both the City and the Districts have submitted comments for LAFCO's consideration. The City has demonstrated that it has addressed the Districts' concerns throughout the environmental review and Project entitlement process.

**(l) Timely availability of water supplies adequate for projected needs as specific in Section 65352.2.**

The Districts' comment asserts that the Project's Water Supply Assessment ("WSA") concludes that existing water demands are supplied by the Lower Aquifer and that the City has not provided analysis to show that there is no adverse impact to the Basin from the Project. First, the Project's WSA assumed that all potable water would be provided by the Lower Aquifer and non-potable water would be provided by the Upper Aquifer.<sup>12</sup> Second, the City's 2018 Water Master Plan rigorously evaluated potential water supply options and conservation measures to establish a sustainable water supply portfolio. The 2018 Water Master Plan was undertaken in response to the SGMA planning efforts over the last several years and concluded that the City's potable and non-potable water supply would be sufficient to support the City's growth over a 30-year planning period, including the Project.<sup>13</sup> As previously noted, the City's projected water demand in the GSP is 10,944 acre-feet/year, which includes 9,642 acre-feet/year of potable supply from the Lower Aquifer and 1,302 acre-feet/year of non-potable supply from the Upper Aquifer.<sup>14</sup> As demonstrated by the data, the City has planned for and established that the Project will not have an adverse effect on water supply and there will be water available to meet the Project demand.

The Districts' final request is for LAFCO to impose a condition on the Project "requiring the City to meet with the Districts to develop a plan to finance capital improvements to increase verifiable recharge to the lower aquifer or to purchase and deliver additional surface water supplies equal to the amount of additional groundwater that will be pumped to replace the surface water historically provided to the subject property." This condition is unnecessary because the Project does not adversely impact the basin's groundwater supply.

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<sup>12</sup> Final EIR, p. 3-74.

<sup>13</sup> Final EIR, p. 3-74 – 3-75.

<sup>14</sup> Final EIR, p. 3-75.

Sara Lytle-Pinhey  
July 17, 2023  
Page 5 of 5

Thank you once again for the opportunity to provide a response to the Districts' comment as LAFCO considers the City's Application associated with the Project.

Kind regards,

White Brenner LLP



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Barbara A. Brenner  
KAF/prb

Cc: Ken Irwin, City Manager



# City of Patterson

1 Plaza  
P.O. Box 667  
Patterson, California 95363  
Phone (209) 895-8000

July 11, 2023

Stanislaus LAFCO  
c/o Sara Lytle-Pinhey  
1010 10<sup>th</sup> Street, 3<sup>rd</sup> Floor  
Modesto, CA 95354

Re: LAFCO Application No. 2023-01 – West Stanislaus County Fire Protection Letter Response

Dear Chair O'Brien and members of the Commission:

This letter is in response to the June 9, 2023 West Stanislaus County Fire Protection District (District)'s letter regarding the City of Patterson's application for reorganization of the Zacharias/Baldwin Ranch Master Plan areas. In that letter, the District expresses that the annexation should only occur without detachment from the District due to lost property tax revenue and concerns about the ability to serve remaining areas within the District without that revenue.

As noted in their letter, the District serves an area of over 600 square miles. The proposed reorganization accounts for an area of just over two square miles, less than a half-percent of the District's service area. This area also likely accounts for a similar percentage of the budget of the District. We understand that the loss of property may represent an incremental decrease to the District's budget, but this amount would reasonably be considered minimal in comparison to the overall budget.

Conversely, for the City of Patterson, the reorganization would represent over 20 percent of the City's land area. The City's capacity to serve the project site will rely heavily on incremental tax increases to the project area. Further, excluding portions of the community from service by the City's Fire Department can be expected to lead to confusion for residents and may negatively impact the ability of future residents of the reorganization area to gain access to the City's more competitive rates for fire insurance rates.

To adequately provide lifesaving services to residential areas, a volunteer Fire District would not be near as dependable as a City Fire Protection Agency with firemen on staff at all times. Patterson's Fire Department has 21 employees on staff and are also ALS certified. This allows for immediate response and the ability to provide advanced lifesaving services. Although the West Stanislaus Fire District provides great service to brush and barn fires in the proposed annexation area, they do not provide the same level of services to residential and industrial land that a fully staffed City Fire Department would provide.

For these reasons, the City of Patterson requests that the proposed reorganization include detachment from the District.

Thank you for your consideration.

Sincerely,



Ken Irwin  
City Manager

**Gnesa 2005 Trust**

712 ROSE AVE.

Patterson, Ca 95363

July 17, 2023

**OBJECTION TO LAFCO APPLICATION NO 2023-01- ZACHARIAS-BALDWIN  
MASTER PLAN REORGANIZATION TO THE CITY OF PATTERSON**

We object to approval of the Zacharias Baldwin Master plan and have expressed our opposition at every public hearing since proposal of this plan. Many of the meetings were not recorded so it is doubtful that our comments have been noted:

We farm 17.74 acres of 13 year old almonds APN's 047 017 018 000, 047 017 004 000, and 047 017 019 000 and our home is also located on the site which is adjacent to the east boundary of the project separated by lateral M.

The plan proposes to pipe Lateral M, construct a biking/walking path on the lateral and the only separation between the path and the orchard would be a proposed open slated wood fence. We object to placement of the path on the lateral and request that it be relocated to a different area. Having the path on the lateral creates a situation in which it is impossible to spray the orchard, violates food safety laws which recommend orchards be securely fenced to ensure the orchard remains clean of animal feces or any garbage that may be entering by way of the path. Without adhering to agricultural recommended cultural practices such as spraying for pests the crop is NON MARKETABLE AND IS OF ZERO VALUE! We have suggested reasonable alternatives in the early stages of public hearings and throughout the hearings such as relocation of the path, construction of a brick sound wall, or at the very minimum ONLY ALLOWING USE OF THE PATH DURING DAY TIME HOURS AND ENFORCEMENT OF ALLOWING NO ONE ON THE PATHS AT NIGHT thereby allowing spraying activities during night time hours. ALL OF THESE OBJECTIONS HAVE BEEN IGNORED AND NOT CONSIDERED BY THE PLANNING COMMISSION AND COUNCIL AND WE HAVE BEEN REFERRED TO AS BEING "WHINERS" BY ONE OF THE PLANNING COMMISSION MEMBERS AT PUBLIC MEETINGS!

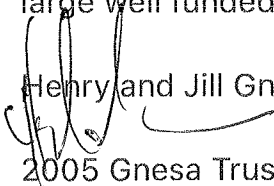
It is irresponsible that our concerns have been ignored during the entire planning process and that we have been publicly chastised during the meetings for expressing our concerns. This behavior causes us to feel that the public meetings were only a "formality" and that the real decisions had been made behind the scene. If this project passes as is we will not be able to continue to spray the orchard along with other almond and row crop growers in this area.

In that case we are forced to remove the trees and loose over \$200,000 of development costs along with future income from the property.

We and our neighbors have expressed other concerns: increased noise, possible connection of the project to Rose Ave, concerns of security of some neighbors living very close to the proposed bike path and other concerns which should be noted in public record but in reality are likely not as the many of the meeting were not recorded.

Further the EIR for the project is likely not correct with respect to ground water. There is little to no substantial ground water in the planned area and historically growers have been unable to develop substantial deep wells in the area. The area is in a groundwater basin that is already in overdraft status so it is irresponsible to construct new homes there as the only source of water is the canals.

As an alternative we have considered relocating. We have invested over two years time and monies in hiring a land planner to divide the property into three legal parcels thereby allowing us to sell the orchard and home separately so we could relocate. The county has repeatedly rejected the proposals of the planner. So again this causes one to think that the entire planning process is for the benefit of large well funded individuals and ignores the wishes of small land owners.



Henry and Jill Gnesa

2005 Gnesa Trust

Cc: Richard Frampton, ESQ Tribish and Frampton

**LAFCO:** Patterson Water District opposition to detachment

The undersigned landowners wish to continue to receive irrigation water from the Patterson Irrigation District pursuant to the Patterson Irrigation District Policy Regarding Annexation and Water Availability, and therefore object to and oppose the detachment of their property from the District.

Landowner/Address	APN	Acreage
Gnesa 2005 Trust Henry & Jill Gnesa trustees 712 Rose Ave Patterson Ca 95363	017-017-018-000	6.82
Gnesa 2005 Trust Henry & Jill Gnesa trustees 712 Rose Ave Patterson Ca 95363	017-017-004-000	9.94
Gnesa 2005 Trust Henry & Jill Gnesa Trustees 712 Rose Ave Patterson Ca 95363	017-017-019-000	0.98

**PATTERSON IRRIGATION DISTRICT DETACHMENT PROTESTS**

**RE: LAFCO APPLICATION NO. 2023-01  
ZACHARIAS-BALDWIN MASTER PLAN REORGANIZATION TO  
THE CITY OF PATTERSON**

*Patterson Irrigation District policy regarding city annexations allows for detached properties to continue receiving irrigation water under the same terms and conditions as a property that is within the District's boundaries for so long as the land remains in agricultural production. The District's policy requires the landowner to provide evidence to the District of opposition to the detachment by either written opposition to LAFCO, or testifying in opposition at a public hearing before LAFCO.*

LAFCO Staff received detachment protests letters from the following PID customers:

<b><u>Name</u></b>	<b><u>APN</u></b>	<b><u>Address</u></b>
Phil Sarasqueta	047-016-002 (982B) 047-016-002 (983) 047-016-002 (984B) 047-016-014 (991) 047-016-014 (992) 047-016-015 (991A)	
Guadalupe Villasenor	047-017-021	430 Rose Ave.
Hank Gnesa Gnesa 2005 Trust	047-017-018 047-017-004 047-017-019	712 Rose Ave.
Barbara Vega	047-017-017	730 Rose Ave.
James Fairfield	047-016-017	741 Rose Ave.
Louie Barletta	047-015-012 047-015-010	
Arlyn Antolak	047-015-011	455 Ivy Ave.
Tony Lomeli	047-016-001	448 Ivy Ave.
Rajesh Gupta	047-015-013	0 Ward Ave.
Robert Noblitt	047-016-003	312 Ivy Ave.



<b><u>Name</u></b>	<b><u>APN</u></b>	<b><u>Address</u></b>
Minnie & Richard Landrum Landrum Family Trust	047-016-016	
Sharon F. Reeves	047-017-002	700 Rose Ave.
Jennifer Cozart	047-016-021	467 Rose Ave.
Karl Torrison WL Torrison Farms Inc.	047-015-001 047-015-009 047-015-006 047-016-004	14307 Ward Ave.
Ali Abdul Wahid	047-016-005	14619 Ward Ave.
Steven Cozart	047-016-022	427 Rose Ave.

## **EXHIBIT F**

### **Plan for Agricultural Preservation**

# Plan for Agricultural Preservation

August 31, 2022

This Plan for Agricultural Preservation is provided in support of the LAFCO application to annex property contained within the Baldwin and Zacharias Master Plan Areas into the City of Patterson (“City”). This analysis has been prepared pursuant to the Stanislaus LAFCO Policy 22 – Agricultural Preservation Policy as amended through March 27, 2019. The Agricultural Preservation Policy identifies the actions the City will take to address the conversion of agricultural land likely to occur as part of the Zacharias and Baldwin Master Plans.

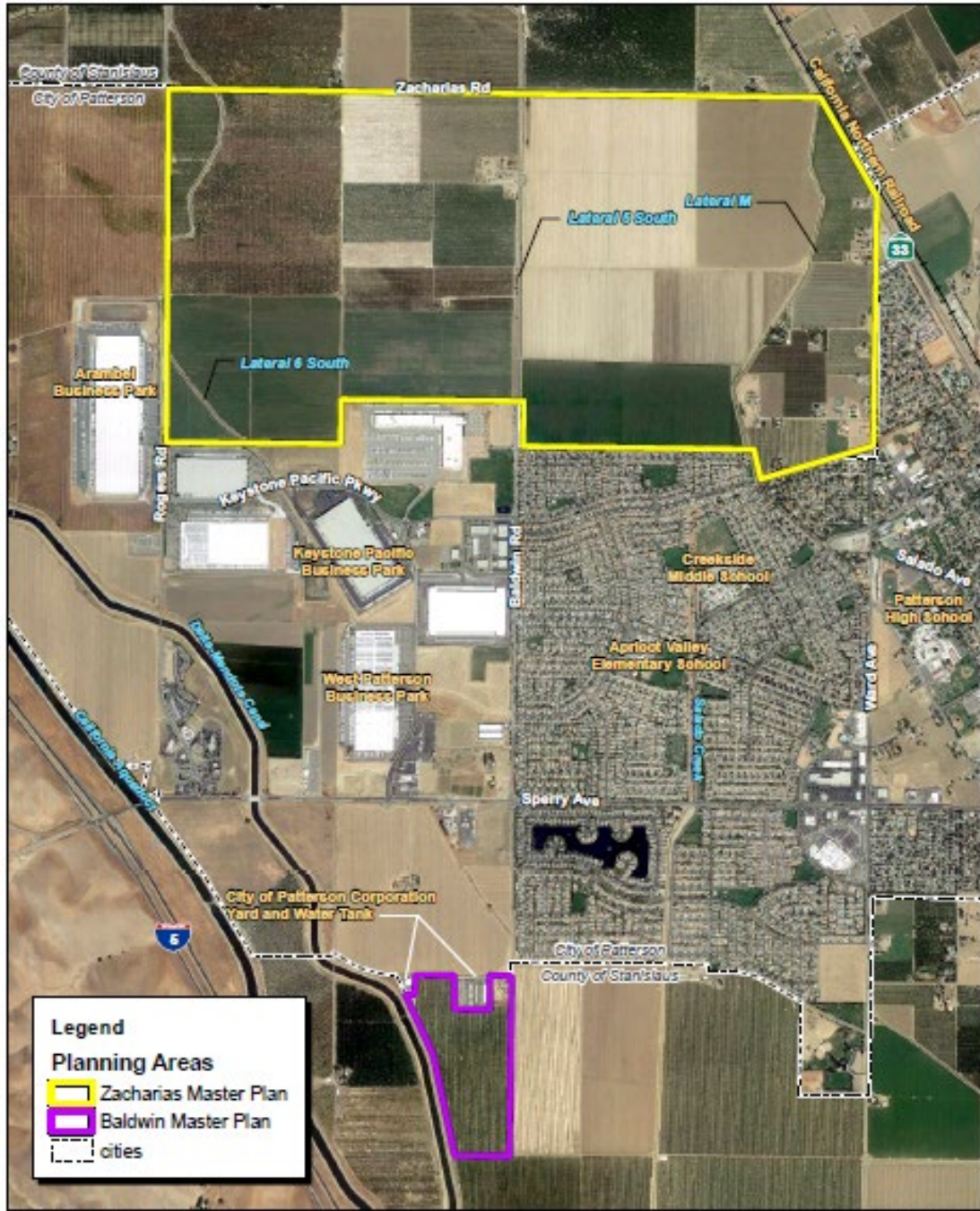
## Project Overview

The proposed Master Plans consist of the annexation of the planning areas into the City and the development of residential, mixed use, commercial, industrial, school, parks, and open space uses. The buildout potential of the combined Master Plans is 5,086 dwelling units and 7,765,000 square feet of non-residential uses. These uses would support an estimated 19,988 new residents and 8,670 employees. The Baldwin Master Plan would support a population of 1,199, while the Zacharias Master Plan would support a population of 18,789 and 8,670 employees. Figure 2-2 depicts the location of each development area.

The Plan for Agricultural Preservation includes the following seven sections:

- 1) A detailed analysis of direct and indirect impacts to agricultural resources on the site and surrounding area, including a detailed description of the agricultural resources affected and information regarding Williamson Act Lands (Section 1);
- 2) A vacant land inventory and absorption study evaluating lands within the existing boundaries of the jurisdiction that could be developed for the same or similar uses (Section 2);
- 3) Existing and proposed densities (persons per acre) (Section 3);
- 4) Relevant County and City General Plan policies and specific plans (Section 4);
- 5) Consistency with regional planning efforts (e.g., the San Joaquin Valley Blueprint and the Sustainable Communities Strategy) (Section 5); and
- 6) Analysis of mitigation measures that could offset impacts to agricultural resources (Section 6); and
- 7) Strategies proposed to minimize the loss of agricultural lands (Section 7).

Exhibit 2-2: Local Vicinity Map



Source: Google Earth Aerial Imagery.

FIRSTCARBON SOLUTIONS™

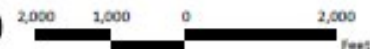


Exhibit 2-2  
 Local Vicinity Map  
 Aerial Base

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CITY OF PATTERSON • BALDWIN MASTER PLAN / ZACHARIAS MASTER PLAN PROJECT  
 ENVIRONMENTAL IMPACT REPORT

## Plan Sections

- 1) A detailed analysis of direct and indirect impacts to agricultural resources on the site and surrounding area, including a detailed description of the agricultural resources affected and information regarding Williamson Act Lands.

The City's General Plan designates the Master Plan area as "Low Density Residential." This designation signifies that the City has contemplated the conversion of this agricultural land to urban uses over the planning horizon of the General Plan and, therefore, does not view the project area as a preferred location for permanent agricultural uses.

### Land Classifications

As shown in Exhibit 2-2 and Table 1 the Zacharias and Baldwin Master Plan areas contain 1,034.23 acres of Prime Farmland, 60.40 acres of Unique Farmland, and 212.97 acres of Farmland of Statewide Importance, for a total of 1,307.60 acres of Important Farmland.

Table 1: Important Farmland

Master Plan Area	Prime Farmland	Unique Farmland	Farmland of Statewide Importance	Total
Baldwin	61.22		0	61.22
Zacharias	973.01	60.40	151.49	1,184.90
Total	1,034.23	60.40	212.97	1,307.60

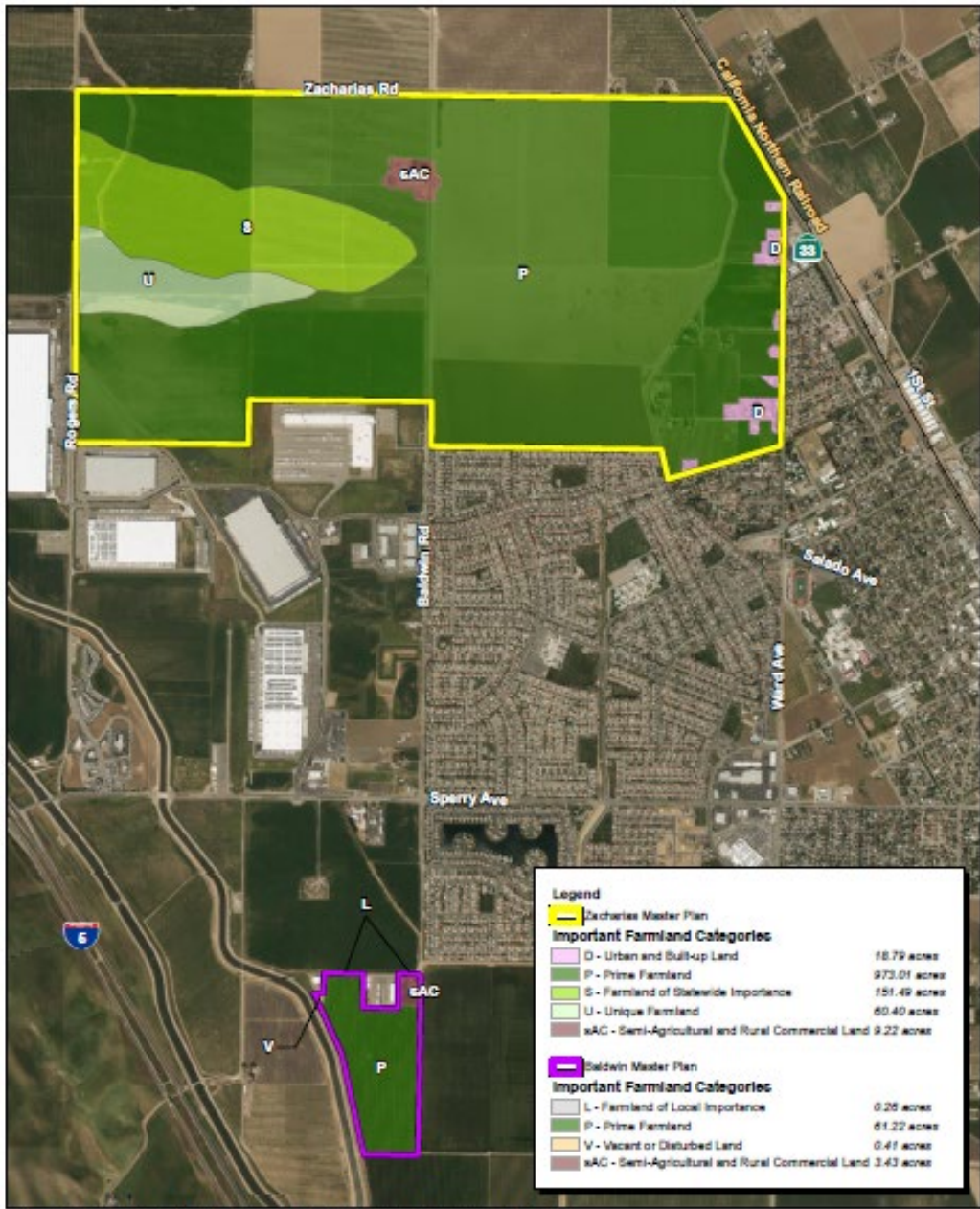
The proposed project is considered to have a significant impact in terms of converting Important Farmland to non-agricultural use.

### Williamson Act Contracts

There are six active Williamson Act contracts on properties within the Ranchette Triangle portion of the Zacharias Master Plan located East of the PID Canal and West of Ward Avenue. There are no active Williamson Act contracts within the Baldwin Master Plan.

The City filed a protest with the Stanislaus County Board of Supervisors to exercise its option to not succeed to the rights, duties, and powers of the County under the Williamson Act contract because these properties were within the Sphere of Influence and, thus, contemplated for annexation. Consequently, the Williamson Act contracts will be automatically terminated once the effected properties are annexed into Patterson city limits. This would preclude conflicts with Williamson Act contracts.

### Exhibit 3.2-1: Important Farmland



Source: ESRI Aerial Imagery, CA Department of Conservation Stanislaus County FMMP, 2016.

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### Exhibit 3.2-1 Important Farmland Map

17900003 • 04/2020 | 3.2-1\_farmland.mxd

CITY OF PATTERSON • BALDWIN MASTER PLAN / ZACHARIAS MASTER PLAN PROJECT  
ENVIRONMENTAL IMPACT REPORT

### Adjoining Agricultural Lands

Exhibit 3.2-3a and 3.2-3b identify the Zone of Influence around the Zacharias and Baldwin Master Plan areas, respectively. The Zone of Influence encompasses all parcels within 0.25-miles of the Master Plan boundaries. The Zacharias Master Plan is surrounded by 886 acres of Prime Farmland, 118 acres of Unique Farmland, and 60 acres of Farmland of Statewide Importance. The Baldwin Master Plan area is surrounded by 513 acres of Prime Farmland.

All of the lands immediately adjacent to the project site are within the Patterson General Plan Planning Area or within the Patterson Sphere of Influence, signifying that they are contemplated to convert to urban use at some point in the future. Thus, to the extent that these areas ultimately convert to urban uses, it would be in accordance with the long-term vision of the General Plan and not solely a consequence of the proposed project.

Finally, portions of the project site that would abut unincorporated farmland that is not within the Sphere of Influence are at least partially buffered from conflicting land uses or would contain functions that are compatible with agricultural activity (e.g., detention area (OS3) and groundwater recharge area (OS4) shown on Figure 1. Areas north of Zacharias Road are separated from proposed development by Zacharias Road and the South County Corridor. Areas west and south of the Baldwin Master Plan area are separated by the Delta-Mendota Canal and the future extension of Baldwin Road. In the north, Zacharias Road, the anticipated route for the future alignment of the South County Corridor provides a physical separation between the proposed development and agricultural uses. For the Baldwin Master Plan, the Delta-Mendota Canal provides a buffer between the proposed development and existing agricultural lands located south and west of the site.

Land occupied by OS3 and OS4 would be designed to operate passively or by automated response to rainfall and would not require housing or office space for operators or security personnel. The automated functions would be limited to pumping surface water from collections points within the Zacharias Master Plan to the recharge area where it would infiltrate groundwater through passive infiltration. The detention and recharge areas are compatible with neighboring agricultural use in that they will not be occupied and will not contain activities that are sensitive to odor, noise, dust, or other application or byproducts associated with agricultural operations.

Figure1 - Zacharias Master Plan Area

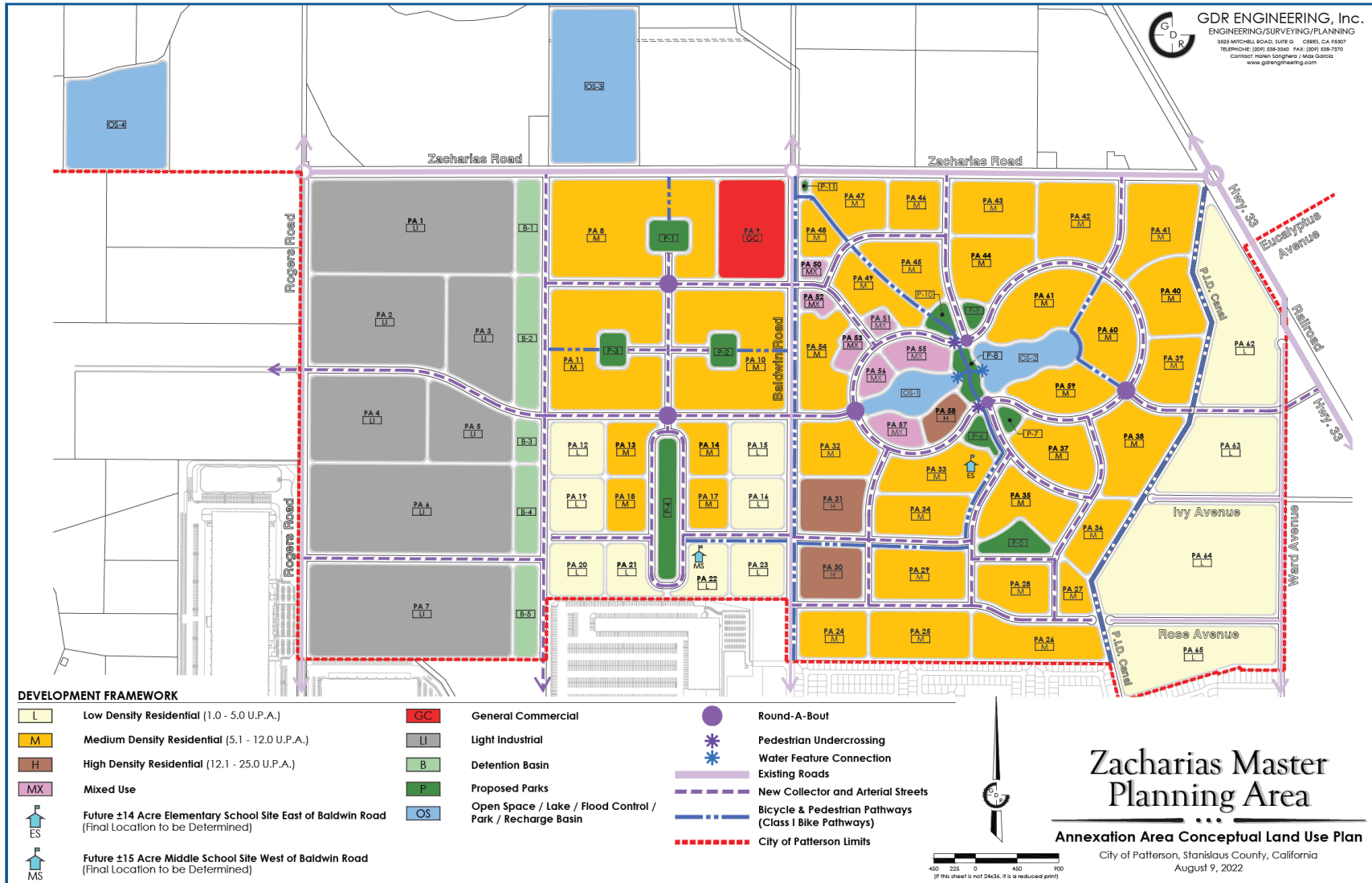
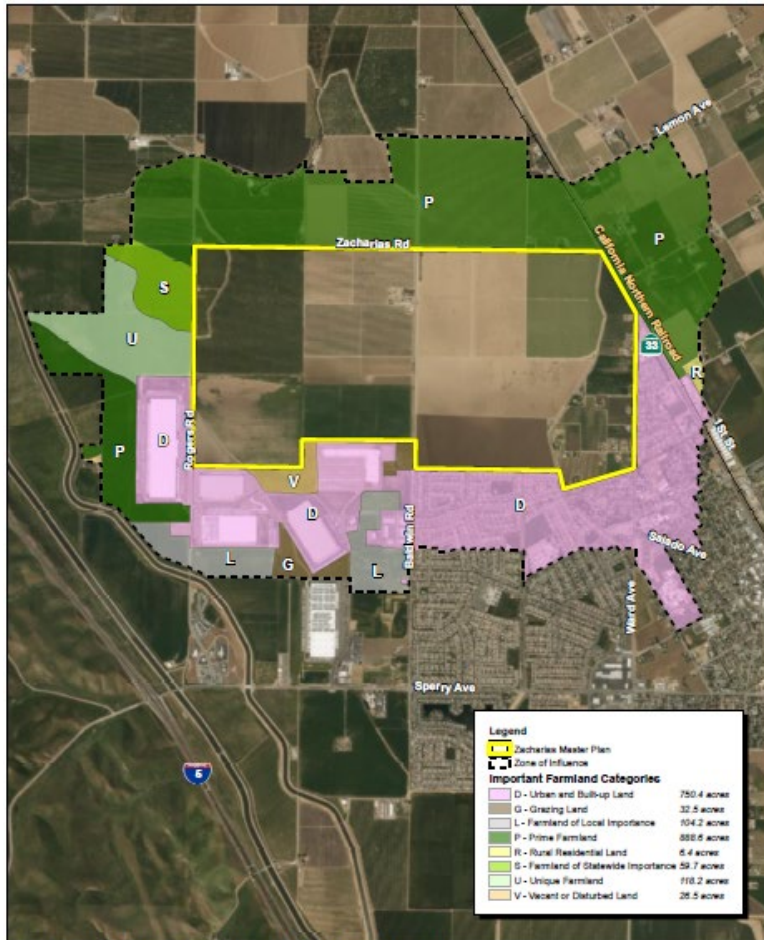




Exhibit 3.2-3a: Zacharias Zone of Influence



Source: ESRI Aerial Imagery, CA Department of Conservation Stanislaus County FMMP, 2016.

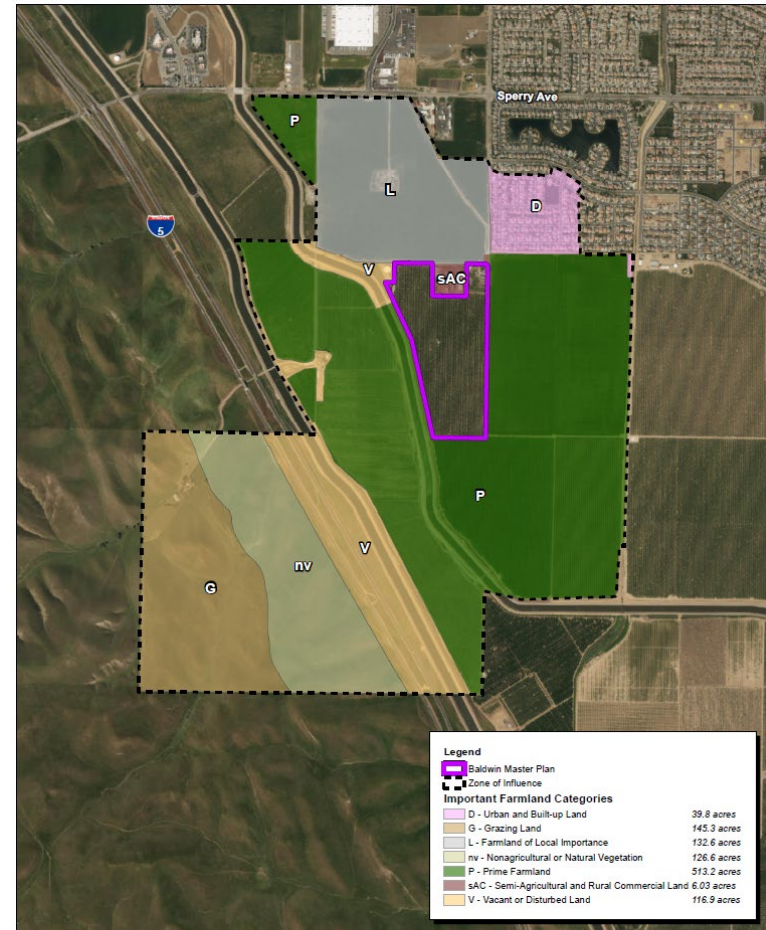


Exhibit 3.2-3a  
Zone of Influence  
Zacharias Master Plan

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CITY OF PATTERSON • BALDWIN MASTER PLAN / ZACHARIAS MASTER PLAN PROJECT  
ENVIRONMENTAL IMPACT REPORT

Exhibit 3.2-3b: Baldwin Zone of Influence



Source: ESRI Aerial Imagery, CA Department of Conservation Stanislaus County FMMP, 2016.



Exhibit 3.2-3b  
Zone of Influence  
Baldwin Master Plan

17900003 • 04/2020 | 3.2-3b\_ZOI\_baldwin\_master\_plan.mxd

CITY OF PATTERSON • BALDWIN MASTER PLAN / ZACHARIAS MASTER PLAN PROJECT  
ENVIRONMENTAL IMPACT REPORT

2) *A vacant land inventory and absorption study evaluating lands within the existing boundaries of the jurisdiction that could be developed for the same or similar uses.*

The cumulative effects on agricultural lands and uses are considered in conjunction with other proposed and approved projects in the City. Table 2 provides a list of developing projects considered in this analysis.

Table 2: Developing Projects

Project	Characteristics	Location	Status	Acres				TOTAL
				Residential	Commercial	Light Industrial	Public / Quasi-Public	
Arambel Business Park (2010)	13.47 million square feet business park / commercial	Rogers Road / Keystone Pacific Parkway	Approved; Partially Built		138.6	715.8		<b>854.4</b>
West Patterson Business Park (2002)	9 million square feet business park / light industrial	Sperry Avenue / Park Center Drive	Approved; Mostly (90%) Built		72.0	205.1		<b>277.1</b>
Misc. Lands	Residential, Commercial, Industrial	Multiple Projects	Approved; Mostly (90%) Built	2.8	62.1			<b>64.9</b>
Villages at Patterson (2008)	3,100 dwelling units; 723,800 square feet commercial / office / light industrial	State Route 33 / Walnut Avenue	Approved; Under Construction	344.7	18.5	27.0	40.8	<b>431.0</b>
<b>TOTAL</b>				<b>347.5</b>	<b>291.2</b>	<b>947.9</b>	<b>40.8</b>	<b>1,627.4</b>

Because the City has adopted a number of policies and plans that are designed to facilitate smart growth and preserve agricultural resources within its boundaries, agricultural resources are evaluated in the context of countywide resources. The projects listed in Table 2 are within the current of the City and therefore are contemplated for urban development.

The EIR for the City General Plan found that conversion of prime agricultural land, including the Master Plan boundaries, to urban uses to be a significant and unavoidable impact. As part of adopting the City General Plan, the Patterson City Council adopted findings of fact and a statement of overriding consideration indicating that urban development was of greater benefit to the community than preserving agricultural land within city limits. Although conversion of the project area to urban uses would reflect the land use assumptions contained in the City General Plan, farmland is an important resource to the region, and direct conversion of Important Farmland to urban land uses would be considered a significant impact. Mitigation is proposed requiring the preservation of Important Farmland at a 1:1 ratio; however, the mitigation does not provide certainty that net new Important Farmland acreage would be created or the productivity of existing non-Important Farmland could be improved

such that it could be re-classified as Important Farmland. Other projects may also be required to mitigate for the conversion of Important Farmland. Similar to the proposed Master Plans, mitigation may not provide certainty regarding the availability of Important Farmland. As such, the proposed Master Plans would contribute to cumulative impacts on conversion of Important Farmland.

In addition to protecting agricultural resources, mitigation is important to ensure an adequate supply of available land to provide jobs and housing opportunities by accommodating market needs for developing projects.

- Residential: The City is obligated to plan for development of 3,716 housing units as shown in Table 3 to address the Regional Housing Needs Allocation (RHNA) for the upcoming planning cycle. In addition to meeting this obligation, the City wants to provide diverse housing opportunities that match the needs and financial ability of people working in the City. This requires the City to maintain a significant supply of entitled residential properties.

Table 3: Regional Housing Needs Allocation

Very low	Low	Moderate	Market Rate	Total
1046	724	593	1353	<b>3716</b>

- Industrial: Light industrial uses represent the backbone of Patterson’s evolving economy and employment base. When properties sell or develop for industrial uses, large tracts of land are removed from the light industrial inventory. It is essential for Patterson to maintain an adequate supply to build synergy and be competitiveness.
- Commercial / Public Uses: The developing projects include a comparatively small portion of land for commercial and public uses to ensure that commercial (e.g., retail, office, etc.) and public service (e.g., parks, schools, etc.) uses are available to support businesses and residents moving to Patterson.

For the above reasons, the proposed Master Plan project in combination with the buildout of past, present, and probable future projects would not create pressure to prematurely convert adjacent farmland to non-agricultural uses. Rather, the approved and pending projects are essential to good planning to ensure that Patterson can address the City’s share of the regional housing need and address the needs of businesses and residents moving to the City. All of the lands immediately adjacent to the Master Plan boundaries are within the Patterson General Plan Planning Area or are currently within the Patterson city limits, signifying that they are ultimately anticipated to be converted to urban use at some point in the future. Furthermore, it would be expected that the farmland areas west and north of the Master Plan boundaries would not convert to urban use until after the proposed Master Plans is built out, which is expected to take 20 years. The proposed Master Plans and probable future projects therefore do not combine to create a significant cumulative effect.

3) Existing and proposed densities (persons per acre).

The project site is primarily used for agricultural production. The proposed uses will consist of homes, industrial park, and commercial development. The buildout potential of the combined Master Plans is 5,086 dwelling units and 7,765,000 square feet of non-residential uses. These uses would support an estimated 19,988 new residents and 8,670 employees. The proposed development is master planned for and is expected to develop at the maximum allowable commercial and business park/industrial intensities permitted by the General Plan. This anticipated density is comparably higher than currently found in the City’s existing neighborhoods and business park developments. This more efficient utilization of the land would conserve agricultural lands by intensifying the use of land planned for development.

Table 3: Land Use Density and Intensity

Land Use	Gross Acres	# Units	Square Feet	Residents / Employees	Population / Acre
Residential	784	5,086		19,988	25.5
Non-Residential	318		7,765,000	8,670	27.26
Total	1,102	5,086	7,765,000	28,658	26

4) Relevant County and City General Plan policies and specific plans.

The Zacharias and Baldwin Master Plans are consistent with relevant policies and programs related to agricultural resources promulgated by Stanislaus County, the City, and the Stanislaus County LAFCO.

County of Stanislaus General Plan

The Stanislaus County General Plan Agriculture Element sets forth two approaches for avoiding, minimizing, or offsetting impacts on agricultural resources.

- **Farmland Mitigation Program:** This program requires new residential development on lands designated “Agriculture” by the Stanislaus County General Plan in unincorporated Stanislaus County to permanently protect farmland at a 1:1 ratio.
- **Buffers and Setbacks:** New or expanded uses within or adjacent to the A-2 (General Agriculture) zoning district must incorporate a minimum 150-foot-wide buffer setback. Permitted uses within the setback may include public roadways, utilities, drainage facilities, rivers and adjacent riparian areas, landscaping, parking lots, and similar low-people-intensive uses. Permitted uses may also include non-agricultural uses adjoining or surrounding a project site (including but not limited to legal, non-conforming uses and home sites) that are of a permanent nature and are not likely to be returned to agriculture. Landscaping within a buffer setback area shall be designed to exclude turf areas that could induce activities and add to overall maintenance costs and water usage.

City of Patterson General Plan

The project is consistent with the Patterson General Plan because:

- i. The City General Plan designates the project site residential uses signifying that the City contemplated the conversion of this agricultural land to urban uses over the planning horizon of the General Plan.
- ii. The EIR for the City General Plan found conversion of prime agricultural land, including the project site, to urban uses to be a significant and unavoidable impact. As part of adopting the City General Plan, the Patterson City Council adopted findings of fact and a statement of overriding consideration that indicated urban development was deemed to be of greater benefit to the community than preserving agricultural land within city limits.
- iii. The land being converted in this case has convenient access to Interstate 5. This proximity affords easy access from the freeway and therefore the land is suitable for urban uses.
- iv. Farmland exist on adjoining properties. All of the lands immediately adjacent to the project site are within the Patterson General Plan Planning Area or are currently within the Patterson city limits, and as such would be expected to be converted to urban use at some point in the future. Thus, to the extent that these areas are already planned to ultimately convert to urban uses, it would be in accordance with the long-term vision of the General Plan and not solely a consequence of the proposed project.
- v. The City General Plan sets forth the following goal and policies relevant to agricultural resources:
  - **Goal NR-2:** To protect and preserve local agricultural lands and to prevent their premature conversion to urban uses.
  - **Policy NR-2.1:** Agricultural land preservation. Undeveloped lands that are State designated as Prime Farmland, Farmland of Statewide Importance, and Unique Farmland shall be preserved, to the greatest extent feasible, for open space or agricultural use.
  - **Policy NR-2.4:** Support for County agricultural land preservation. The City shall support strategies adopted by Stanislaus County aimed at maintaining agricultural lands in viable farming units in areas not designated for urban development.
  - **Policy NR-2.5:** Regional farmland preservation. The City shall continue to work with the County and other jurisdictions to implement conservation plans that preserve prime farmland.
  - **Policy NR-2.9:** Williamson Act. The City shall allow the cancellation of Williamson Act contracts only if the City Council finds that cancellation is consistent with State law.
  - **Policy NR-2.11:** Soil conservation. The City shall encourage soil conservation practices as recommended by the Natural Resources Conservation Service.

#### Local Agency Formation Commission

Stanislaus Local Agency Formation Commission (LAFCo) oversees jurisdictional boundaries with Stanislaus County. LAFCo's responsibilities are largely defined by the Cortese-Knox-Hertzberg Reorganization Act of 2000 and include discretionary review and approval authority for annexations, sphere of influence adjustments, and similar actions. Although LAFCo does not directly regulate

agricultural land use activities, the Cortese-Knox-Hertzberg Reorganization Act allows the agency to consider the potential presence of such activities as a factor in the decision-making process.

5) Consistency with regional planning efforts (e.g., the San Joaquin Valley Blueprint and the Sustainable Communities Strategy).

The City continually works with regional partners to find proactive solutions to water, air quality, and agricultural issues effecting the San Joaquin Valley and region. As part of this development proposal, the City is creating opportunities for water recycling and groundwater recharge, is promoting mixed use development to reduce VMT, and is promoting a series of actions in Section 7 that will ensure the preservation of agricultural land and operations for the future. Through these actions, the City is promoting the goals, policies, and programs to support regional planning efforts.

6) Analysis of mitigation measures that could offset impacts to agricultural resources.

The Baldwin and Zacharias Master Plans will have potentially significant impacts associated with the conversion of agricultural land, and potential land use conflicts with neighboring agricultural properties. To mitigate these impacts, the City is requiring:

- Mitigation Measure AG-1 to preserve Important Farmland acreage in Stanislaus County at no less than 1:1 ratio.
- Mitigation Measure AG-3 requires that proposed project have a minimum 150-foot landscaping setback to neighboring agricultural lands.

#### Mitigation Measures

**MM AG-1** Prior to issuance of the grading permit, the project applicant shall preserve Important Farmland acreage, as mapped by the California Department of Conservation Farmland Mapping and Monitoring Program (FMMP), within Stanislaus County (but outside of the Patterson Planning Area) at a ratio of no less than 1:1 for each acre of Important Farmland converted to non-agricultural use by the proposed project. Preserved acreage shall be of equal or higher quality to farmland converted to non-agricultural use by the proposed project. The preservation shall be accomplished through one of the following approaches:

- The applicant shall enter into a binding agreement with one or more private property owners or third-party organizations acceptable to the City (e.g., Stanislaus County farm Bureau or the American Farmland Trust) to permanently preserve farmland. The agreement shall identify an irrevocable instrument that will be recorded against the preserved acreage property. This option shall be pursued if the City does not have a farmland preservation program in place at the time permits are sought.

- If the City establishes a farmland preservation program before the project applies for construction permits for any phase of development, the City may require the applicant to pay fees to the City equivalent to cost of preserving Important Farmland. The City shall use the fees to fund an irrevocable instrument (e.g., deed restriction or reservation easements) to permanently preserve farmland.

**MM AG-3** Prior to the issuance of the grading permit, the project applicant shall prepare and submit plans to the City demonstrating that the 150-foot minimum setbacks have been established between the proposed project and all agricultural lands in unincorporated Stanislaus County zoned General Agriculture (A-2) and outside the Patterson Sphere of Influence. Pursuant to the County’s policy, permitted uses within the setback may include public roadways, utilities, drainage facilities, rivers and adjacent riparian areas, landscaping, parking lots, and similar low-people-intensive uses. Permitted uses may also include non-agricultural uses adjoining or surrounding a project site (including but not limited to legal, non-conforming uses and home sites) that are of a permanent nature and are not likely to be returned to agriculture. Landscaping within a buffer setback area shall be designed to exclude turf areas that could induce activities and add to overall maintenance costs and water usage.

7) Strategies proposed to minimize the loss of agricultural lands.

To minimize the loss of agricultural lands, the City will undertake, or has completed, the following:

- a) The City has adopted policies in their General Plan that encourage efficient urban development. The following policies apply to efficient urban development:
  - i. Land Use Policy 1.1 prescribes a development strategy that will occur through the incremental annexation and development of “complete” neighborhoods.
  - ii. Land Use Policy 1.8 allows the City Council to amend the 20-year planning boundary but requiring the permanent protection of sensitive resources, such as agricultural land.
  - iii. Land use Policy 1.6 seeks to preserve the City’s traditional small-town qualities and agricultural heritage while increasing its residential and employment base.
  
- b) In 2013, the City Council of Patterson adopted Ordinance No. 743 to add Chapter 16.50, “Agricultural Land Policy” to Title 16 of the Patterson Municipal Code, and adding Chapter 3.70, “Agricultural Mitigation In Lieu Fee” to Title 3 of the Patterson Municipal Code. The ordinance establishes an agricultural mitigation requirement prior to the annexation of land into the City or the expansion of the City’s sphere of influence. Every applicant seeking to annex agricultural land into the City limits or to expand the City’s existing sphere of influence to include agricultural land must first provide the City with a viable and enforceable plan for agricultural preservation which satisfies LAFCO’s agricultural preservation policy. Agricultural mitigation can be achieved by one of the following measures:

- A. Acquiring and dedicating to the City, or a qualifying entity approved by the City, agricultural land and development rights to create an agricultural conservation easement to permanently protect agricultural land, at a ratio of 1:1 for every acre of agricultural land that is converted to residential uses.
- B. By payment of an in lieu fee which is established to cover the actual cost of purchasing agricultural conservation easements on a 1:1 ratio. The in lieu fee option must be approved by the City Council. Any in lieu fee paid to the City shall be used for agricultural mitigation purposes, including but not limited to agricultural conservation easements and farmland deed restrictions, with priority given to prime agricultural farmlands.
- c) Allow existing Williamson Act properties to remain until either non-renewed by the property owner or cancelled at the time of annexation.
- d) Enforce Mitigation Measures
  - i. AG-1 to preserve Important Farmland acreage in Stanislaus County at no less than 1:1 ratio.
  - ii. AG-3 to require that proposed project have a minimum 150-foot landscaping setback to neighboring agricultural lands.
- e) Require notification to buyers and renters of the “Right-to-Farm” Ordinance.
- f) The project will be developed in phases. Agricultural use of undeveloped portions of the property will continue until such time as future phases are developed, pursuant to agreement with the Del Puerto Water District. The ADE report is made a part of the project submittals.

## LAFCO Findings

- 1) Alternative Land within the Sphere of Influence: No alternative site is available within the City’s existing sphere of influence that meets the following objectives:
  - a) Provides space and lot configurations appropriate to the scale of the project;
  - b) Facilitates the orderly development of the City as envisioned in the City’s 2010 General Plan;
  - c) Provides easy access to the City’s existing and planned roadway network;
  - d) Prevents land use conflicts through phasing, buffering, and other land planning techniques;
  - e) Minimizes and mitigates truck travel impacts by siting the project in proximity to existing and future interchanges with Interstate 5 and the planned South County Corridor.
  - f) Develops major highway-oriented Commercial uses to cater to travelers on the Interstate 5 corridor, as well as local residents and workers.
- 2) Probable Growth/Phasing of Development: The project area is expected to build out during the 20-year time horizon. The project will be developed in phases. Agricultural use of undeveloped portions of the property will continue until such time as future phases are developed, pursuant to



agreement with the Del Puerto Water District. The ADE report is made a part of the project submittals.

- 3) Minimized Loss of Agricultural Lands: The proposed development is entitled with and is expected to develop at the maximum allowable densities permitted by the General Plan. This anticipated density is comparably higher than currently found in the City's existing neighborhoods and business park developments. This more efficient utilization of the land would conserve agricultural lands by intensifying the use of land planned for development.
- 4) Planned, Orderly, and Efficient Use of Land: The City has approved a master development plan for the area providing for logical and efficient growth patterns through phasing. Further, the following General Plan policies apply to the development of this project to ensure planned, orderly, and efficient use of land:
  - a) Policy LU-1.8: Managing the pace of development. The City has linked the rate of growth in Patterson to the provision of adequate services and infrastructure, including schools. The City will, through specific plans and/or planned development plans for major projects, ensure that urban development proceeds in an orderly fashion and in pace with the expansion of public facilities and services.

The proposed project is approved as a master-planned project and the associated Development Agreement provides for the installation of public infrastructure as required during the life of the project. The project approvals include provision for bonding to finance infrastructure as needed.

- b) Policy LU-3.3: Regional centers. The City shall encourage regional shopping malls/centers at sites capable of support by a full range of transportation options.

The proposed project provides an added site for commercial development adjacent to what is expected to become the South County Corridor (Zacharias Avenue), an ideal location of a regional center.

- c) Policy LU-7.2: Location of industrial development. New industrial development shall be located along arterials with easy freeway or rail access and shall be served by full City services.

The proposed project is located with convenient access to the Sperry Road interchange and is directly adjacent to north to the potential future Zacharias interchange/South County Corridor. The industrial uses are ideally located for freeway access. The site is adjacent to existing City services including water and sewer and includes master plans for these services to be provided. A storm drainage plan providing for retention of drainage within the project area is also included.

## **EXHIBIT G**

**Draft LAFCO Resolution No. 2023-08  
(Option 1 (Denial) & Option 2 (Approval))**

STANISLAUS COUNTY LOCAL AGENCY  
FORMATION COMMISSION

DRAFT

RESOLUTION

DATE: July 26, 2023

NO. 2023-08

SUBJECT: MUNICIPAL SERVICE REVIEW NO. 2023-02, SPHERE OF INFLUENCE  
MODIFICATION NO. 2023-02, AND LAFCO APPLICATION NO. 2023-01-  
ZACHARIAS-BALDWIN MASTER PLAN REORGANIZATION TO THE CITY OF  
PATTERSON

On the motion of Commissioner \_\_\_\_\_, seconded by Commissioner \_\_\_\_\_, and approved  
by the following vote:

Ayes: Commissioners:  
Noes: Commissioners:  
Ineligible: Commissioners:  
Absent: Commissioners:

THE FOLLOWING RESOLUTION WAS ADOPTED:

**WHEREAS**, the City of Patterson submitted an application requesting the following actions by  
the Commission: 1) adoption of a Municipal Service Review Update, 2) modification of the  
City’s Sphere of Influence to include additional territory of approximately 1,221 acres; and 3)  
annexation of the 1,375 acres to the City and simultaneously detach the territory from the Del  
Puerto Water District, Patterson Irrigation District, West Stanislaus Irrigation District and West  
Stanislaus Fire Protection District;

**WHEREAS**, the matter was set for public hearing on July 26, 2023 and notice of the said public  
hearing was provided pursuant to the California Government Code and Commission policies;

**WHEREAS**, the Commission conducted a public hearing on July 26, 2023 to consider the  
subject proposal as submitted by the City of Patterson and at said hearing, the Commission  
heard and received all oral and written comments, objections and evidence, that were presented  
or filed, and all persons present were given the opportunity to hear and be heard in respect to  
any matter relating to said proposal and reports;

**WHEREAS**, the Commission has, in evaluating the proposal considered: 1) the report submitted  
by the Executive Officer; 2) relevant State laws, including the factors set forth in Sections  
56425, 56430, 56653, and 56668 of the California Government Code; 3) adopted Commission  
policies; 4) documentation submitted to the Commission from all agencies, jurisdictions,  
members of the public, interest groups, proponents and landowners; and 5) all testimony and  
evidence presented at the public hearing;

**WHEREAS**, the Commissioners, in evaluating the proposal, exercised independent judgment  
and discretion in making a reasonable and well-informed decision based on the information  
provided; and

**WHEREAS**, the project is exempt from the California Environmental Quality Act (CEQA) pursuant to Guidelines Section 15270 which exempts projects that a public agency rejects or disapproves.

**NOW THEREFORE, BE IT RESOLVED** that the Commission:

1. Finds that, in light of the whole record, the proposal is inconsistent with adopted Commission policies and state law, including the following:
  - a) Timeframes for the proposal extend beyond those outlined in the Commission's policies related to spheres of influence, primary areas, and annexations, and is therefore not a logical and orderly expansion of the City's boundaries. [Relevant Policies and Laws: Commission Policy 22(B-1-b); SOI Purpose (p. 1); SOI Policies 1, 2, & 4; SOI Amendment Policies 3, 6, & 7; Government Code Sections 56001, 56301, 56425(a), 56668(d), and 56668(e)]
  - b) Development of existing vacant and underutilized lands should occur prior to further expansion of boundaries onto agricultural lands and the City has not fully substantiated the need for the entirety of the 1,375 acres, as large areas of vacant and underutilized land exists in the City's current boundaries which could accommodate demands over a 10-20 year period. [Relevant Policies and Laws: Commission Policies 21(A), 21(B), 22(B-1-a), SOI Policy 4; SOI Amendment Policy 6; Government Code Sections 56301, 56377(b), 56668(d), and 56668(e)]
2. Determines that the proposal is exempt from CEQA pursuant to Guidelines Section 15270.
3. Denies the proposal as submitted by the City of Patterson.

**ATTEST:**

\_\_\_\_\_  
Sara Lytle-Pinhey  
Executive Officer

STANISLAUS COUNTY LOCAL AGENCY  
FORMATION COMMISSION

DRAFT

RESOLUTION

DATE: July 26, 2023

NO. 2023-08

SUBJECT: MUNICIPAL SERVICE REVIEW NO. 2023-02, SPHERE OF INFLUENCE  
MODIFICATION NO. 2023-02, AND LAFCO APPLICATION NO. 2023-01-  
ZACHARIAS-BALDWIN MASTER PLAN REORGANIZATION TO THE CITY OF  
PATTERSON

On the motion of Commissioner \_\_\_\_\_, seconded by Commissioner \_\_\_\_\_, and  
approved by the following vote:

Ayes: Commissioners:  
Noes: Commissioners:  
Ineligible: Commissioners:  
Absent: Commissioners:

THE FOLLOWING RESOLUTION WAS ADOPTED:

**WHEREAS**, the City of Patterson has requested their Sphere of Influence be modified to include  
additional territory of approximately 1,221 acres;

**WHEREAS**, the City of Patterson has requested to concurrently annex the 1,375 acres to the  
City and simultaneously detach the territory from the Del Puerto Water District, Patterson  
Irrigation District, West Stanislaus Irrigation District and West Stanislaus Fire Protection District;

**WHEREAS**, the City of Patterson approved a Resolution of Application and rezoned the  
subject territory;

**WHEREAS**, there are more than twelve (12) registered voters within the area and it is thus  
considered inhabited;

**WHEREAS**, California Government Code Section 56430 requires the Commission to conduct a  
municipal service review before, or in conjunction with, but no later than the time it is  
considering an action to update a Sphere of Influence;

**WHEREAS**, a Municipal Service Review has been conducted in accordance with California  
Government Code Section 56430;

**WHEREAS**, the Municipal Service Review is an informational document and its adoption is  
exempt from the provisions of the California Environmental Quality Act (CEQA) pursuant to  
Section 15306, Class 6 (Information Collection) of the State CEQA Guidelines;

**WHEREAS**, proceedings for adoption and amendment of a Sphere of Influence are governed  
by the Cortese-Knox-Hertzberg local Government Reorganization Act, Section 56000 et seq. of  
the Government Code;

**WHEREAS**, the City of Patterson, as Lead Agency, has prepared the environmental documentation and has certified a Final Environmental Impact Report for the proposal, in compliance with the California Environmental Quality Act (CEQA) and State CEQA Guidelines;

**WHEREAS**, the City of Patterson shall be responsible for monitoring and reporting to ensure CEQA compliance;

**WHEREAS**, the City of Patterson has determined that there are impacts, which could not be mitigated to acceptable levels and adopted CEQA Findings of Fact and Statement of Overriding Considerations, as put forth in the City of Patterson Resolution No. 2022-62;

**WHEREAS**, the Commission has reviewed the environmental documentation prepared by the City of Patterson, including the Final Environmental Impact Report and Statement of Overriding Considerations, and has not identified any feasible mitigation measures that would substantially lessen the identified impacts of the proposal;

**WHEREAS**, the Commission is not aware of any legal challenge filed against the City's environmental determinations for the proposal;

**WHEREAS**, there are two active Williamson Act Contracts (No. 78-3549 & No. 88-4156) within the proposal area which were protested by the City of Patterson and upheld by LAFCO;

**WHEREAS**, pursuant to Government Code Section 56856.5(c), the Commission may approve a reorganization that would result in the annexation of Williamson Act lands when it makes a specific finding;

**WHEREAS**, the City of Patterson is exercising its option to not succeed to the rights, duties, and powers of the County under the contract as set forth in Government Code section 51243.5(d)2;

**WHEREAS**, the Commission has reviewed the Plan for Agricultural Preservation submitted by the City with this proposal which provides information regarding impacts to agricultural lands and the City's strategy to minimize the loss of agricultural lands;

**WHEREAS**, pursuant to Government Code Section 56425, City and County representatives met to discuss the proposed Sphere of Influence and its boundaries, and the resulting agreement has been considered with great weight by the Commission;

**WHEREAS**, the Commission conducted a duly noticed public hearing on July 26, 2023 to consider the proposal at which time the Commission heard and received all oral or written testimony, objections, and evidence that were presented and all interested persons were given an opportunity to hear and be heard with respect to the proposal and the report provided by LAFCO Staff;

**WHEREAS**, the Commission has, in evaluating the proposal, considered the report submitted by the Executive Officer, the factors set forth in Section 56668 of the California Government Code and testimony and evidence presented at the meeting held on July 26, 2023.

**NOW, THEREFORE, BE IT RESOLVED** that this Commission:

1. Acting as a "Responsible Agency" pursuant to CEQA Guidelines Sections 15051, 15052, 15096, and 15391, the Commission has reviewed and considered the Final Environmental Impact Report (SCH # 2018122052) for the City of Patterson's Zacharias-

Baldwin Master Plan proposal; adopts the same findings regarding the environmental impacts of the proposal and the statement of overriding considerations, all as approved and adopted by the City of Patterson acting as the “Lead Agency” and put forth in Patterson City Council Resolution No. 2022-62; and additionally makes the following findings:

- A. As a “Responsible Agency”, Stanislaus LAFCO has independently evaluated the City’s certified EIR, and has complied with all actions and guidelines pursuant to CEQA Guidelines Section 15096(a-i), and has reached an independent conclusion that determines the EIR adequately addresses the potential impacts related to the proposal that the Stanislaus LAFCO has been asked to approve;
  - B. On the basis of substantial evidence in light of the whole record, none of the conditions identified in the CEQA Guidelines Section 15052 have occurred that would necessitate LAFCO assuming the role of Lead Agency from the City of Patterson;
  - C. On the basis of substantial evidence in light of the whole record, none of the conditions identified in CEQA Guidelines Section 15162 or 15163 have occurred that would necessitate preparation of a Subsequent EIR or Supplemental EIR as certified by the City of Patterson;
  - D. On the basis of substantial evidence in light of the whole record, in compliance with CEQA Guidelines Section 15096(g)(2), that there are no feasible alternatives to the proposal or feasible mitigation measures within the Stanislaus LAFCO’s powers that would substantially lessen or avoid any significant effect the proposal would have on the environment;
  - E. On the basis of substantial evidence in light of the whole record, in compliance with CEQA Guidelines Section 15096(h), that the Stanislaus LAFCO, as a “Responsible Agency” adopts the same findings put forth in Patterson City Council Resolution No. 2012-52, as required by Section 15091(a) for each significant effect of the proposal and makes the findings in Section 15093 as necessary, adopts the same Statement of Overriding Considerations, also contained in said referenced Resolution No. 2022-62, and to further require the filing of a Notice of Determination in compliance with CEQA Guidelines Section 15096(i); and,
  - F. The City of Patterson shall be responsible for the Mitigation Monitoring and Reporting Program, all as approved and adopted by the City to ensure CEQA Compliance.
2. Determines that the preparation and adoption of the City of Patterson Municipal Service Review is categorically exempt from environmental review pursuant to Article 19, Section 15306, Class 6 (Information Collection) of the CEQA Guidelines.
  3. Adopts the Municipal Service Review and Sphere of Influence document prepared for the City of Patterson in accordance with Government Code Sections 56430 and 56425 and makes the determinations being incorporated by reference herein as though set forth in full.

4. Finds that the Sphere of Influence modification would create a logical boundary and would facilitate planned, orderly, and efficient patterns of land use or provision of services.
5. Determines the adoption of the Sphere of Influence Modification for the City of Patterson is consistent with the City's General Plan land use designations, and with the Spheres of Influence of other service providers in the area.
6. Adopts the Sphere of Influence Modification (expansion) as proposed by the City of Patterson, coterminous with the annexation boundary and designates the entirety of the expanded Sphere of Influence as Primary Area, included hereto as Attachment 1.
7. Determines that the Plan for Agricultural Preservation, as submitted by the City, contains sufficient evidence demonstrating consistency with the goals of the Commission's Agricultural Preservation Policy.
8. Determines that: (a) the approval of the modified Sphere of Influence is consistent with overall Commission policies and the City's General Plan; (b) consistent with Government Code Section 56426.6 addressing Williamson Act lands, approval of the proposal will result in planned, orderly and efficient development of the area; and (c) the City has provided sufficient evidence to show that the required services are available and will be provided upon development of the area.
9. Finds, pursuant to Government Code Section 56856.5, that the reorganization of the "Zacharias-Baldwin Master Plan" area is appropriate to provide necessary urban services to a planned, well-ordered, and efficient urban development pattern by the City of Patterson, whose adopted plans and policies includes appropriate consideration for the preservation of open space lands within those urban development patterns upon annexation.
10. Approves the proposal subject to the following terms and conditions:
  - A. The applicant shall pay State Board of Equalization fees and remaining fees owed to LAFCO.
  - B. The applicant agrees to defend, hold harmless and indemnify LAFCO and/or its agents, officers, and employees from any claim, action or proceeding brought against any of them, the purpose of which is to attack, set aside, void, or annul LAFCO's action on a proposal or any action relating to or arising out of such approval, and provide for the reimbursement or assumption of all legal costs in connection with that approval.
  - C. The effective date shall be the date of recordation of the Certificate of Completion.
  - D. The application shall be processed as a reorganization consisting of the annexation of territory to the City of Patterson and detachment from the Del Puerto Water District, Patterson Irrigation District, West Stanislaus Irrigation District, and West Stanislaus Fire Protection District.
  - E. Upon the effective date of the annexation, all rights, title, and interest of the County, including the underlying fee where owned by the County in any and all



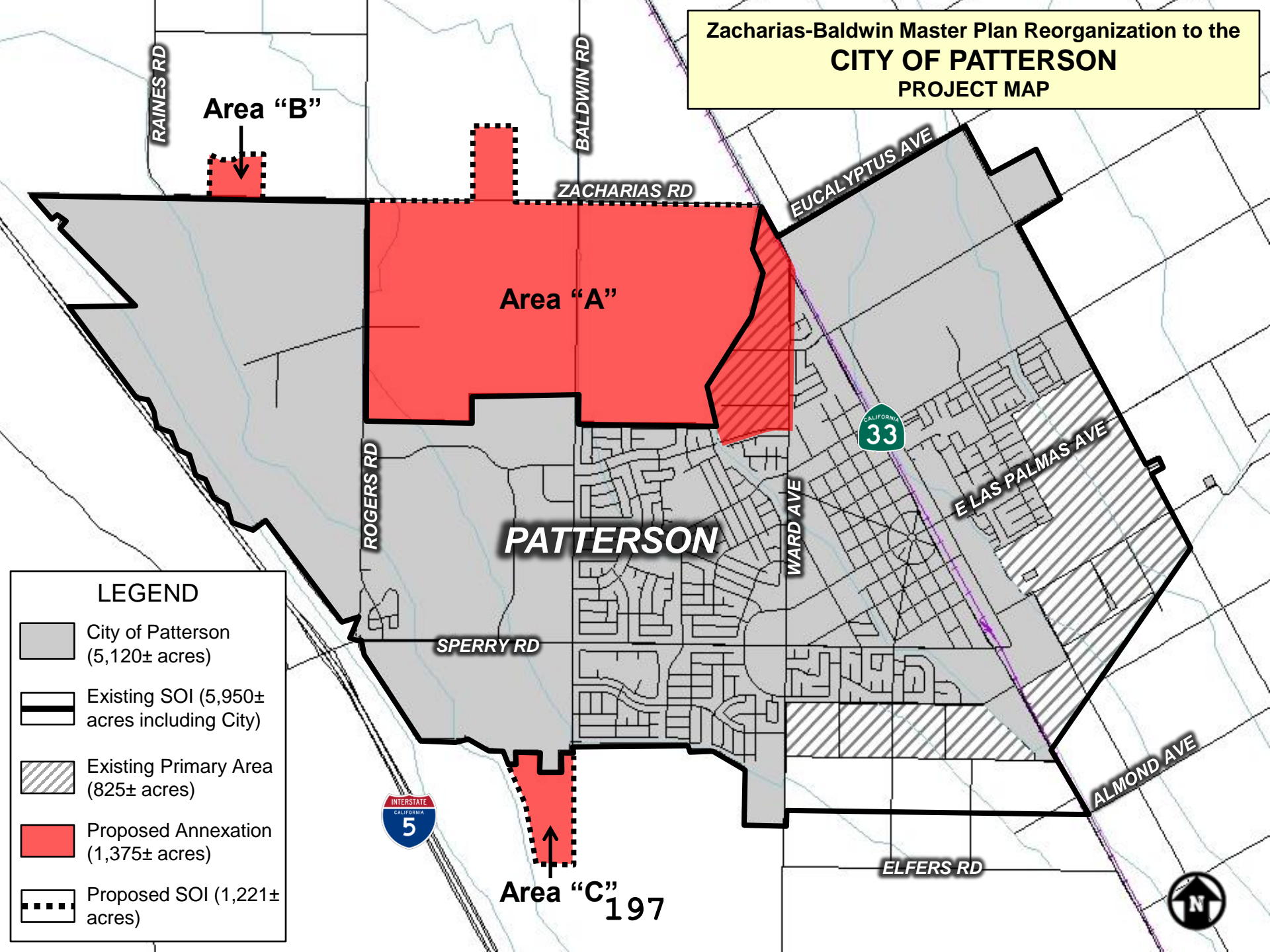
public improvements, including, but no limited to the following: sidewalks, trails, landscaped areas, open space, street lights, signals, bridges, storm drains, and pipes shall vest in the City; except for those properties to be retained by the County.

11. Designates the proposal as the “Zacharias-Baldwin Master Plan Reorganization to the City of Patterson.”
12. Designates the Commission as conducting authority pursuant to Government Code Section 56029 for the reorganization.
13. Authorizes and directs the Executive Officer, pursuant to Government Code Section 56881(d), to initiate the protest proceedings for the reorganization pursuant to Part 4, commencing with Section 57000, in compliance with this Resolution and upon receipt of a map and legal description accepted to form by the Executive Officer.

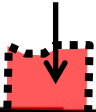
**ATTEST:** \_\_\_\_\_  
Sara Lytle-Pinhey  
Executive Officer

Attachments: 1. Sphere of Influence Map

**Zacharias-Baldwin Master Plan Reorganization to the  
CITY OF PATTERSON  
PROJECT MAP**



**Area "B"**



**ZACHARIAS RD**

**Area "A"**

**ROGERS RD**

**PATTERSON**

**WARD AVE**

**E LAS PALMAS AVE**

**SPERRY RD**

**ALMOND AVE**








**ELFERS RD**



**Area "C" 197**

**LEGEND**

-  City of Patterson (5,120± acres)
-  Existing SOI (5,950± acres including City)
-  Existing Primary Area (825± acres)
-  Proposed Annexation (1,375± acres)
-  Proposed SOI (1,221± acres)

## **EXHIBIT H**

### **City of Patterson Resolutions**

- **Resolution No. 2022-60: Approving the Zacharias-Baldwin Master Plan, General Plan Amendment for the Master Plan, Conditions of Approval for Development of the Master Plan**
- **Resolution No. 2022-61: Resolution of Application to LAFCO**
- **Resolution No. 2022-62: Certifying the Final EIR for the Zacharias-Baldwin Master Plan, Adopting Findings for Significant Environmental Impacts, Statement of Overriding Considerations & Mitigation Monitoring and Reporting Program**

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**RESOLUTION 2022-60**

**A RESOLUTION OF THE CITY OF PATTERSON CITY COUNCIL  
APPROVING (1) THE ZACHARIAS AND BALDWIN RANCH MASTER PLAN,  
(2) A GENERAL PLAN AMENDMENT FOR THE MASTER PLAN, AND  
(3) CONDITIONS OF APPROVAL FOR DEVELOPMENT OF THE MASTER PLAN**

**WHEREAS**, the City of Patterson ("City") has prepared a comprehensive land use and regulatory structure for the development of approximately 1,361 acres located outside the existing City limits, known as the Zacharias & Baldwin Ranch Master Plan ("Master Plan"), which is incorporated by reference as **Exhibit A**; and

**WHEREAS**, adoption of the Master Plan requires a General Plan Amendment to incorporate the boundaries, land uses, circulation, and other components of the Master Plan; and

**WHEREAS**, the Master Plan will redesignate the Zacharias area of the Master Plan from Low-Density Residential to Low-Density, Medium-Density, and High-Density Residential, Mixed Use, General Commercial, Light Industrial, and Parks and Open Space, as further described in the Master Plan; and

**WHEREAS**, the Master Plan will redesignate the Baldwin Ranch area of the Master Plan from Low-Density Residential to Medium-Density Residential and Parks, as further described in the Master Plan; and

**WHEREAS**, the Master Plan facilitates the buildout of the General Plan and conforms to the goals, policies, and programs of the General Plan, as further described in the findings attached hereto as **Exhibit B**; and

**WHEREAS**, City staff have prepared a master set of Conditions of Approval, attached hereto as **Exhibit C**, that will apply to development of the Master Plan. Future development in the Master Plan area will also be subject to additional conditions of approval in connection with subsequent development applications; and

**WHEREAS**, pursuant to the California Environmental Quality Act ("CEQA"), the City has prepared a Final Environmental Impact Report (SCH# 2018122052) for adoption of the Master Plan ("Final EIR"). In conjunction with this Resolution, the City Council by separate Resolution certified the Final EIR for the Master Plan; and

**WHEREAS**, in conjunction with this Resolution, the City Council by separate Resolution authorized City staff to file an application with the Stanislaus Local Agency Formation Commission to expand the City's Sphere of Influence and annex the Master Plan area into City limits; and

**WHEREAS**, City staff have conducted a full analysis of the Master Plan to ensure compliance with the City's General Plan, Zoning Code, and other applicable laws, regulations, and standards; and

{CW115264.5}

**WHEREAS**, on August 12, 2021, the Patterson Planning Commission conducted a duly noticed public hearing and recommended approval of the Master Plan, the General Plan Amendment, and Conditions of Approval for the buildout of the Master Plan; and

**WHEREAS**, based on its independent review and analysis, the staff analysis, oral and written testimony, the City Council finds, after due study, deliberation and public hearing that the following circumstances exist:

1. That the Master Plan is consistent with the goals, policies, and standards of the Patterson General Plan, including features that include complete neighborhoods, a comprehensive mobility network, connected community facilities, and comprehensive infrastructure, financing, and phasing plans, as further described in **Exhibit B** attached hereto.
2. That the Master Plan is compatible with surrounding land use designations.
3. That buildout of the Master Plan will assist the City in meeting its Regional Housing Needs Allocation, consistent with goals, policies, and programs of the City's Housing Element.
4. That the Master Plan will provide a mix of housing products and densities serving a broad range of households, incomes, and ages.
5. That the Master Plan will provide connectivity to surrounding neighborhoods, regional retail centers, and new employment opportunities.
6. That the Master Plan will contain a neighborhood center with retail, restaurants, entertainment, office, and public uses in proximity to nearby residents.
7. That the Master Plan will provide a complete and interconnected system of mobility consisting of roadways, bicycle and pedestrian paths, and transit stops.
8. That there will be parkland, schools, and other public uses within a short walk or bicycle ride of new residences.
9. That the Master Plan contains elements that foster the sustainable use of scarce or nonrenewable resources.
10. That the boundaries of each phase of the Master Plan reflect a logical order of development.
11. That with the construction of new infrastructure and use of certain public financing mechanisms (including impact fees and community facilities districts), there will be adequate public services and facilities to support and serve new residents in the Master Plan, including but not limited to, water supply, sewage disposal, storm drainage, circulation, schools, fire protection, and police protection.
12. That the Master Plan will not be detrimental to the health, safety, comfort, convenience and general welfare of the community.

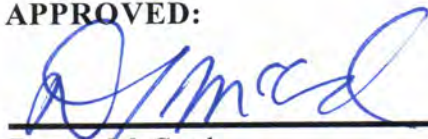
**NOW, THEREFORE, BE IT RESOLVED** by the City Council of the City of Patterson as follows:

- 1. Master Plan.** The City Council hereby approves the Master Plan, which is incorporated by reference as **Exhibit A**. New development in the Master Plan shall conform to the objectives, requirements, standards, and policies of the Master Plan and related entitlements. City staff shall have the discretion to allow non-substantial modifications to the Master Plan.
- 2. General Plan Amendment.** The City Council hereby approves a General Plan Amendment for the Master Plan. The necessary amendments to the General Plan shall include, without limitation, amendments to the General Plan Map, other affected land use diagrams and figures, the City's roadway system and circulation network, and any other text edits that may be necessary to integrate the Master Plan into the General Plan. City staff is hereby authorized to make the necessary amendments to the General Plan to incorporate the boundaries, land uses, circulation, and other components of the Master Plan.
- 3. Conditions of Approval.** The Conditions of Approval, attached hereto as **Exhibit C**, shall apply to the buildout of the Master Plan. City staff shall have the discretion to modify the Conditions of Approval as needed to advance and facilitate development of the Master Plan.

**PASSED AND ADOPTED** by the City of Patterson City Council on the 16th DAY of August 2022, by the following roll call vote:

**AYES:** Councilmembers Farinha, Homen, Alves, Parham and Mayor McCord  
**NOES:** None  
**EXCUSED:** None

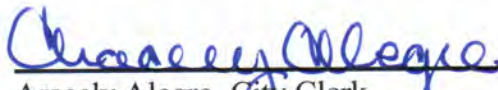
**APPROVED:**



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Dennis McCord  
Mayor of the City of Patterson

**ATTEST:**



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Aracely Alegre, City Clerk  
City Clerk of the City of Patterson

I hereby certify that the foregoing is a full, correct, and true copy of a resolution passed by the City Council of the City of Patterson, a Municipal Corporation of the County of Stanislaus, State of California, at a regular meeting held on the 16<sup>th</sup> day of August 2022, and I further certify that said resolution is in full force and effect and has never been rescinded or modified.

DATE:

---

City Clerk of the City of Patterson

{CW115264.5}



**EXHIBIT A**

**Zacharias & Baldwin Ranch Master Plan**

The Zacharias & Baldwin Ranch Master Plan is incorporated by reference to this City Council Resolution and shall be kept at Patterson City Hall, 1 Plaza Circle, Patterson, CA, 95363.

Public review copies of the Master Plan are also available at the City's web page for City Master Plan documents, *available at* <https://www.ci.patterson.ca.us/658/Master-Plan-Documents>.

**EXHIBIT B**

**General Plan Consistency Findings**

### General Plan Consistency Table

General Plan Policy	Compliance
<u>Land Use Element</u>	
The Patterson General Plan Land Use Element designates areas surrounding the City for additional urban development. These expansion areas are shown on Figure LU-1. Each expansion area is described in general terms. The Zacharias Master Plan is a portion of the overall Northern Expansion Area., the Expansion Area extends north of Zacharias Road and west of Rogers Road. The General Plan provides the following guidance for the Northern Expansion Area:	The Master Plan addresses all the issues outlined in this policy.
<i>Northern Expansion Area</i> The Northwest Expansion Area is the area generally west of Highway 33, east of the Delta Mendota Canal and north of the Patterson Business Park, and consists of land designated for Low Density Residential and industrial development. Issues to be addressed in the development of this expansion area include:	
Land use compatibility issues between the high school site and surrounding industrial operations;	The proposed high school site is located to the north of Zacharias Road and would not be impacted by industrial operations.
Safety issues relating to access to the high school site from the south side of Zacharias Road;	Zacharias Road will have appropriate and safe crossings.
The appropriate alignment and roadway configuration for the South County Corridor;	The street sections for Zacharias Road address future alignment for the South County Corridor.
Land use compatibility issues between existing businesses in the West Patterson Business Park and future Low Density Residential development;	A storm drainage retention buffer area is proposed between business park and residential uses.
The timing and location of a future interchange with Interstate 5 in the vicinity of Zacharias Road;	
Potential flooding impacts associated with Del Puerto Creek;	The Infrastructure Plan addresses flooding impacts.

The integration of roadway, bicycle, and pedestrian circulation systems with existing neighborhoods to the south.	The circulation system integrates with neighborhoods to the south.
<i>Southern Expansion Area</i> The Southern Expansion Area generally includes land east of the Delta Mendota Canal, north of Marshal Road, west of Highway 33 and south of the current City limits. This area consists of land designated for Low Density Residential and Estate Residential development within. Issues to be addressed in the development of this expansion area include:	
The integration of roadway, pedestrian, bicycle and pedestrian circulation systems with existing neighborhoods to the north, especially in light of the status of the existing irrigation canal;	Baldwin Ranch connects to the existing circulation system on Baldwin Road.
The treatment of development along Ward Avenue, Baldwin Road and State Route 33 and the mitigation of potential noise impacts from roadway noise on adjacent Low Density Residential development;	Not applicable.
Development of a community college and supporting educational center south of the Patterson Sports Park;	Not applicable.
Establishment of a permanent buffer between urban development within the City and agricultural lands to the south;	Not applicable. The area to the south of Baldwin Ranch is within the City’s Sphere of Influence.
Development restrictions associated with the Airport Land Use Plan for the Crows Landing Airfield.	Not applicable.
LU-1.1 Development strategy. Development strategy. The development strategy embodied in the Patterson General Plan is based on the premise that the outward urban expansion of the City will occur through the incremental annexation and development of “complete” neighborhoods, incorporating the following characteristics:	
a. A mix of housing products and densities serving the broadest range of households, incomes and ages;	a. The Master Plan provides for a mix of housing products.
b. A neighborhood center containing higher density residential development, retail, restaurants, entertainment, office, and public uses within a	b. The Mixed Use Center is central to the project and provide for a full range of neighborhood

short walk or bicycle ride of surrounding residences;	services. The commercial center on Zacharias and Baldwin Roads also provides neighborhood services.
c. Parks, schools and other public/quasi-public uses within a short walk or bicycle ride;	c. Parks and schools are located adjacent to a robust pedestrian and bicycle system. See pg ____
d. A complete and interconnected system of mobility consisting of roadways, bicycle and pedestrian paths, and transit stops;	d. A complete interconnected mobility system is provided.
e. Short blocks with a substantial tree canopy shading the street and sidewalk;	e. Standards for block length are included, as well as a street tree program for every lot.
f. Connectivity to surrounding neighborhoods, regional retail centers and employment;	f. See Chapter 3
g. A sense of personal safety;	g. Personal safety is enhanced by standards for “eyes on the street”, open public spaces, lighting.
h. Elements that foster the sustainable use of scarce or non-renewable resources.	h. The Plan promotes non-auto trips, water conservation, groundwater reclamation, and use of renewable energy.
i. Mixed-use development in which complementary uses are placed on a single building site one about the other (vertically) or in close proximity (horizontally).	i. A robust mixed-use center is a focal point of the Plan.
LU-1.2 Residential expansion areas. To achieve the objectives described in Policy LU-1.1, the General Plan applies the Low Density Residential designation to areas contemplated for new, residential development outside the current (2010) City limits. In such instances Low Density Residential designation is considered a “holding” category which will apply until such time as a general plan amendment accompanied by a planned development is approved by the City, as required by Policy LU-1.3.	This project implements this policy by amending the General Plan.
LU-1.3 Planned development requirement – Residential Expansion Areas.  Development of areas outside the current (2010) City limits designated Low Density Residential shall be accompanied by an application for a general plan	

<p>amendment, tentative subdivision map, pre-zoning and reorganization, as necessary, consistent with a planned development which sets forth the following:</p>	
<p>a. Land use plan. Each planned development application shall include a land use diagram that clearly identifies the uses allowed in each neighborhood based on the land use designations described in Part I – Land Use Diagrams and Standards. The qualities desired in residential expansion areas shall include, but are not limited to, the following: (Same as LU-1.1) The appropriate qualities for a given project will be determined by the City Council on a case-by-case basis consistent with the policies and implementation measures of the General Plan.</p>	<p>a. The Plan includes a comprehensive land use plan with development standards for each proposed use.</p>
<p>b. A description of housing products. Each planned development application shall describe the range of housing products allowed within the project. The description shall include:</p> <ul style="list-style-type: none"> <li>i. Building type (single-family detached, single family attached, apartments, townhome, etc.);</li> <li>ii. Gross residential density for each product type;</li> <li>iii. Building elevations;</li> <li>iv. Number of bedrooms;</li> <li>v. Colors and materials; Tenure (for-sale, for rent);</li> <li>vi. Target income group by product type.</li> </ul>	<p>b. The Plan includes a range of housing products including a full array of non-standard types, such as alley-loaded, cluster, and townhome products. Details on building elevations, bedrooms, color and materials, and target income groups will be submitted with individual subdivision applications.</p>
<p>c. General development standards. These standards shall be applied to all development regardless of land use category and shall address such topics as site access, energy efficiency and sustainability, fences/screening, noise mitigation, outdoor lighting standards, and the placement of utilities.</p>	<p>c. The Plan includes general development standards that address these elements.</p>
<p>d. Land use-specific development standards. The planned development application shall describe the site development standards to be applied to new development by each land use category.</p>	<p>d. Land use specific development standards are also included.</p>
<p>e. Services and infrastructure plans. Infrastructure plans for water supply, wastewater collection and treatment, storm water runoff, and circulation shall be required. In addition, the planned development shall describe the provision of necessary facilities,</p>	<p>e. Chapters 3 and 4 include mobility and infrastructure plans. The Community Services Chapter addresses parks, schools, and fire and police protection.</p>

<p>equipment and staffing for police and fire protection, parks and recreation, and schools.</p>	
<p>f. Infrastructure financing program. Each planned development shall be accompanied by an infrastructure financing program which sets forth the method of revenue generation (e.g., special district, etc.), the obligations of the project and the City towards the cost of infrastructure necessary to serve the project.</p>	<p>f. The Plan includes a Public Facilities and Financing Plan that addresses fees, community facilities districts, and other means of financing infrastructure.</p>
<p>g. Phasing plan. Each planned development application shall be accompanied by a phasing plan which describes the following:</p> <ul style="list-style-type: none"> <li>– The boundaries of each phase reflecting a logical order of development.</li> <li>– The number of dwelling units in each phase by tenure and target income group, and the acreage and estimated building floor area for each non-residential land use type;</li> <li>– Infrastructure plans for each phase, including water supply, wastewater collection, storm drainage and circulation, along with the location and acreage designated for other public facilities required for each phase. Such facilities may include, but is not limited to, school sites, police and fire protection facilities and parks.</li> </ul>	<p>g. The Plan includes a Phasing Plan.</p>
<p>LU-1.8 Managing the pace of development. The City shall link the rate of growth in Patterson to the provision of adequate services and infrastructure, including schools. The City shall, through specific plans and/or planned development plans for major projects, ensure that urban development proceeds in an orderly fashion and in pace with the expansion of public facilities and services.</p>	<p>The Plan ensures that urban development proceeds in an orderly fashion given the needs for expansion of public facilities.</p>
<p>LU-1.10 Fiscal impact of new development. The City shall use a fiscal impact model to inform decisions relating to new major development projects as defined by Municipal Code Section 18.08.020 and other new development as determined by the City Council. The purpose of a fiscal impact analysis is such and to ensure that the designation of areas for urban development and the approval of development</p>	<p>A Fiscal Impact Analysis has been prepared that concludes that the project will have no negative fiscal impact on the City.</p>

<p>projects do not hinder efforts to maintain a positive fiscal balance for the City.</p>	
<p>LU-1.15 Provision of public services. Consistent with the policies and implementation measures of this General Plan, the City shall consider the adequacy of public services prior to approving new development.</p>	<p>The adequacy of public services is central to the phasing plan for this Plan. The Plan is phased based on needs to upgrade the sewer treatment plant, for example.</p>
<p>LU-8.2 Clustering of public facilities/joint use. The City shall promote the clustering of public and quasi-public uses such as schools, parks, libraries, child care facilities, and community activity centers. Joint-use of public facilities shall be promoted, and agreements for sharing costs and operational responsibilities among public service providers shall be encouraged.</p>	<p>Public and quasi-public community facilities are focused in the mixed-use center. Schools and parks are located in close proximity to allow for joint use.</p>
<p><u>Community Design Element</u></p>	
<p>CD-1.1 Qualities desired in new residential neighborhoods. (Same as LU1.1)</p>	<p>See above</p>
<p>CD-1.8 Green building practices. Green building practices. The City supports the use of green building practices in the planning, design, construction, management, renovation, operations, and demolition of all private buildings and projects, including:</p> <ul style="list-style-type: none"> <li>▪ Land planning and design techniques that preserve the natural environment and minimize disturbance of the land.</li> <li>▪ Site development to reduce erosion, minimize paved surfaces and runoff and protect vegetation, especially trees.</li> <li>▪ Water conservation indoors and outdoors.</li> <li>▪ Energy efficiency in heating/cooling systems, appliances, lighting and the building envelope.</li> <li>▪ Selection of materials based on recyclability, durability and the amount of energy used to create the material.</li> <li>▪ Waste reduction, reuse and recycling during construction and throughout the life of the project.</li> <li>▪ Other new aspects of green design and construction included in LEED™ or other certification programs.</li> </ul>	<p>The project address green building practices by:</p> <ul style="list-style-type: none"> <li>• Promotes compact, mixed-use and pedestrian/bicycle friendly development.</li> <li>• Promotes direct connections to activity centers.</li> <li>• Provides a “complete” community with housing, recreation, retail services and employment that encourages people to live close to where they work.</li> <li>• Ensure that all construction will conform with Green Building Standards to maximize energy efficiency.</li> <li>• Solar facilities are required for all industrial buildings, with a target of 30 –50 percent roof coverage for solar panels.</li> </ul> <p>See page 59 of the Master Plan.</p>



<ul style="list-style-type: none"> <li>▪ Control nighttime lighting to lower energy use, reduce glare, and prevent illumination of the night sky.</li> </ul>	
<p>CD-3.2 Neighborhood design. The City shall promote the creation of well-defined residential neighborhoods in newly developing areas. Each of these neighborhoods shall have a clear focal point, such as a park, school, or other open space and community facility, and shall be designed to promote pedestrian convenience. To this end, the City shall encourage the use of existing Patterson neighborhoods, including the grid street system, as models for the planning and design of new residential neighborhoods.</p>	<p>Neighborhoods have clear focal points such as parks and the central lake. Extensive bicycle and pedestrian paths run throughout the Plan area, connecting neighborhoods, schools, parks and neighborhood services.</p>
<p>CD-3.4 Site design. The City shall encourage site design that increases the convenience, safety and comfort of people using transit, walking or cycling.</p>	<p>The Plan includes an extensive pedestrian and bicycle network. Future bus stops are projected once transit service is available to the area.</p>
<p>CD-4.2 Extending the established pattern of landscaping. The City shall require that all new development incorporate the planting of trees and other vegetation that extend the vegetation pattern of older adjacent neighborhoods into new development.</p>	<p>The planting pallet for entryway emphasis the use of trees and vegetation consistent with the character of Patterson, including the use of canary palms.</p>
<p>CD-4.3 Boulevard planting. The City shall extend and reinforce major street tree/boulevard plantings to enhance the visual character of special and important streets within Patterson.</p>	<p>Major streets will include median/boulevard plantings consistent with other streets in Patterson. All collector streets will have separated sidewalks with tree lined landscaped buffer.</p>
<p>CD-4.4 Landscaped medians. The City shall identify appropriate streets for inclusion of landscaped medians.</p>	<p>Arterials and Major Collector streets will have landscaped medians.</p>
<p><u>Housing Element</u></p>	
<p>Goal 3. Provide And Maintain An Adequate Supply Of Sites For The Development Of New Affordable Housing. It is the goal of the City of Patterson to provide adequate, suitable sites for residential use and development or maintenance of a range of housing that varies sufficiently in terms of cost, design, size, location, and tenure to meet the housing needs of all economic segments of the community at a level which can be supported by the infrastructure</p>	<p>Affordable housing will be included within the Plan area consistent with the City’s Inclusionary Housing Ordinance. Precise sites for affordable housing will be identified as subdivisions are submitted. The range of housing products provide for townhomes, duplexes,</p>

	accessory dwelling units that are “affordable by design.”
<p>Objective 3-2: Provide opportunities for mixed-use developments</p> <p>Policy 3-2-1 Provide opportunities for mixed-use developments.</p> <p>To ensure the development of housing that has, to the extent possible, a support structure of shopping, services, open space, and jobs within easy access.</p>	<p>The Plan includes a mixed-use focal point that provides for neighborhood retail and personal services, gathering places, restaurants with open spaces facing onto the lake, along with various housing types such as live-work units. The Plan is in close proximity to major employment opportunities.</p>
<p>Objective 3-3: Provide a sufficient amount of zoned land to accommodate development for all housing types and income levels.</p> <p>Policy 3-3-1 Monitor the amount of land zoned for all types of housing and initiate zone changes if necessary.</p>	<p>The Plan supports this policy by requiring a mix of housing types for all income levels.</p>
<u>Economic Development Element</u>	
<p>Goal ED-3 To promote a diverse and balanced mix of employment and housing opportunities.</p> <p>ED-3.1 Jobs-to-housing ratio. The City shall maintain an adequate retail, business, and industrial land supply to meet a jobs-to-housing ratio of at least 1.0.</p>	
<p>ED-3.3 Housing choices. The City shall provide for and encourage a range of housing choices—including live/work units—through land use designations and zoning ordinances.</p>	<p>A range of housing choices is a primary theme of the Master Plan.</p>
<u>Transportation Circulation Element</u>	
<p>Goal T-1 To create and maintain a roadway network that will ensure the safe and efficient movement of people and goods throughout the city.</p>	<p>Overall, the Plan provides for “Complete Streets” that integrate the public and private realms and accommodates all transportation modes.</p>
<p>T-1.2 Level of service standard.</p>	<p>A Traffic Impact Study has been prepared that concludes, with</p>

<p>The City shall endeavor to maintain a minimum Level of Service “D”, as defined by the 2000 Highway Capacity Manual or subsequent revisions, on all streets and intersections within the city. To identify the potential impacts of new development on traffic service levels, the City shall require the preparation of traffic impact analyses at the sole expense of the developer for developments determined to be large enough to have potentially significant traffic impacts. This standards does not apply to freeways which are governed by the standards established by Caltrans.</p>	<p>mitigation, a Level of Service “D” will be maintained for the vast majority of impacted streets.</p>
<p><b>T-1.3 Hierarchy of streets.</b> The City shall implement a hierarchical street system in which each street serves a specific, primary function and is sensitive to the context of the land uses served. The hierarchy of streets shall be based on the existing one square mile backbone grid system of streets along section lines and the traditional circulation pattern established in the City’s downtown. Development of residential neighborhoods within the backbone grid may employ a more circuitous street pattern with cul-de-sacs, traffic circles, roundabouts and other traffic calming features to help reduce traffic speeds.</p>	<p>The Plan provides for a hierarchy of arterial, major and minor collector and local streets. The Plan has a basic backbone grid system compromised of north-south streets Baldwin Road, Ward Avenue, and Rodgers Road with new collector streets in between. The east-west system includes Zacharias Road and a new east-west collector running from Rodgers Road to Highway 33.</p>
<p><b>T-1.6 South County Corridor.</b> The City shall promote efforts of Stanislaus County, StanCOG and other stakeholders in the development of the South County Corridor to connect W. Main Avenue to Interstate 5. The City’s preference for the alignment of the South County Corridor is shown on the Circulation Plan (Figure II-4 of Chapter II. Land Use/Circulation Diagrams And Standards). However, the final alignment should be decided through a cooperative effort among stakeholders, and informed by a comprehensive feasibility study that assesses at least the following:</p> <ul style="list-style-type: none"> <li>○ The appropriate right-of-way width and location;</li> <li>○ Environmental and regulatory constraints, especially as they relate to agricultural and biological resources;</li> <li>○ The need for, and economic/environmental feasibility of, constructing a second bridge over the San Joaquin River;</li> <li>○ An estimate of relevant costs; and</li> <li>○ An analysis of alternatives;</li> </ul>	<p>Zacharias Road accommodates the South County Corridor by providing a right-of-way based on the County arterial standards. The Infrastructure Plan addresses contributions towards financing the South County Corridor.</p>

<p>T-1.10 Funding of traffic improvements. The City shall ensure through a combination of traffic impact fees and other funding mechanisms that new development fully mitigates its impact on traffic facilities by paying its share of the costs of circulation improvements. New development shall pay a proportional share of costs of required improvements necessitated by the new development.</p>	<p>The Plan includes a comprehensive financing plan that fully mitigates traffic impacts by either paying for improvements directly or paying fair share contributions towards city-wide and regional facilities.</p>
<p>T-1.12 Traffic calming encouraged. Traffic calming techniques, including roundabouts, traffic circles, ‘chokers’ and chicanes, shall be considered as an alternative to traditional intersection controls. Where cul-de-sacs are employed, consideration should be given to establishing connections between the cul-de-sac and other streets, parks, bicycle paths and pedestrian trails.</p>	<p>Traffic calming measures are found throughout the Plan area, including extensive use of roundabouts. See Chapter 3.11.</p>
<p>Goal T-7 To promote pedestrian, bicycle and rail travel as alternatives to automobile use. T-7.1 Safe pedestrian and bike pathways. The City shall create and maintain a safe and convenient system of pedestrian and bicycle pathways that encourages walking and bicycling as an alternative to driving. New development shall be required to pay its fair share of the costs for development of this pathway system.</p>	<p>The Plan has an extensive network of Class I, II, and III bicycle and pedestrian paths and lanes. See Chapter 3.10.</p>
<p>T-7.2 Pedestrian access. All new development shall be reviewed to ensure safe pedestrian access is provided from the street, within parking areas and between new development and surrounding neighborhoods.</p>	<p>See Chapter 3.10.</p>
<p>T-7.3 Bike routes. The City shall establish a safe and convenient network of identified bicycle routes connecting new residential areas by the shortest possible routes with recreation, shopping, and employment areas within the city. The City shall cooperate with surrounding jurisdictions in designing and implementing an area-wide bikeway system.</p>	<p>See Chapter 3.10. The Plan addresses the regional bicycle plan.</p>
<p>T-7.4 Separation of bike routes from motor vehicles. Bicycle routes shall emphasize paths separated from vehicle traffic (Class I) to the maximum extent possible, but shall also include bicycle lanes within public streets (Class II and III). The City shall limit onstreet bicycle routes to those streets where the</p>	<p>See Chapter 3.10.</p>

<p>available roadway width and traffic volumes permit safe coexistence of bicycle and motor vehicle</p>	
<p>T-7.5            Include pathways in open space. To the extent practicable, bicycle and pedestrian pathways shall be included within open space areas.</p>	<p>Of special note, the Plan includes a pathway within the north-south PID canal paseo.</p>
<p>T-7.9            Coordination with schools. The City shall collaborate with the School District to promote bike use and shall actively pursue Safe Route to School grants to fund programs that facilitate safe bike routes.</p>	<p>A system of Class I and II bike routes connect the proposed schools.</p>

**EXHIBIT C**

**Conditions of Approval for Master Plan**

{CW115264.5}

## Zacharias and Baldwin Ranch South Master Plan

### Conditions of Approval

#### Planning

1. Development of the project shall be in accordance with the approved Master Plan, as modified by these conditions and as may be modified by a development agreement between the City and developer. In the event of any conflict between these conditions and the terms of any development agreement between the City and developer, the terms of the development agreement will control and these conditions will be deemed modified.
2. The project shall be subject to all the mitigation measures found in the Mitigation Monitoring and Reporting Program (MMRP) of the Zacharias and Baldwin Ranch Final Environmental Impact Report, as adopted by the City Council.
3. Developer agrees to and shall hold the City, its officers, agents, employees, and representatives harmless from liability for damage or claims for personal injury, including death, and claims for property damage which may arise from the direct operations of the developer or those of its contractors, subcontractors, agents, employees or other persons acting on its behalf with respect to the project. Developer agrees to and shall defend the City and its officers, agents, employees, and representatives from actions for damages caused or alleged to have been caused by reason of developer's activities in connection with the project. This hold harmless agreement applies to all damages and claims for damages suffered or alleged to have been suffered by reason of the operations referred to above, regardless of whether or not the City prepared, supplied or approved plans or specifications or both for the project. Developer further agrees to indemnify, hold harmless, pay all costs and provide a defense for City in any action challenging the validity of the development agreement. Developer may elect to, but shall not be obligated to, pay for a separate defense for City if City elects to retain independent legal counsel.
4. Development shall conform with the adopted zoning requirements except as otherwise approved by the Master Plan.
5. In the Baldwin Ranch project area, walls shall be included along the interface with the Delta Mendota Canal, as approved by the City Engineer.

#### *Non-Residential (Conditions 6-14)*

6. Prior to issuance of a building permit for any non-residential development, an exterior lighting plan and site lighting footcandle plan shall be prepared subject to the review and approval of the Community Development and Police Departments.
7. Prior to issuance of a certificate of occupancy for all non-residential buildings, all ducts, meters, air conditioning equipment and all other mechanical equipment, whether on the ground, on the structure or elsewhere, shall be screened from public view with materials

architecturally compatible with the main structure. It is especially important that gas and electric meters, electric transformers, and large water piping systems be completely screened from public view, subject to utility company guidelines. All roof-mounted equipment which generates noise, solid particles, odors, etcetera, shall cause the objectionable material or effects to be directed away or shielded from adjoining land designated for residential development. A plan for the treatment of roof top equipment shall be submitted to the Community Development Department prior to issuance of a building permit

8. All planted areas shall be separated from driveways by concrete curbs.
9. Prior to issuance of a building permit for each building, a site plan shall be submitted identifying the location of all trash containers, for review and approval by the Community Development Department. Trash enclosures shall be constructed to City standards and shall be architecturally compatible with the design of the project and shall be laid out for easy access by collection trucks.
10. In such cases where trash bin enclosures are to be installed abutting structures, the common wall shall be of a noncombustible masonry type material with no openings for vents or windows.
11. Developer shall provide design details (or vendor specifications) for all streetscape items (planters, waste containers, benches, bicycle racks etc.) with first building permit applications.
12. Project must ensure that there are enough trash receptacles in front of any commercial areas that might be developed as part of this project. The receptacles shall follow the current City Standard for downtown area.
13. A Master Sign Plan shall be submitted and approved by the Community Development Director, for any commercial centers in the Plan area. Stand-alone stores that are not part of a center shall be subject to the City of Patterson sign ordinance.
14. No air conditioning or similar mechanical equipment shall be installed on roofs of dwellings or within any setback area of 5 feet or less.
15. The applicant shall submit for approval by the Community Development Department, a plan for off-site unified directional signage associated with directing buyers to the Master Plan area. For each individual homebuilders, each applicant shall submit for approval by the Community Development Director, an on-site signage plan, along with exterior treatments associated with model homes, including landscaping and sales office prior to issuance of a building permit.
16. Final Development Plan shall be submitted to the City that includes site plans and building elevations that demonstrate compliance with all design guidelines and development



standards in the Master Plan. The Development Plan shall address neighborhood diversity, minimum number of plans and styles, placement of garages, streetscape, landscaping and fencing, four-sided articulation, architectural variation and massing. The Development Plan shall be subject to approval by the Planning Commission either in conjunction with a subdivision map, or via a subsequent submittal to the Planning Commission.

17. The final landscaping plan for all common areas shall be approved by the Community Development Director and City Engineer prior to the recordation of a subdivision map or issuance of a building permit, and shall conform to the guidelines in the Master Plan.

18. Each final map shall include bicycle support infrastructure as outlined in the Master Plan.

#### Public Works

19. Prior to issuance of any building permit, the applicant shall enter into an agreement with the City of Patterson which shall specify the improvements to be installed to serve the applicable phase of the development or subdivision map, in accordance with the approved improvement phasing plan.

20. The applicant shall pay all applicable AB1600 impact fees including the general government impact fee, the community facilities impact fee, the street improvement impact fee, fees relating to sewer, water and storm drainage, and the public safety impact fee in accordance with applicable provisions of the Patterson Municipal Code except as the payment of required fees may be amended by a development agreement executed between the City and the developer. In addition, the City shall grant credit toward the payment of these fees for projects undertaken by the developer, in accordance with adopted improvement plans and/or the terms identified in a development agreement, to the extent that such projects would otherwise be funded by these fees.

21. The project shall be subject to the then-applicable impact fees of the Del Puerto Healthcare District and Stanislaus County at the time of building permit.

22. Prior to recordation of any final map or parcel map, the applicants for the Project shall enter into a Development Agreement with the City to specify each party's respective obligations for the project.

23. Public utilities easements shall be granted to the satisfaction of the Public Works Director and City Engineer.

24. The developer shall obtain an encroachment permit for all work conducted within the public right-of-way.

25. Interior vehicle travelways shall be designed to be capable of withstanding loads imposed by trash and delivery trucks.

26. All on-site utilities and utility fixtures shall be underground.

27. The developer shall be responsible during construction for cleaning city streets, curbs, gutters and sidewalks of dirt tracked from the subject site. The flushing of dirt and debris to storm drain or sanitary sewer facilities shall not be permitted. The cleaning shall be done after each day's work or as directed by the Director of Public Works.
28. All required public improvements shall be designed and constructed in accordance with the City of Patterson Standard Specifications and Drawings, at the time of submittal to the Engineering Department.
29. All construction activities, including the warming of construction vehicle engines, shall be limited to Monday through Saturday only between the hours of 7 A.M. to 7 P.M. and on Sunday if construction activities are no closer than 300 feet to occupied residences. The potential for construction activities will be disclosed in writing to all future residents of the project. At the discretion of the Public Works Director, these hours may be extended and these distances may be reduced.
30. All final conditions of approval of this project shall be printed on or attached to the building plans and/or improvement plans. These shall be in the form of a photocopy of the final action letter of the decision maker (preferably printed as a separate numbered sheet) submitted to the City for all applications on the subject property.
31. Self-contained temporary restroom and sanitation facilities shall be on the jobsite and be properly maintained until finish of all construction. Connection to sanitary sewer system for temporary restroom and sanitation facilities is prohibited.
32. All street lighting shall be LED. For further details regarding LED requirements/specifications, please contact Engineering at (209) 895-8076.
33. Signs shall be located outside the public road right-of-way and shall not interfere with driver sight distance requirements at intersections.
34. Developer shall provide and determine a maintenance program in cooperation with the City of Patterson for landscaped areas between all roads and any approved noise walls, other walls, street trees, and bicycle lanes, subject to review and approval of the City.
35. Landscaping and irrigation shall be installed in compliance with AB 1881 on all front yards, and side yards of lots when visible from public streets to the satisfaction of the City Engineer.
36. Final inspection of the sewer and storm drain system shall be by televised inspection device as approved by the City Engineer at developer's expense.
37. All sight distances for all corners shall conform to the City's sight distance requirements to the satisfaction of the City Engineer.

38. The developer shall provide all necessary on-site easements for streets, sewers, water facilities, utilities, drainage facilities, and other facilities as required by the City, prior to or in conjunction with the final map. Said easements shall be subject to the review and approval of the City Engineer and the City Attorney.
39. Project shall comply with all applicable stormwater regulations, including Post Construction Standards/Low Impact Development (LID).
40. Project must comply with the latest edition of the California Green Building Code, including ADA (Americans Disability Act), and City Standards. The City Standards must be detailed out on the plans to ensure compliance.
41. **Project must participate/annex into the City's CFDs (Public Safety/Fire CFD 2003-1 or pertinent public safety CFD, Maintenance CFD 2013-1, West Patterson Business Park CFD 2005-1 and/or Maintenance CFDs 2018-1 and/or 2018-2) and/or form their own CFD for infrastructure and/or maintenance.** All costs associated with the annexation/formation must be paid for by the developer. The Unanimous Approvals/Waivers for all CFDs must be signed and recorded prior to permit issuance.
42. The City will require the developer to enter into a Landscape and Stormwater Control Measures (SCMs) & Access Agreement which holds the developer responsible for the ongoing maintenance of all private landscaping and stormwater treatment control measures installed on the project (for example vegetated swales, interceptors, basins, etc.). The agreement must be signed and recorded prior to inspections.
43. Backflow Prevention Device is required on all water services installed. A building permit is required, and the device inspected and approved by the Public Works Department.
44. Landscape plans shall be submitted to the Engineering Department and shall comply with AB1881 (Water Use Efficiency)/MWELo requirements. Once the landscaping is complete an audit must be completed, and the Certificate of Completion/Landscape Document Package sent into the City. The City will require passing audits for the Landscaping.
45. Projects must submit a Construction & Demolition Waste Management Plan to the Public Works Department. The City will require a final package prior to obtaining a final, including disposal tickets, to be submitted to ensure 60% diversion rate has been achieved. For further information regarding this item, please contact Xavier Guluarte at (209) 895-8068 or via email at [xguluarte@ci.patterson.ca.us](mailto:xguluarte@ci.patterson.ca.us)
46. If property is within a Special Flood Hazard Area, developer must pull a floodplain development permit and build according to floodplain standards. Please see Municipal Code, Chapter 17.12 for building standards. For further information, please contact Maria Encinas at (209) 895-8061.

47. Street Trees may need to be installed or replaced. A street tree deposit will be collected by the City at building permit phase. All street tree types shall comply with the City's Approved Street Tree Plan and species list, approved by the Public Works Director.
48. All street lighting shall be LED. For further details regarding LED requirements/specifications, please contact Engineering at (209) 895-8076.
49. Any truncated domes installed; City prefers the "Set in Place" domes.
50. Trash Enclosures be designed and constructed to comply with the Department of Health and Storm Water regulations (not located in proximity of a drain inlet, have covers, have adequate secondary containment, etc.). Trash enclosures should be sized to comply with commercial and organics recycling requirements. If the trash enclosure is being shared with another facility, the trash enclosure must be adequately sized to be able to service more than one facility. All trash enclosure plans must be reviewed and approved by the City's Planning Department. For a copy of the City standard, please contact Engineering at (209) 895-8076.
51. Improvement plans for any off-site public improvements shall be submitted to the Engineering Department for review and approval.
52. If construction water will be obtained from the City's Fire Hydrant(s), a Fire Hydrant Use Permit Application must be submitted and approved by the Public Works Department. Fees, Deposits, and Water Rates are listed on the permit application.
53. All new construction activities for commercial/industrial development projects require an Encroachment Permit from the Public Works Department.
54. Any pre-existing sewer laterals and storm drain lines should be video inspected to ensure that the lines are clear of any debris and that they are not damaged.
55. All facilities must be connected to the City's municipal system for water (potable and non-potable), sewer and storm and be signed up for services prior to being in operation. This includes garbage service. This also includes Garbage Services (Commercial Recycling – AB 341). The City currently has a Contract with Bertolotti Disposal which grants an exclusive "Commercial & Residential Solid Waste Franchise" for Garbage Services. Please contact the City's Finance Department at (209) 895-8040 to sign up for utility services or for any questions.

AB 1826 (Organic & Food Waste Recycling) requires that businesses generating 2 cubic yards of organic waste to arrange for organic waste recycling services. This requirement will extend to businesses generating 2 cubic yards of organic waste to arrange for organic waste recycling services.

For further information about this requirement, please visit the City's website at [www.ci.patterson.ca.us](http://www.ci.patterson.ca.us) or the State's Cal-Recycle website

<http://www.calrecycle.ca.gov/recycle/commercial/organics/> or call Xavier Guluarte at (209) 895-8068.

56. Stormwater quality control devices (SCDs) /Low Impact Development (LID) will be required for this project and must be included as part of the civil improvement plans submitted for the project. This includes having post BMPs to address oil/grease/debris/trash, etc. Additionally, all gas stations must meet the standards established in the City's Multi-Agency Post-Construction Stormwater Standards manual by visiting <http://www.ci.patterson.ca.us/535/Post-Construction-Standards-Manual>
57. Any food establishments installed as part of this project must install grease interceptors, per City Standard 7.17. All grease interceptors must be constructed by the developer on private property on the sewer service lateral for any facility whose operation will result in oil, grease, sand or other solids being discharged into the City's sanitary sewer system. Interceptors shall conform to the latest California Plumbing Code Standards (minimum size is 750 gallons) and all grease interceptors shall have a sample point and shall be constructed outside the building where they can easily be inspected for proper operation by the City. Per the City's Municipal Code, any business that has a Grease Interceptor/Trap must be part of the City's Fats, Oil, and Grease (FOG) Program and plans must be submitted and approved by the City. Please contact Public Works to schedule an on-site FOG Visit once the project is complete.
58. All utilities (storm, water, sewer) should be routed to existing public rights-of-way rather than utility easements. Work with Engineering and Public Works to ensure this is done to the City standards.
59. Project shall pay all applicable impact fees, capacity fees (storm, water, and sewer) at the time of building permit. For a copy of the City's fees please visit the City's website or contact Building at (209) 895-8030.
60. **Green Building Code Regulations:** Project must comply with the latest edition of the California Green Building Code, including sections addressing Water Efficiency & Conservation for indoor and outdoor water use; Construction Waste Reduction, Disposal, and Recycling; Site Development; Construction & Demolition; Irrigation Controllers; Storm Water Drainage and Retention, etc.  
  
Any pre-existing public improvements adjacent to the project area must meet the ADA standards; this includes sidewalks, handicap ramps, etc. Please note that this might require full replacement of the improvements. Any questions, please contact Engineering or Public Works directly.
61. **Cross Connection Requirement:** Backflow Prevention Device is required on all water services and shall be installed per City Standards 5-D and/or 5-E. A building permit must be obtained from the City's Building Department and the device inspected and approved by the Public Works Department.

62. **Project landscape plans must comply with AB1881 (Water Use Efficiency)/MWEL0 requirements if landscaping is required. Background Information:** Following is a summary listing the projects that are required to comply with this requirement. Further information can be found on the State's website:

<http://www.water.ca.gov/wateruseefficiency/landscapeordinance/>

Once the landscaping is complete an audit must be completed, and the Certificate of Completion/Landscape Document Package sent into the City. The City will require passing audits for the Landscaping. Additionally, the irrigation system must be set to comply with the City's Watering Schedule and SWPPP regulations. For further information regarding this requirement, please contact Maria Encinas at (209) 895-8061.

**\*\*Note:** The City's mandated per capita water savings target is 10%. Therefore, the use of the City's non-potable water system is highly recommended for both construction use, as well as for irrigation purposes and for any other uses where non-potable water can be used.

63. **C&D Requirements:** Commercial projects must submit a Construction/Demolition Waste Management Plan to the City for review/approval if they meet the threshold. Once the project is complete, all businesses generating 4 cubic yards of waste per week must comply with the AB 939 Commercial Recycling requirements. Please contact Xavier Guluarte in Public Works at (209) 895-8068 or [xguluarte@ci.patterson.ca.us](mailto:xguluarte@ci.patterson.ca.us) for further information regarding this item.
64. Stormwater quality control devices (SCDs) /Low Impact Development (LID) might be required for this project and must be included as part of the civil improvement plans submitted for the project. All devices shall be designed to prevent pollutants from entering the City's municipal system or basin. Storm Interceptors are designed to remove garbage/debris, settleable and suspended solids from stormwater runoff through gravitational setting and trapping of pollutants. A maintenance plan must be developed to ensure proper maintenance of the storm interceptor. A copy of the maintenance plan shall be submitted to Public Works. If your project is required to install the Post-Construction/LID standards, then a storm interceptor might not be required. Please check with the Project Engineer for determination if Post-Construction/LID standards apply to this project.
65. Trash Enclosures be designed and constructed to comply with AB 1383, Commercial Recycling, and Storm Water regulations (not located in proximity of a drain inlet, have covers, have adequate secondary containment, comply with the Health Department requirements, etc.). Trash enclosures should be sized to comply with commercial and organics recycling requirements. If the trash enclosure is being shared with another facility, the trash enclosure must be adequately sized to be able to service more than one facility. All trash enclosure plans must be reviewed and approved by the City. Contact the City to obtain a copy of the City standard.

66. All Commercial and Industrial business who generate 4-cubic yard or more of commercial solid waste per week, are required by state law (AB 341) sign up for commercial solid waste services, as well as implementing its own commercial recycling program. Commonly known as “dumpsters,” front-load containers are the most used waste collection receptacle throughout the city for non-residential, commercial waste collection. With this service, one or more 2-, 4-, 6- or 8-cubic-yard containers are placed at places of business in a location that is easily accessible and safe for cleanup crews and waste-generation areas, as well as the garbage trucks and its drivers. Waste must be placed within the container and will be serviced at a minimum of once a week. However, if you’re waste generation calls for more frequent visits or a larger container, we will do whatever it takes to service your needs. Please call (209) 895-8040 to sign up for the appropriate service for your business. \*\*Adequate trash enclosure will be required to allow for commercial recycling. All trash enclosures must be constructed to City Standards.

To receive garbage service via Bertolotti Disposal, Inc, the City's franchised garbage collector, please call (209) 895-8040 to sign up. All residential homes are going to receive three (3) 90-gallon toters. The black totter is to be used for regular waste, the blue totter for recyclable materials such as cardboard, cans, plastic bottles, etc. and the green totter for organic and food waste.

67. Submit plans to the City Engineer for off-site public improvements and landscape plans for review and approval. Any work on the City’s right-of-way requires a City Encroachment Permit. Please contact Public Works at (209) 895-8060 for further information regarding this item.

68. If construction water will be obtained from the City’s Fire Hydrant(s), a Fire Hydrant Use Permit Application must be submitted and approved by the Public Works Department. Fees, Deposits, and Water Rates are listed on the application.

69. All construction activities for single family residential, commercial, and industrial projects require an Encroachment Permit from the Public Works Department. The Public Works Department will conduct a pre-inspection/post-inspection to ensure that damage caused during construction activities is addressed. Any damage that occurs will be the sole responsibility of the Developer/Contractor to repair.

70. All pre-existing sewer laterals and storm drain lines should be video inspected to ensure that the lines are clear of any debris and that they are not damaged.

71. Street Trees may need to be installed or replaced per City Standards and a street tree deposit posted with the City of Patterson, per City Standard Detail (Section 3 – Drawing 3-W). All street tree types must comply with the City’s Approved Street Tree Plan. The landscape plan calls for London Plane species, however the City is phasing this species out. Please make sure to contact Public Works at (209) 895-8060 to the species information.

72. All facilities must be connected to the City’s municipal system for water, sewer and storm

and be signed up for services prior to being in operation. This also includes Garbage Services. The City currently has a 7-year Contract with Bartolutti Disposal (Effective July 1, 2014) which grants an exclusive "Commercial & Residential Solid Waste Franchise" for Garbage Services. Please contact the City's Finance Department at (209) 895-8040 to sign up for utility services or for any questions.

73. A SWPPP Inspection Deposit account shall be established with the City to cover the City's time to perform SWPPP monitoring/Inspections for the duration of the project. The City's current Storm Water Management Hourly fee, and every inspection is billed by the hour.

#### Fire

74. Fire lanes and access roads must be installed prior to construction of the first building to the satisfaction of the Fire Chief and the Public Works Department
75. All fire lanes shall be posted and enforced, per Police Department and Fire Department guidelines.
76. Prior to placement of lumber or other combustible materials on the site, the domestic water system, including fire hydrants, shall be installed and tested and all-weather roads shall allow access to all areas of the site, per Fire Department and Public Works Department standards.
77. Prior to concrete pour inspection, compaction tests are required for all footings.
78. Electrical conduit shall have a separate ground wire installed.
79. Improvements required for project development will include street paving, curb, gutter, streetlights, sidewalks, landscaping, the required utilities, grading and drainage.
80. Prior to approval of grading and improvement plans, the applicant shall enter into an agreement with the City for inspection of said improvements.
81. Fire hydrants shall be installed along all public streets and on site with intervals and placement subject to approval of the Fire Chief.
82. All buildings shall be uniformly numbered with numbers visible from the street and internally illuminated, consistent with California Building and Fire Code requirement
83. All new construction shall meet the requirements of the City Fire Department, as they relate to fire issues.
84. All dwelling units shall utilize non-combustible roofing materials.

#### Other



85. At the time of Public Improvement Plan review, plans shall be submitted to all applicable public utility companies for review. Comments from the utilities regarding required easements, transformer locations, etc. shall be forwarded to Engineering Department for review and approval.
86. Prior to building permit issuance for any dwelling, the developer shall demonstrate to the City full compliance with the provisions of Government Code Section 65995 et seq. as amended by the Leroy R. Greene School Facilities Act of 1998.
87. The developer shall offer to dedicate to the City land for parks in the size and location as generally illustrated in the Master Plan, as may be amended by these conditions, and as described in the Development Agreement. Said offers of dedication shall be required to be recorded concurrent with the recordation of final tract maps which encompass, or are adjacent to, a park site.
88. Final park plans shall be approved by the City Engineer prior to construction and shall be consistent with the City of Patterson Park Design Guidelines & Standards as amended.
89. All on-site utilities shall be underground. All existing overhead utilities adjacent to the property or within the property shall be placed underground by the applicable phase prior to issuance of building permits for that phase. All utility boxes including electrical, telephone, cable T.V., etc., shall be underground.
90. The developer is to be responsible for all damage to existing and new telephone facilities caused by workers or subcontractors under the direction of the developer.
91. All new telecommunications facilities shall be underground except where indicated by the telephone company upon engineering of the development.
92. All water, gas, sewer, underground electrical power, cable T.V., or telephone lines, or conduits, or underground drain lines shall be installed before any paving is placed. Utility stub connections to property boundaries of each lot may be omitted only with the express and written permission of the City Engineer.
93. The developer shall install adequately sized utility services and laterals, if appropriate, to each lot prior to final acceptance of tract improvements by phase.
94. Except as the utility companies may otherwise agree, the developer shall provide cable T.V., without charge, the reasonable opportunity to utilize and jointly occupy for the same purpose and trench provided by the developer to a utility for the purpose of connecting the utility to service the development.

**RESOLUTION NO. 2022-61**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PATTERSON  
TO INITIATE PROCEEDINGS FOR THE REORGANIZATION OF TERRITORY  
FOR THE ZACHARIAS AND BALDWIN RANCH SOUTH MASTER PLAN**

**WHEREAS**, the City of Patterson (“City”) seeks to file an application with the Stanislaus Local Agency Formation Commission (“Stanislaus LAFCO”) to initiate proceedings for the adjustment of boundaries specified herein, pursuant to the Cortese/Knox/Hertzberg Local Government Reorganization Act of 2000, commencing with section 56000 of the California Government Code (“Cortese Knox Act”); and

**WHEREAS**, the City has composed the Zacharias & Baldwin Ranch South Master Plan (“Master Plan”) that will govern new development in the Master Plan area. The Master Plan provides a comprehensive land use and regulatory structure for approximately 1,361 acres located outside the existing City limits in Stanislaus County; and

**WHEREAS**, the City, as the lead agency pursuant to the California Environmental Quality Act (“CEQA”), has prepared an Environmental Impact Report (SCH# 2018122052) for the Master Plan to evaluate the environmental effects of the buildout of the Master Plan (“EIR”); and

**WHEREAS**, the City’s existing Sphere of Influence (“SOI”) does not encompass the entire Master Plan area, as only a portion of the Master Plan area is currently within the City’s existing SOI; and

**WHEREAS**, the City proposes to expand its Sphere of Influence (“SOI”) to be coextensive with the boundaries of the Master Plan, and also to annex the boundaries of the Master Plan into City limits (“Reorganization Proposal”); and

**WHEREAS**, the affected territory for the Reorganization Proposal is depicted and described in **Exhibit A** attached hereto; and

**WHEREAS**, the objectives of the Reorganization Proposal include the following, as further described in the Master Plan: (i) Attract new businesses and capital investment, (ii) create new employment and housing opportunities, (iii) develop new residential uses in proximity to regional job centers, (iv) facilitate buildout of the City’s General Plan, (v) produce new housing consistent with the City’s Housing Element and its Regional Housing Needs Allocation, (vi) maintain and enhance quality of life with new schools, parks, open spaces, and pedestrian and bike trails; and (vii) provide groundwater recharge facilities to protect groundwater resources consistent with state and local groundwater recharge policies; and

**WHEREAS**, the City finds that the Reorganization Proposal promotes orderly growth and development. The Master Plan area is contiguous to City limits, is within the City’s planning area,

and implements the goals of the City's General Plan. The City has determined that it will be able to provide the public facilities and services to support the buildout of the Master Plan, which will be demonstrated in the Municipal Services Review for the Reorganization Proposal; and

**WHEREAS**, the purpose of this Resolution is to authorize City staff to file an application with Stanislaus LAFCO to expand the City's SOI and annex the Master Plan area into City limits, so landowners in the Master Plan area can commence the buildout of the Master Plan upon annexation into City limits.

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

1. The City Council hereby authorizes City staff to file an application with Stanislaus LAFCO to expand the City's SOI and annex the Master Plan area into City limits, as depicted and described in **Exhibit A** attached hereto, and to take all actions necessary and incidental to accomplish the Reorganization Proposal, in conformance with the Cortese Knox Act and Stanislaus LAFCO policies and procedures, and pursuant to the findings included in each Resolution and Ordinance adopted by the City Council in connection with the Master Plan and the EIR.
2. The City Council hereby finds that the Reorganization Proposal would affect the boundaries or spheres of influence of the following public agencies:
  - a. Patterson Irrigation District
  - b. West Stanislaus Irrigation District
  - c. Del Puerto Water District
  - d. West Stanislaus County Fire Protection District
3. The City Council hereby requests that the Reorganization Proposal be subject to the following terms and conditions:
  - a. That affected parcels be detached from the Patterson Irrigation District.
  - b. That affected parcels be detached from the West Stanislaus Irrigation District.
  - c. That affected parcels be detached from the Del Puerto Water District.
  - d. That affected parcels be detached from the West Stanislaus County Fire Protection District.
  - e. That the effective date of the Reorganization Proposal be the date on which Stanislaus LAFCO records the certificate of completion for the annexation of the Master Plan area.
4. The City has discovered that there are six (6) parcels in the Zacharias area of the Master Plan currently encumbered by active Williamson Act contracts. The City Council hereby directs City staff, in accordance with state law, to exercise the City's rights to terminate or not renew the active Williamson Act contracts upon annexation of the Master Plan into City limits.

**PASSED AND ADOPTED by the City of Patterson City Council on the 16th DAY of August 2022, by the following roll call vote:**

**AYES:** Councilmembers Farinha, Homen, Alves, Parham and Mayor McCord  
**NOES:** None  
**EXCUSED:** None

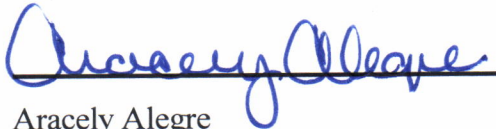
**APPROVED:**



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Dennis McCord  
Mayor of the City of Patterson

**ATTEST:**



Aracely Alegre  
City Clerk of the City of Patterson

I hereby certify that the foregoing is a full, correct, and true copy of a resolution passed by the City Council of the City of Patterson, a Municipal Corporation of the County of Stanislaus, State of California, at a regular meeting held on the 16<sup>th</sup> day of August 2022, and I further certify that said resolution is in full force and effect and has never been rescinded or modified.

DATE:

---

City Clerk of the City of Patterson

**EXHIBIT A**

**Description of Affected Territory for Reorganization Proposal**

**Baldwin Ranch Master Plan & Zacharias Master Plan  
Reorganization to the City of Patterson**

**AREA "A"**

A portion of Sections 13, 14, 23, 24 and 25, Township 5, South, Range 7 East, Mount Diablo Meridian, situate in the County of Stanislaus, State of California, more particularly described as follows:

**Beginning** at the intersection of the south line of said Section 24 with the east line of Baldwin Road, said east line being 25.00 feet east of and parallel with the west line of said Section 24, said point of beginning also lying on the north line of the Creekside Reorganization to the City of Patterson;

- 1) thence along the existing city limits line as described in the West Patterson Business Park Reorganization to the City of Patterson and the said east line of Baldwin Road, North  $00^{\circ}13'00''$  East, 660.24 feet to the easterly prolongation of the north line of Parcel 3 as shown in Book 32 of Parcel Maps, Page 101, Stanislaus County Records;
- 2) thence continuing along said city limits line and along said prolongation and the north line of said Parcel 3, North  $89^{\circ}53'26''$  West, 2667.40 feet to the northwest corner of said Parcel 3;
- 3) thence continuing along said city limits line, the west line of said Parcel 3 and the west line of the southeast quarter of said Section 23, South  $00^{\circ}14'32''$  West, 658.55 feet to the southwest corner of said southeast quarter of Section 23;
- 4) thence continuing along said city limits line and the south line of the southwest quarter of said Section 23, North  $89^{\circ}51'05''$  West, 2617.90 feet to the east line of the Arambel-KDN Business Park Reorganization to the City of Patterson and the east line of Rogers Road, said east line being 25.00 feet east of and parallel with the west line of said Section 23;
- 5) thence continuing along said east line of Rogers Road, said city limits line and its northerly prolongation, North  $00^{\circ}15'44''$  East, 5280.25 feet to the north line of Zacharias Road, said north line being 25.00 feet north of and parallel with the north line of said Section 23;
- 6) thence along said north line of Zacharias Road, North  $89^{\circ}52'15''$  East, 2615.75 feet to the east line of the southwest quarter of said Section 14 and the southwest corner of Parcel 2 as shown on the map recorded in Book 53 of Parcel Maps, Page 53, Stanislaus County Records;
- 7) thence along the west line of said Parcel 2, North  $00^{\circ}14'12''$  East, 1756.13 feet to the northwest corner of said Parcel 2;
- 8) thence along the north line of said Parcel 2, North  $89^{\circ}52'31''$  East, 972.68 feet to the northeast corner of said Parcel 2;
- 9) thence along the east line of said Parcel 2, South  $00^{\circ}07'29''$  East, 1756.10 feet to the southeast corner of said Parcel 2 and the north line of said Zacharias Road;

- 10) thence along said north line of Zacharias Road, North  $89^{\circ}52'31''$  East, 1656.98 feet to the east line of said Section 14;
- 11) thence continuing along the north line of Zacharias Road, South  $89^{\circ}22'32''$  East, 2640.03 feet to the southeast corner of Parcel 10 as shown on the map recorded in Book 53 of Parcel Maps, Page 53, Stanislaus County Records;
- 12) thence continuing along the north line of said Zacharias Road and along the east line of said Parcel 10, North  $00^{\circ}16'13''$  East, 5.00 feet;
- 13) thence continuing along the north line of said Zacharias Road and the south line of Parcel A as shown on the map recorded in Book 15 of Parcel Maps, Page 93, Stanislaus County Records, South  $89^{\circ}23'29''$  East, 208.71 feet to the southeast corner of said Parcel A;
- 14) thence continuing along the north line of said Zacharias Road, South  $00^{\circ}16'13''$  West, 5.00 feet;
- 15) thence continuing along the north line of said Zacharias Road, South  $89^{\circ}23'29''$  East, 546.70 feet;
- 16) thence continuing along the north line of said Zacharias Road, North  $00^{\circ}16'13''$  East, 5.00 feet;
- 17) thence continuing along the north line of said Zacharias Road, South  $89^{\circ}23'29''$  East, 253.58 feet;
- 18) thence continuing along the north line of said Zacharias Road, South  $21^{\circ}23'32''$  East, 5.39 feet;
- 19) thence continuing along the north line of said Zacharias Road and its easterly prolongation, South  $89^{\circ}23'29''$  East, 909.59 feet to the northeasterly line of State Highway 33;
- 20) thence along said northeasterly line of Highway 33, South  $30^{\circ}04'35''$  East, 829.93 feet to the northwesterly line of Eucalyptus Avenue and the existing city limits line per the Villages of Patterson Reorganization to the City of Patterson;
- 21) thence along said city limits line, South  $60^{\circ}00'45''$  West, 50.00 feet to the southwesterly line of said Highway 33;
- 22) thence continuing along said city limits line and said southwesterly line, South  $30^{\circ}04'35''$  East, 668.40 feet to the west line of Ward Avenue;
- 23) thence continuing along said city limits line and said west line, South  $00^{\circ}15'50''$  West, 1483.28 feet;
- 24) thence continuing along said city limits line, North  $59^{\circ}55'25''$  East, 38.24 feet to the centerline of said Ward Avenue;
- 25) thence continuing along said city limits line and said centerline, South  $00^{\circ}15'50''$  West, 2602.45 feet to the easterly prolongation of the north line of the Correia Tract recorded in Book 18 of Maps, Page 3, Stanislaus County Records;
- 26) thence continuing along said city limits line, North  $89^{\circ}40'00''$  West, 441.12 feet;
- 27) thence continuing along said city limits line, North  $00^{\circ}20'00''$  East, 21.31 feet;

- 28) thence continuing along said city limits line, South 73°59'00" West, 256.36 feet;
- 29) thence continuing along said city limits line, North 00°20'00" East, 27.50 feet;
- 30) thence continuing along said city limits line, South 73°21'47" West, 1065.60 feet to the easterly line of the Patterson Irrigation District Main Canal Extension;
- 31) thence continuing along said city limits line and said easterly line, North 13°58'19" West, 443.92 feet to the south line of said Section 24;
- 32) thence continuing along said city limits line and said south line of Section 24, North 89°34'39" West, 3,461.95 feet to the point of beginning.

Containing 1,278.77 acres, more or less.

### **AREA "B"**

A portion of Section 15, Township 5, South, Range 7 East, Mount Diablo Meridian, situate in the County of Stanislaus, State of California, more particularly described as follows:

**Commencing** at the northeast corner said Section 15, said point being the intersection of the centerline of Rogers Road with the centerline of Zacharias Road;

- 1) thence along the north line of said Section 15, North 89°52'00" West, 2654.15 feet to the southeast corner of the southwest quarter of said Section 15;
- 2) thence along the east line of said southwest quarter, North 00°19'00" East, 20.00 feet to the north line of said Zacharias Road and the existing city limits line of the City of Patterson as described in the Arambel-KDN Business Park Reorganization to the City of Patterson, and the **Point of Beginning**;
- 3) thence along said city limits line and said north line of Zacharias Road, North 89°52'00" West, 1327.04 feet to the west line of the 30.10-acre property shown on the map filed in Book 3 of Survey, Page 126, Stanislaus County Records;
- 4) thence leaving said city limits line and said north line of Zacharias Road and going along the west line of last said property North 00°22'30" East, 1051.00 feet;
- 5) thence along the north bank of Del Puerto Creek, South 66°13'00" East, 297.60 feet;
- 6) thence continuing along the north bank of said Del Puerto Creek, South 84°12'00" East, 223.50 feet;
- 7) thence continuing along the north bank of said Del Puerto Creek, North 78°03'00" East, 312.50 feet;
- 8) thence continuing along the north bank of said Del Puerto Creek, North 86°22'00" East, 526.40 feet to said east line of the southwest quarter of said Section 15;
- 9) thence along said east line, South 00°19'00" West, 1009.54 feet to the point of beginning.

Containing 29.49 acres, more or less



**AREA "C"**

A portion of the southeast quarter of Section 35, Township 5 South, Range 7 East, Mount Diablo Meridian, situated in the County of Stanislaus, State of California, more particularly described as follows:

**Beginning** at the northeast corner of said southeast quarter of Section 35;

- 1) thence along the east line of said southeast quarter of Section 35, South 01°12'14" West, 2650.64 feet to the southeast corner of said Section 35;
- 2) thence along the south line of said Section 35; North 88°57'14" West, 826.19 feet to the easterly line of the Delta Mendota Canal;
- 3) thence along said easterly line of the Delta Mendota Canal, North 12°39'17" West, 871.11 feet;
- 4) thence continuing along the easterly line of said Delta Mendota Canal, North 11°53'44" West, 634.93 feet;
- 5) thence continuing along the easterly line of said Delta Mendota Canal, North 24°33'44" West, 992.41 feet to the southwest corner of Area 2 of the City Facilities Reorganization to the City of Patterson;
- 6) thence along the existing City limits line of the City of Patterson and the south line of said Area 2, South 88°47'48" East, 140.00 feet to the southeast corner of said Area 2;
- 7) thence continuing along said City limits line and the east line of said Area 2, North 01°12'12" East, 295.00 feet to the northeast corner of said Area 2 and the north line of said southeast quarter of Section 35;
- 8) thence leaving said City limits line and going along said north line of the southeast quarter of Section 35, South 88°47'48" East, 622.43 feet to the northwest corner of Area 3 of said City Facilities Reorganization to the City of Patterson;
- 9) thence along the existing City limits line and the west line of said Area 3, South 01°12'14" West, 500.00 feet to the southwest quarter of said Area 3;
- 10) thence continuing along said City limits line and the south line of said Area 3, South 88°47'48" East, 522.72 feet to the southeast corner of said Area 3;
- 11) thence continuing along said City limits line and the east line of said Area 3, North 01°12'14" East, 500.00 feet to the northeast corner of said Area 3 and said north line of the southeast quarter of Section 35;

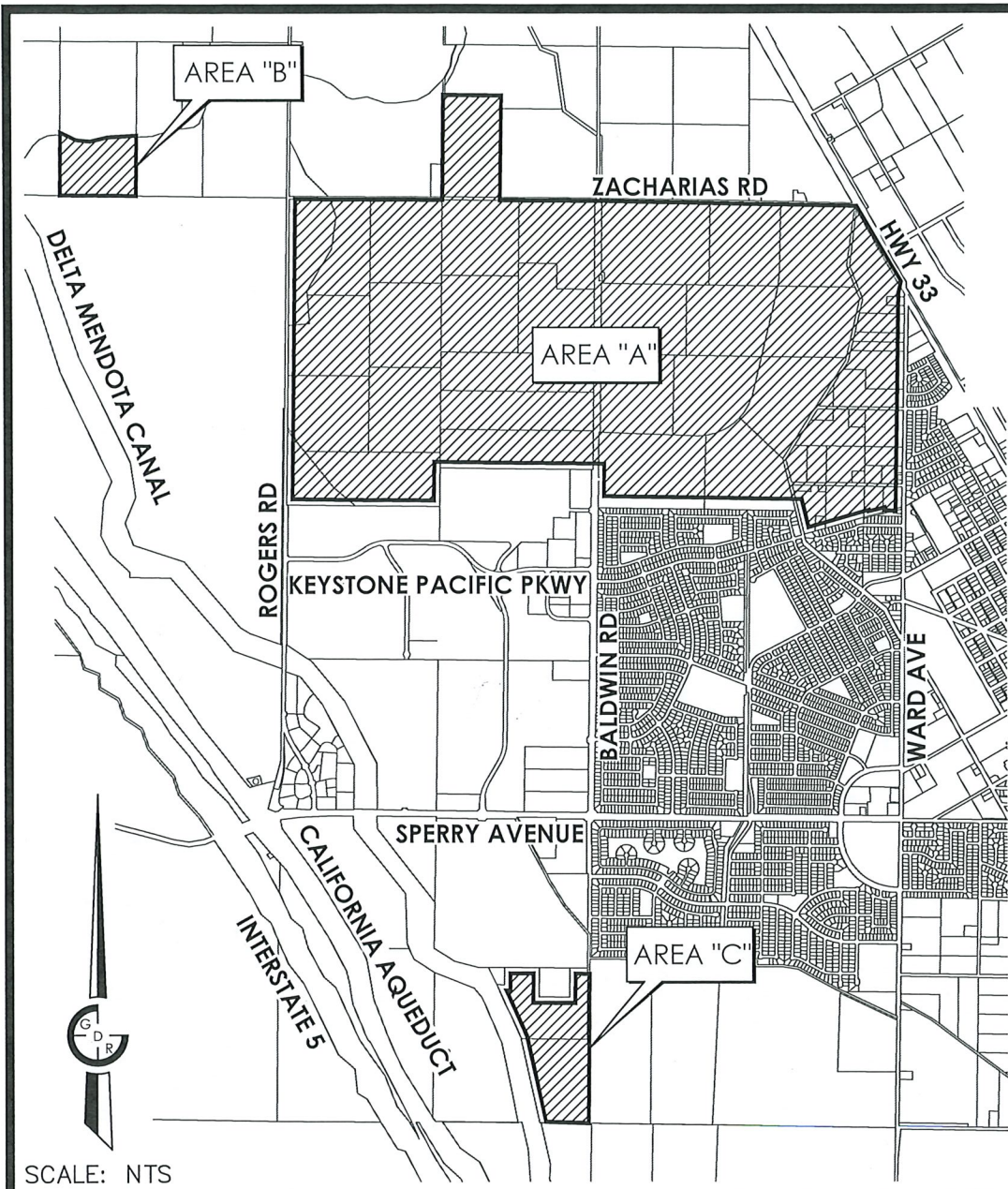
12) thence leaving said City limits line and going along said north line of the southeast quarter of Section 35, South 88°47'48" East, 325.00 feet to the point of beginning.

Containing 66.32 acres, more or less.

The real land described has been prepared by me, or under my direction, in conformance with the Professional Land Surveyors Act.



Sean Harp 12/13/2022  
Sean Harp, L.S. 7823 Date



**PROPERTY DESCRIPTION**

**BALDWIN RANCH MASTER PLAN (AREA "C")**  
 BEING A PORTION OF THE SOUTHEAST QUARTER OF SECTION 35,  
 TOWNSHIP 5 SOUTH, RANGE 7 EAST, MOUNT DIABLO BASE AND  
 MERIDIAN, STANISLAUS COUNTY, CALIFORNIA.

**ZACHARIAS MASTER PLAN (AREA "A" & "B")**  
 BEING A PORTION OF SECTIONS 13, 14, 15, 23, 24, AND 25,  
 TOWNSHIP 5 SOUTH, RANGE 7 EAST, MOUNT DIABLO BASE AND  
 MERIDIAN, STANISLAUS COUNTY, CALIFORNIA.

**LEGEND**

- PROPOSED ANNEXATION BOUNDARY
- EXISTING CITY LIMIT LINE
- ADJACENT PROPERTY LINE
- SECTION LINE
- RIGHT-OF-WAY LINE
- CENTERLINE
- COURSE

**ABBREVIATIONS**

- NO. NUMBER
- P.I.D. PATTERSON IRRIGATION DISTRICT
- P.O.B. POINT OF BEGINNING
- P.O.C. POINT OF COMMENCEMENT
- SEC. SECTION
- S.W. SOUTHWEST
- W.S.I.D. WEST SIDE IRRIGATION DISTRICT

**SHEET INDEX**

- 1. GENERAL NOTES AND KEY MAP
- 2-5. AREA "A"
- 6. AREA "B"
- 7-8. DETAILS FOR AREA "A"
- 9. COURSE TABLES FOR AREAS "A" & "B"
- 10-11. AREA "C"
- 12. COURSE TABLE FOR AREA "C"



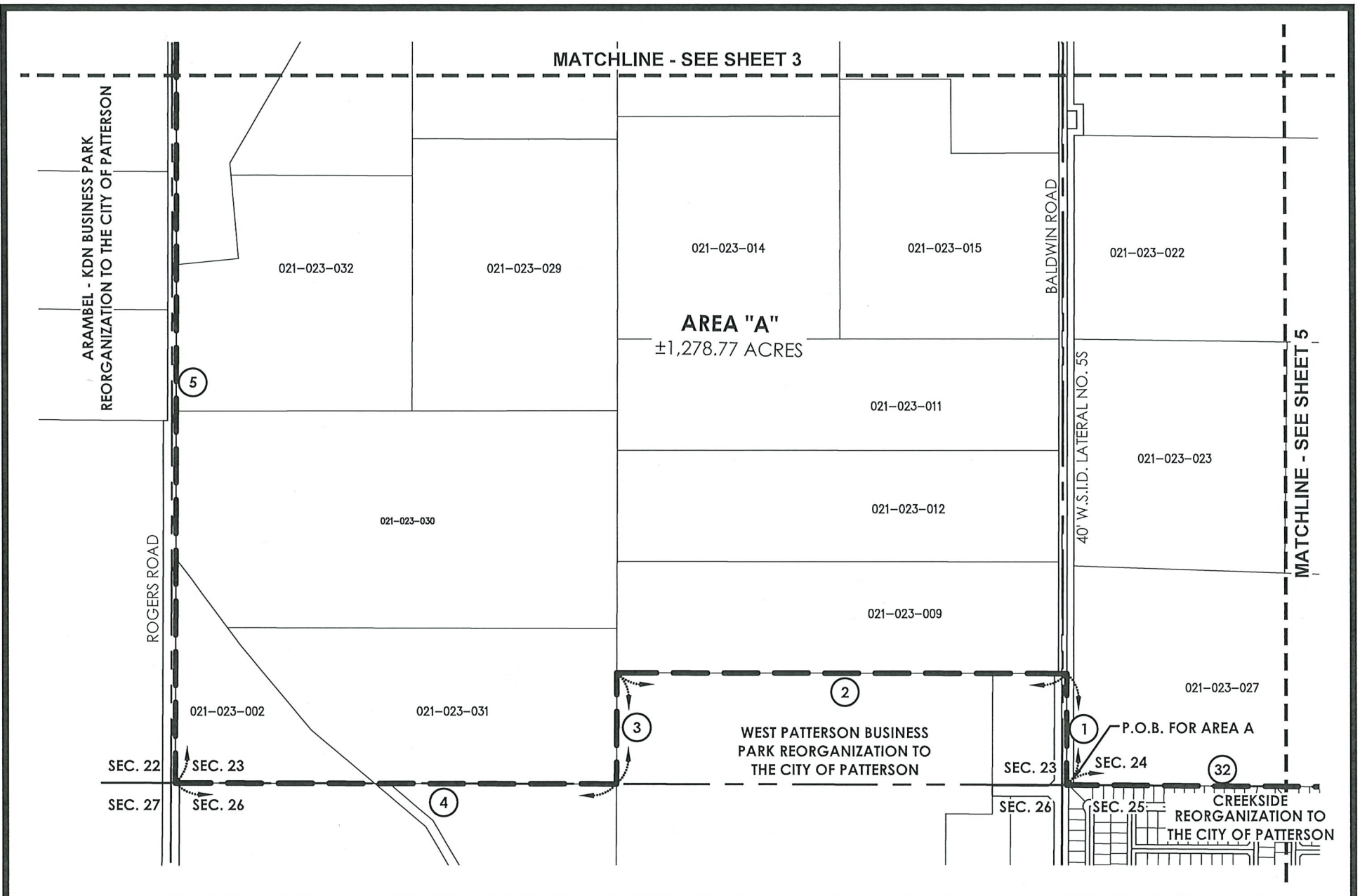
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**GDR ENGINEERING, Inc.**  
 ENGINEERING/SURVEYING/PLANNING  
 3525 MITCHELL ROAD, SUITE G CERES, CA 95307  
 TELEPHONE: (209) 538-3360 FAX: (209) 538-7370  
 www.gdrengineering.com

**BALDWIN RANCH MASTER PLAN &  
 ZACHARIAS MASTER PLAN  
 REORGANIZATION TO THE CITY OF PATTERSON**

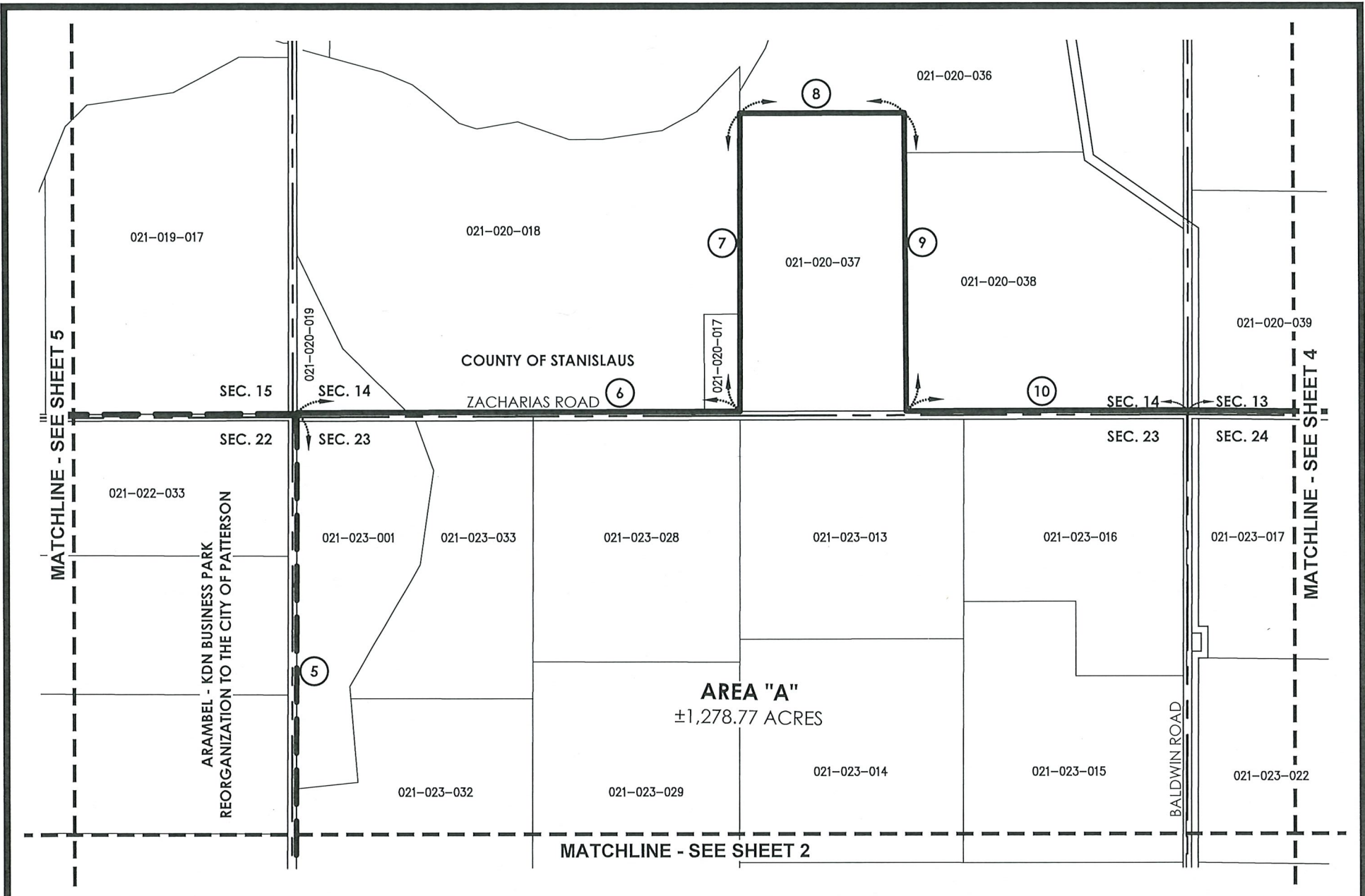
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 REORGANIZATION TO THE CITY OF PATTERSON**

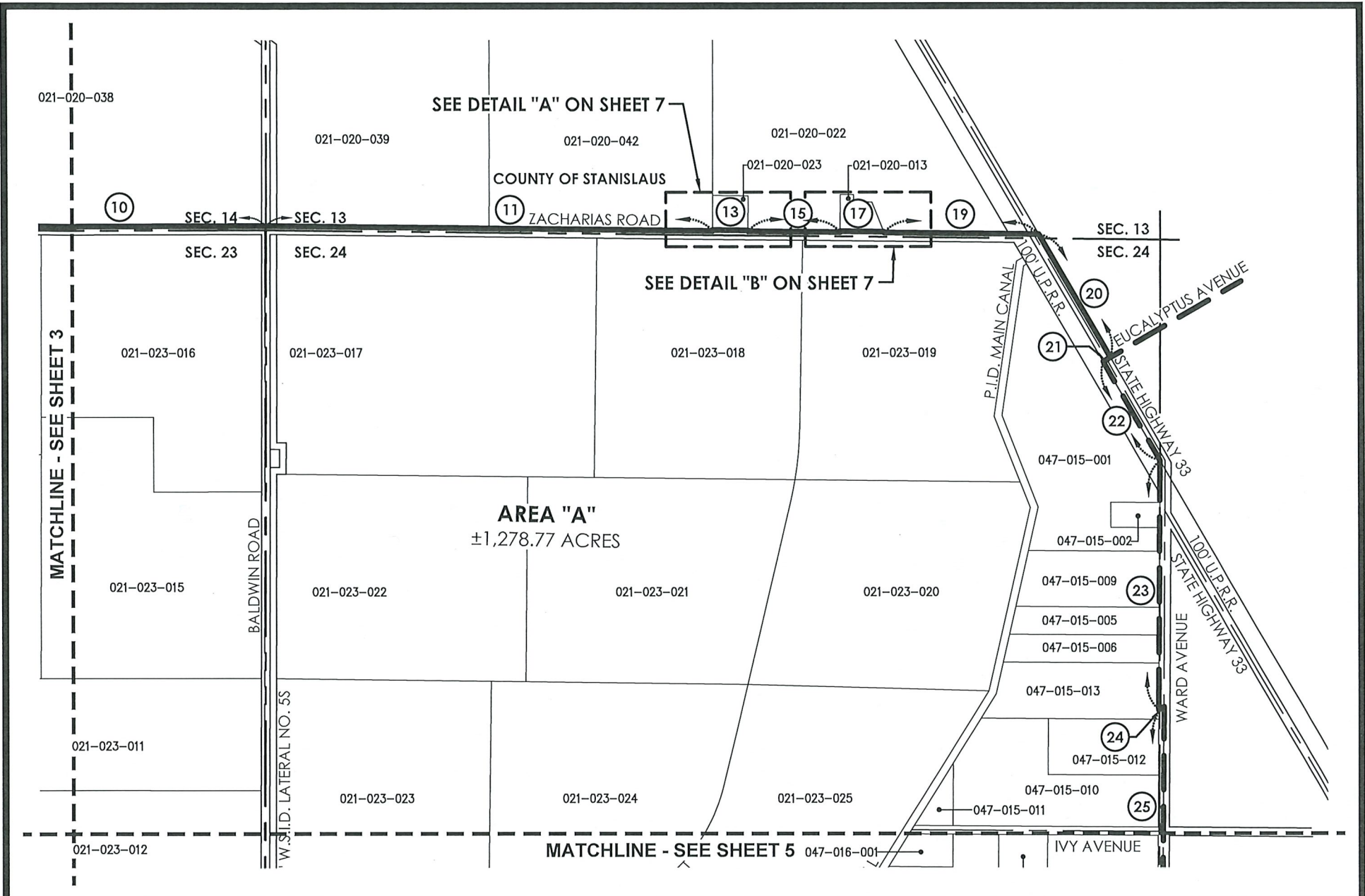
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 REORGANIZATION TO THE CITY OF PATTERSON**

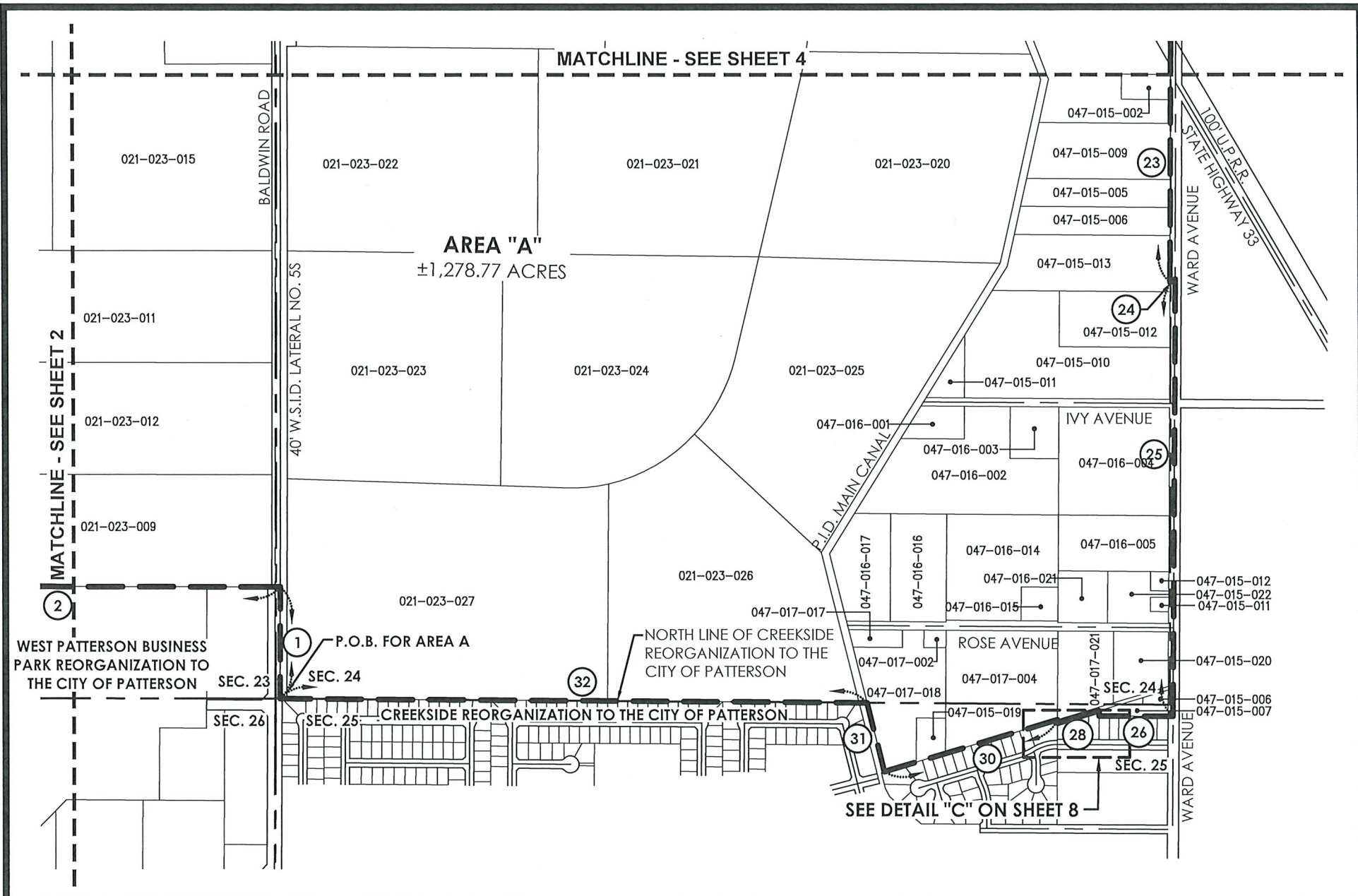
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**BALDWIN RANCH MASTER PLAN &  
 ZACHARIAS MASTER PLAN  
 REORGANIZATION TO THE CITY OF PATTERSON**

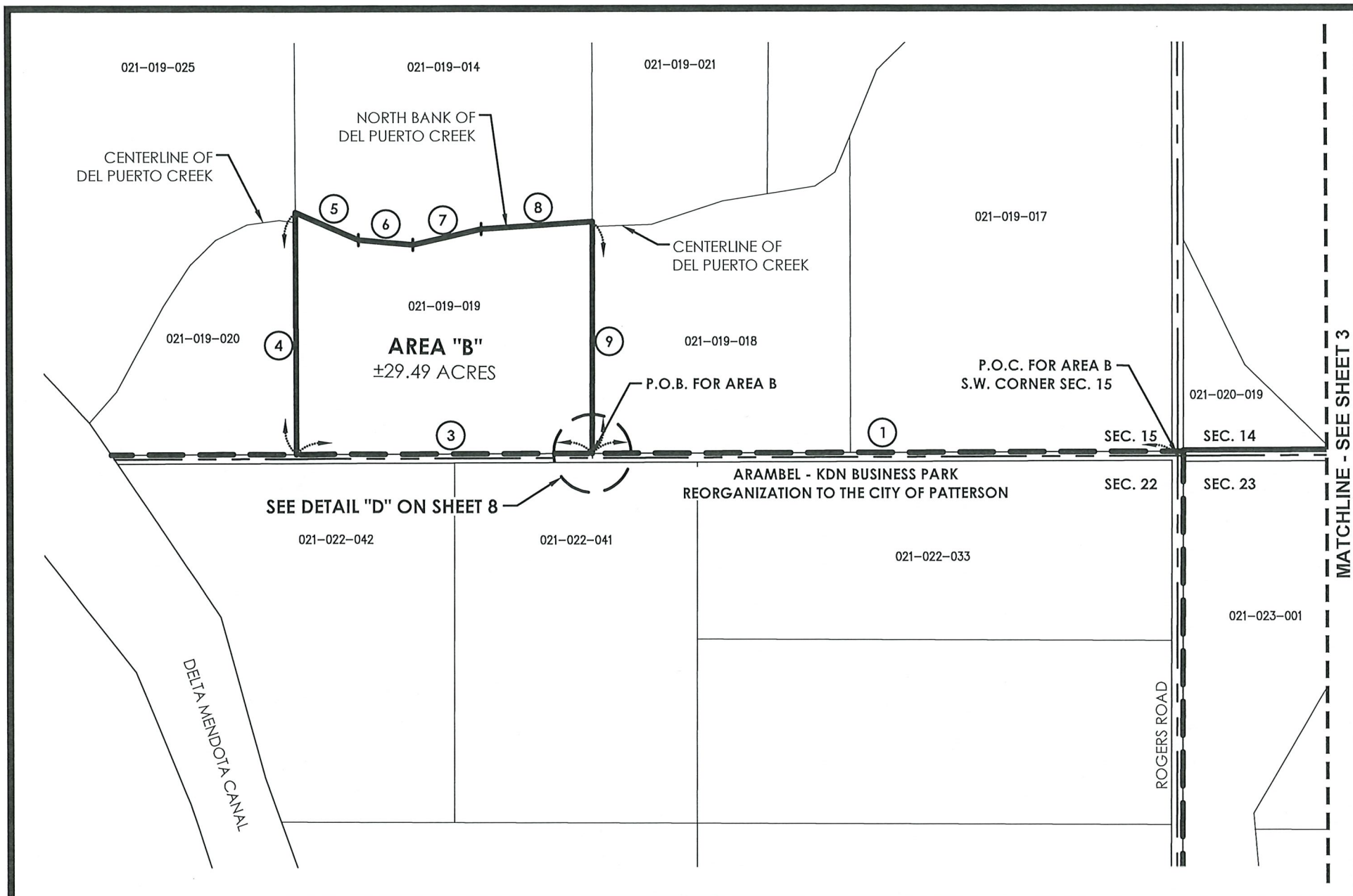
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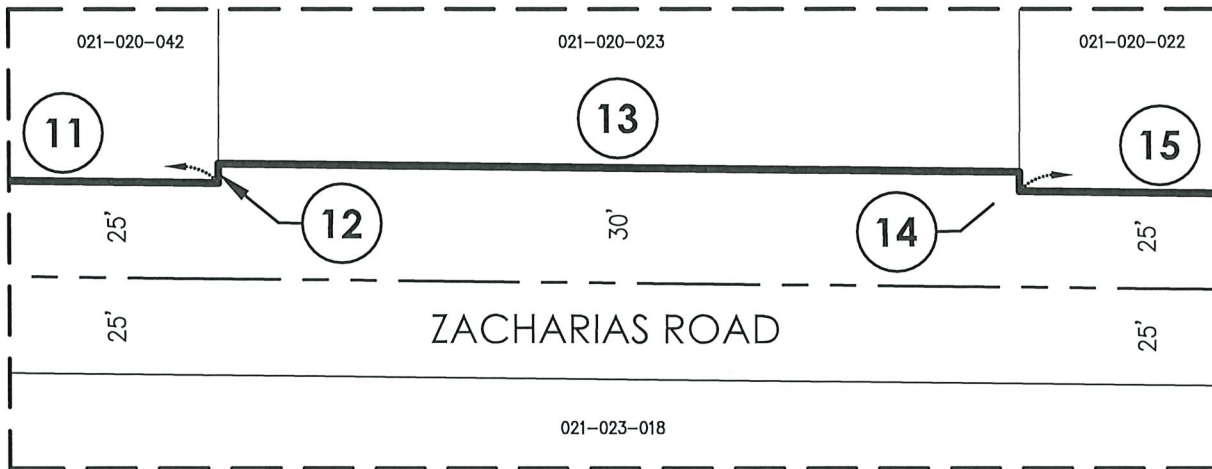


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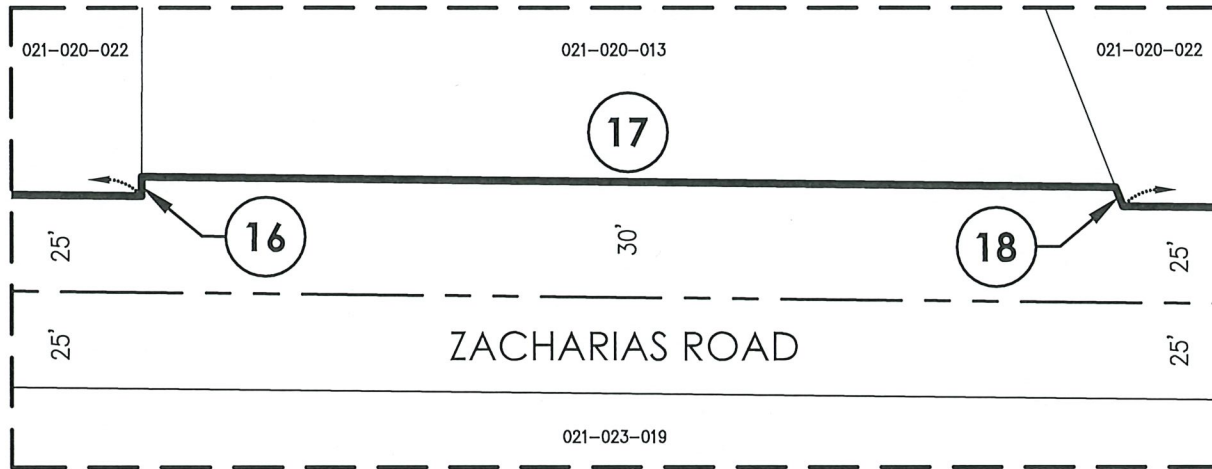
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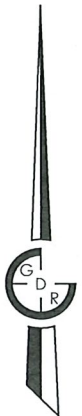
**DETAIL "A"**

SCALE: 1" = 50'



**DETAIL "B"**

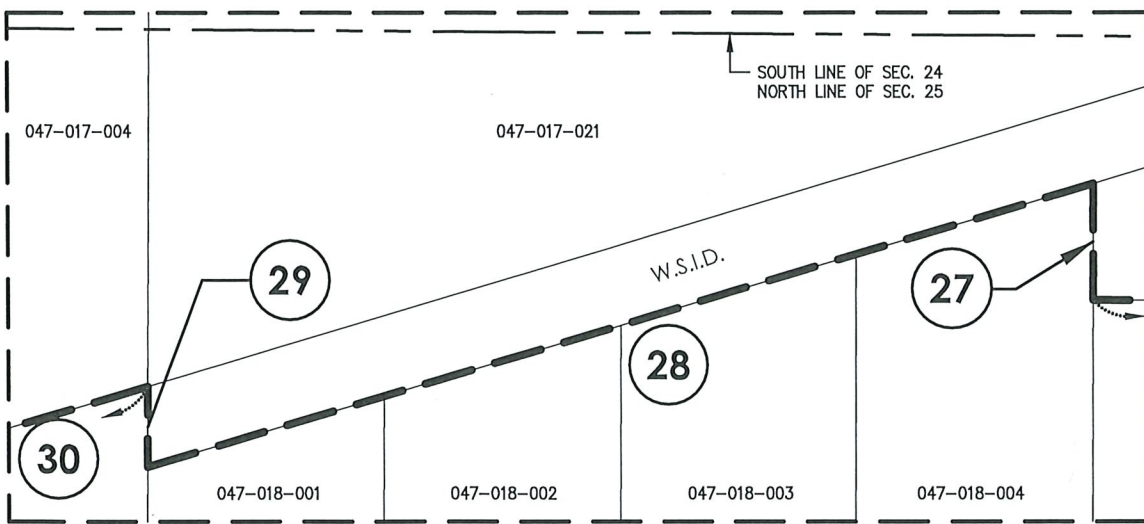
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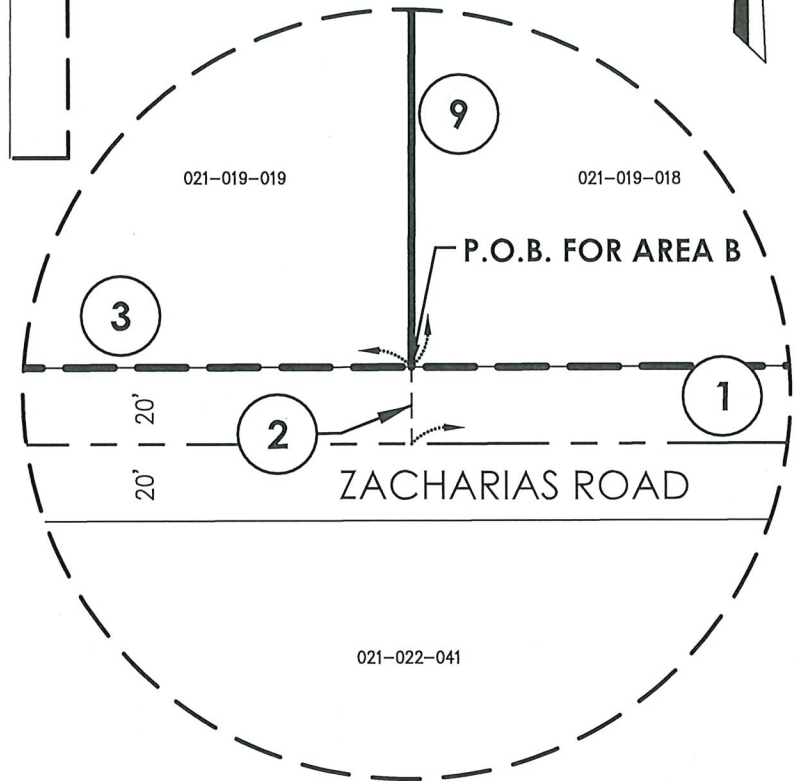
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Date: 12/12/2022	Scale: 1"=50'
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**DETAIL "C"**  
SCALE: 1" = 50'



**DETAIL "D"**  
SCALE: 1" = 50'



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Date: 12/12/2022

Scale: 1"=800'

Drawn: HS

Job No.: 18056

Checked: SH

Sheet: 8 of 12

AREA "A" - COURSE TABLE		
COURSE	DIRECTION	LENGTH
1	N00°13'00"E	660.24'
2	S89°53'26"E	2667.40'
3	S00°14'32"W	658.55'
4	N89°51'05"W	2617.90'
5	S00°15'44"W	5280.25'
6	N89°52'15"E	2615.75'
7	N00°14'12"E	1756.13'
8	N89°52'31"E	972.68'
9	S00°07'29"E	1756.10'
10	N89°52'31"E	1656.98'
11	S89°22'32"E	2640.03'
12	N00°16'13"E	5.00'
13	S89°23'29"E	208.71'
14	S00°16'13"W	5.00'
15	S89°23'29"E	546.70'
16	N00°16'13"E	5.00'

AREA "A" - COURSE TABLE		
COURSE	DIRECTION	LENGTH
17	S89°23'29"E	253.58'
18	S21°23'32"E	5.39'
19	S89°23'29"E	909.59'
20	S30°04'35"E	829.93'
21	N60°00'45"E	50.00'
22	N30°04'35"W	668.40'
23	N00°15'50"E	1483.28'
24	S59°55'25"W	38.24'
25	N00°15'50"E	2602.45'
26	S89°40'00"E	441.12'
27	S00°20'00"W	21.31'
28	N73°59'00"E	256.36'
29	S00°20'00"W	27.50'
30	N73°21'47"E	1065.60'
31	S13°58'19"E	443.92'
32	N89°34'39"W	3461.95'

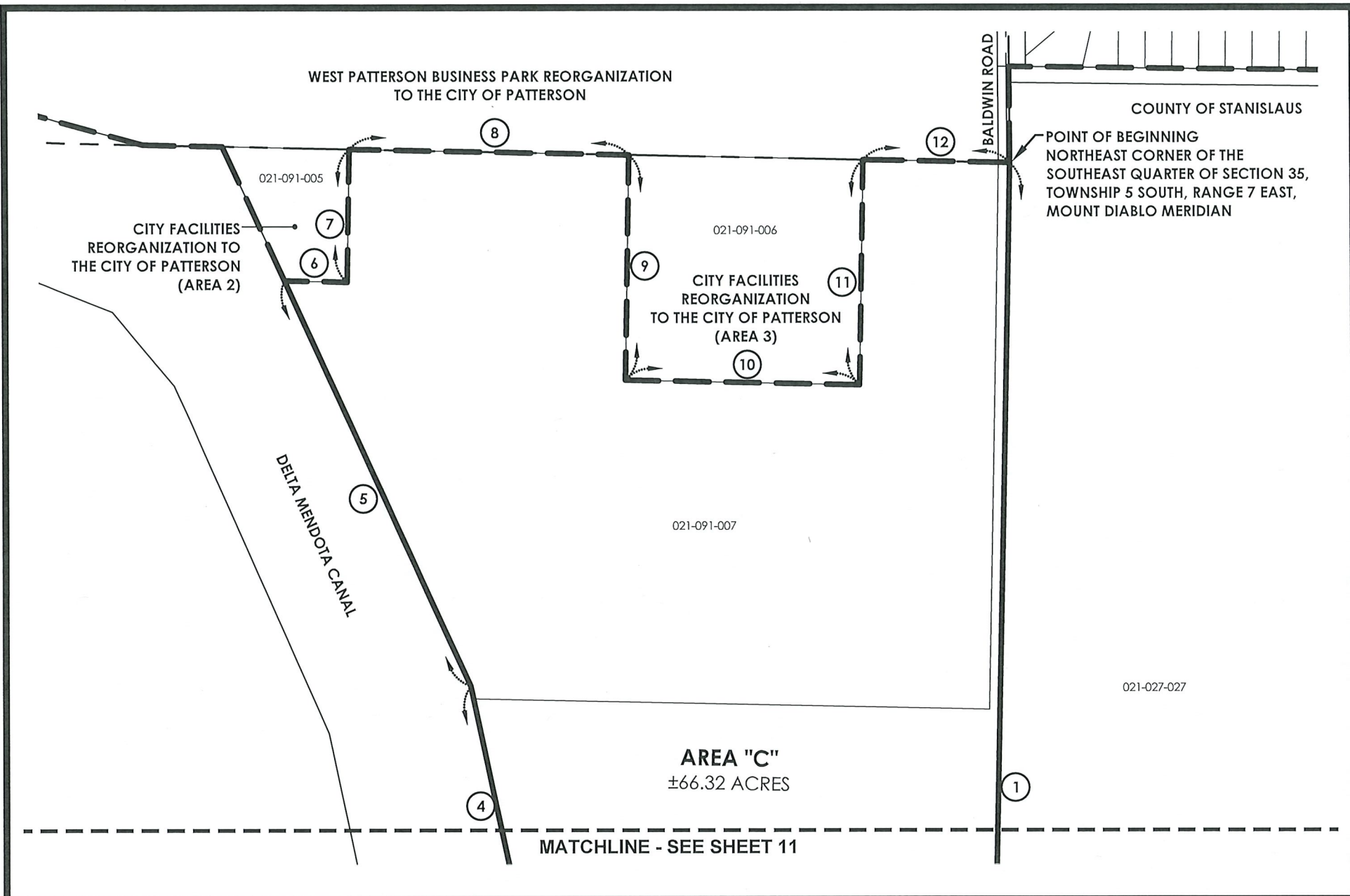
AREA "B" - COURSE TABLE		
COURSE	DIRECTION	LENGTH
1	N89°52'00"W	2654.15'
2	N00°19'00"E	20.00'
3	N89°52'00"W	1327.04'
4	N00°22'20"E	1051.00'
5	S66°13'00"E	297.60'
6	S84°12'00"E	223.50'
7	N78°03'00"E	312.50'
8	N86°22'00"E	526.40'
9	S00°19'00"W	1009.54'



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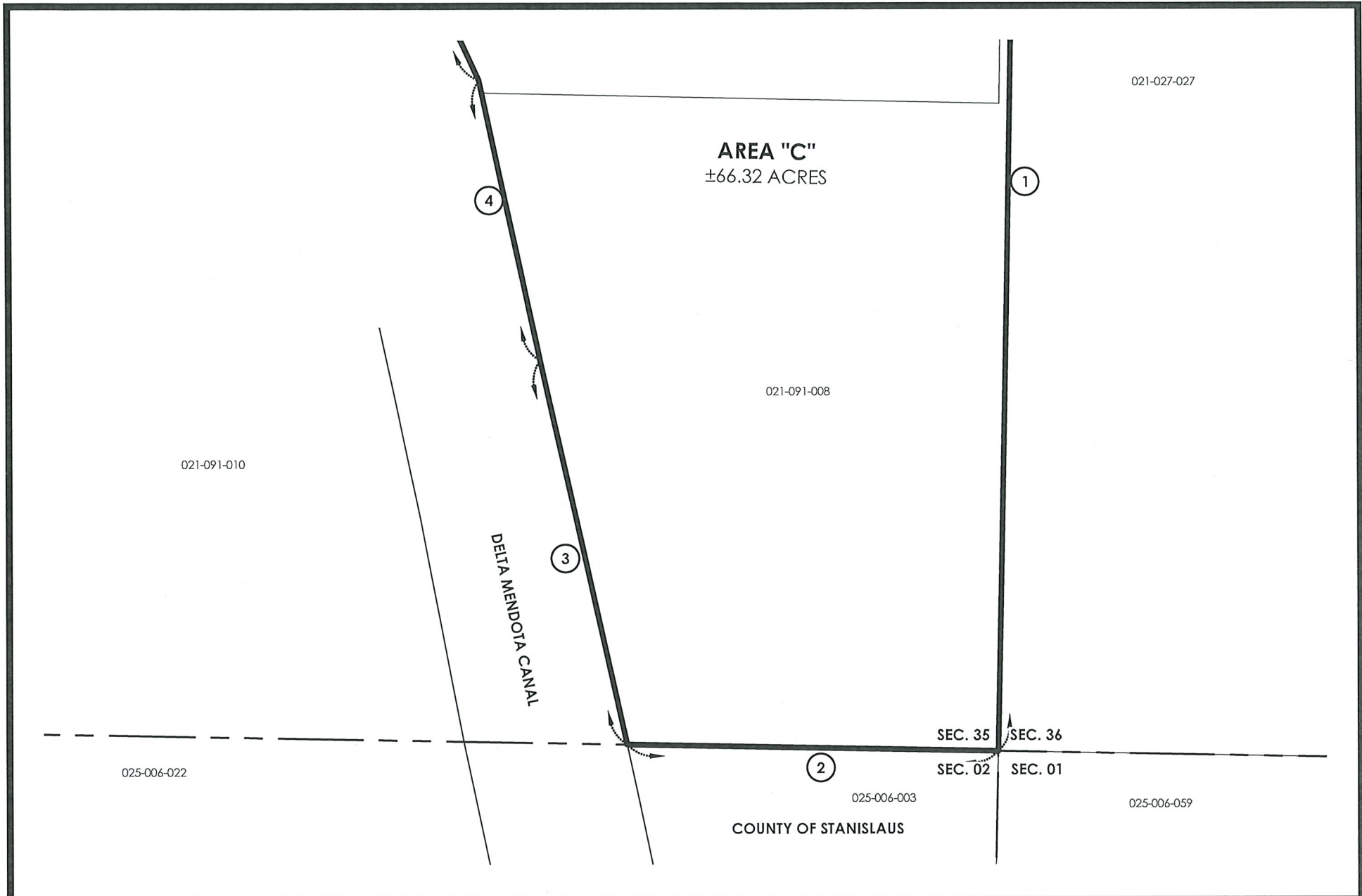



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**Ex . H - 50**



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Checked: SH	Sheet: 11 of 12

AREA "C" - COURSE TABLE		
COURSE	DIRECTION	LENGTH
1	S01°12'14"W	2650.64'
2	N88°57'14"W	826.19'
3	N12°39'17"W	871.11'
4	N11°53'44"W	634.93'
5	N24°33'44"W	992.41'
6	S88°47'48"E	140.00'
7	N01°12'12"E	295.00'
8	S88°47'48"E	622.43'
9	S01°12'14"W	500.00'
10	S88°47'48"E	522.72'
11	N01°12'14"E	500.00'
12	S88°47'48"E	325.00'



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Drawn: HS	Job No.: 18056
Checked: SH	Sheet: 12 of 12

## RESOLUTION 2022-62

**A RESOLUTION OF THE CITY OF PATTERSON CITY COUNCIL,  
IN ACCORDANCE WITH THE CALIFORNIA ENVIRONMENTAL QUALITY ACT:  
(1) CERTIFYING THE FINAL ENVIRONMENTAL IMPACT REPORT FOR THE  
ZACHARIAS & BALDWIN RANCH SOUTH MASTER PLAN,  
(2) ADOPTING FINDINGS FOR SIGNIFICANT ENVIRONMENTAL IMPACTS,  
(3) ADOPTING A STATEMENT OF OVERRIDING CONSIDERATIONS, AND  
(4) ADOPTING A MITIGATION MONITORING AND REPORTING PROGRAM**

**WHEREAS**, on October 3, 2017, the Patterson City Council ("City Council") authorized staff to commence the preparation of the Zacharias & Baldwin Ranch South Master Plan ("Master Plan"), an environmental impact report ("EIR") for the Master Plan in accordance with the California Environmental Quality Act ("CEQA"), and other documents required for an application to the Stanislaus Local Agency Formation Commission ("Stanislaus LAFCO") to annex the Master Plan area into City limits; and

**WHEREAS**, the Master Plan provides a comprehensive development plan for approximately 1,361 acres located in Stanislaus County, which would be annexed to the City upon completion of proceedings through Stanislaus LAFCO. The buildout potential of the Master Plan is 5,396 residential units, 7,765,000 square feet of industrial and commercial uses, three (3) schools, 73 acres of parks and open space, a recharge basin, and a dual-use stormwater basin; and

**WHEREAS**, the City of Patterson ("City") is the lead agency for the Master Plan project pursuant to the California Environmental Quality Act ("CEQA"); and

**WHEREAS**, on December 21, 2019, the City sent a notice of preparation of the EIR to affected public agencies to solicit feedback and determine the scope of the EIR; and

**WHEREAS**, on December 3, 2020, the City released the Draft EIR (SCH#: 2018122052) for review and comment by affected public agencies and members of the public; and

**WHEREAS**, the public review and comment period for the Draft EIR was sixty (60) days, ending on February 4, 2021; and

**WHEREAS**, on July 27, 2021, the City completed the Final EIR (SCH#: 2018122052), which consists of the City's responses to all comments received on the Draft EIR and revisions to the Draft EIR, subject to any subsequent minor modifications and clarifications to the Draft EIR which do not change the significance of any environmental conclusions reached in the Draft EIR; and

**WHEREAS**, on August 12, 2021, the Planning Commission recommended that the City Council adopt the Master Plan and certify the Final EIR, in conjunction with other entitlements required for implementation of the Master Plan; and

**WHEREAS**, the Master Plan and Final EIR, in conjunction with other related entitlements, are now before the City Council for consideration, certification, and adoption; and

**WHEREAS**, pursuant to California Code of Regulations, title 14 (“CEQA Guidelines”), section 15091, the City has prepared findings regarding the significant adverse environmental impacts that may result from approval and implementation of the Master Plan (“CEQA Findings”); and

**WHEREAS**, pursuant to CEQA Guidelines sections 15091 and 15093, the City has prepared a Statement of Overriding Considerations for environmental impacts that are expected to remain significant and unavoidable; and

**WHEREAS**, pursuant to CEQA Guidelines sections 15091 and 15097, the City has prepared a Mitigation Monitoring and Reporting Program (“MMRP”) for the Master Plan to avoid or mitigate significant environmental impacts; and

**WHEREAS**, following notice duly provided as required by law, all interested parties were given an opportunity to comment on the Final EIR, CEQA Findings, Statement of Overriding Considerations, and MMRP prior to the City Council’s action on these documents.

**NOW, THEREFORE**, upon its review of all documents and exhibits contained herein, and after due deliberation and based on its independent judgment, **BE IT RESOLVED** by the City of Patterson City Council as follows:

- 1. Certification of Final EIR.** The City Council hereby finds that the Final EIR was prepared in compliance with CEQA. The City Council has reviewed and considered the information contained in the Final EIR prior to approving the Master Plan and affirms that the Final EIR reflects the lead agency’s independent judgment and analysis. The City Council hereby certifies the Final EIR, which is incorporated by reference as **Exhibit A**.
- 2. CEQA Findings Regarding Significant Environmental Impacts.** The City Council hereby adopts the CEQA Findings for the Master Plan, attached hereto as **Exhibit B**.
- 3. Statement of Overriding Considerations.** The City Council hereby adopts the Statement of Overriding Considerations, attached hereto as **Exhibit C**, finding that certain economic, legal, social, and technological considerations outweigh remaining significant environmental impacts.
- 4. Mitigation Monitoring and Reporting Program.** The City Council hereby adopts the MMRP, attached hereto as **Exhibit D**, describing the mitigation measures for the Master Plan that will avoid or minimize the extent of remaining significant environmental impacts.
- 5. Location and Custodian of Documents.** The record of the Master Plan project approval and EIR shall be kept at Patterson City Hall, 1 Plaza Circle, Patterson, CA, 95363.



**PASSED AND ADOPTED AT A REGULAR MEETING OF THE CITY OF PATTERSON CITY COUNCIL ON THE 16<sup>TH</sup> DAY OF AUGUST 2022, BY THE FOLLOWING ROLL CALL VOTE:**

**AYES:** Councilmembers Farinha, Homen, Alves, Parham and Mayor McCord  
**NOES:** None  
**EXCUSED:** None

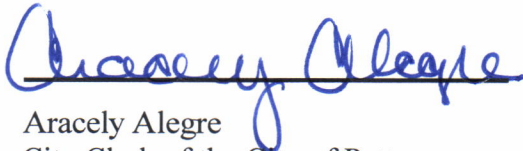
**APPROVED:**



---

Dennis McCord  
Mayor of the City of Patterson

**ATTEST:**



---

Aracely Alegre  
City Clerk of the City of Patterson

I hereby certify that the foregoing is a full, correct, and true copy of a resolution passed by the City Council of the City of Patterson, a Municipal Corporation of the County of Stanislaus, State of California, at a regular meeting held on the 16<sup>th</sup> day of August 2022, and I further certify that said resolution is in full force and effect and has never been rescinded or modified.

DATE:

---

City Clerk of the City of Patterson

**EXHIBIT A**

**FINAL ENVIRONMENTAL IMPACT REPORT (SCH#: 2018112052)  
FOR THE MASTER PLAN**

The Final EIR (SCH#: 2018112052) for the Master Plan is incorporated by reference to this City Council Resolution and shall be kept at Patterson City Hall, 1 Plaza Circle, Patterson, CA, 95363.

Public review copies of the Final EIR, which includes the Draft EIR, are also available at the City's web page for the Master Plan, *available at* <https://www.ci.patterson.ca.us/658/Master-Plan-Documents>.

**EXHIBIT B**  
**CEQA FINDINGS**

**I. PROJECT DESCRIPTION**

The Master Plan (or the “Project”) provides a comprehensive development plan for approximately 1,361 acres located in Stanislaus County, which would be annexed to the City upon completion of proceedings through Stanislaus LAFCO. The buildout potential of the Master Plan is 5,396 residential units, 7,765,000 square feet of industrial and commercial uses, three (3) schools, 73 acres of parks and open space, a recharge basin, and a dual-use stormwater basin.

The Zacharias area of the Master Plan is approximately 1,296 acres and is located north of City limits, generally bounded by Rogers Road to the west, Zacharias Road to the north, and Ward Avenue to the east. The buildout potential of the Zacharias Area is 5,091 residential units, 7,765,000 square feet of industrial and commercial uses, two schools, 73 acres of parks and open space, a recharge basin, and a dual-use stormwater basin. The recharge basin and the dual-use stormwater basin would be located north of Zacharias Road outside of the main project site.

The Baldwin Ranch South area of the Master Plan is approximately 65 acres and is located south of City limits, generally bounded by the Delta Mendota Canal to the west, the City’s Corporation Yard to the north, and agricultural land to the east. The buildout potential of the Baldwin Ranch South Area is approximately 305 residential units and five (5) acres of parks and open space.

Buildout of the Master Plan will involve the necessary infrastructure improvements required to support the Master Plan.

The transportation improvements for the Project will involve construction of the roadway system for the Master Plan, widening of surrounding arterials, improvements to affected intersections in the City and Stanislaus County, construction of the new east-west connector for State Route 33, and funding contributions to the planned Zacharias and I-5 interchange.

Stormwater drainage improvements for the Project involve an integrated stormwater system, where stormwater from the Project would be piped from the Master Plan to an off-site dual-use basin, and then piped to a recharge basin to recharge the City’s groundwater resources.

Water system improvements for the Project will involve water mains of different diameters throughout the Master Plan, and also new wells and water tanks, consistent with the City’s water master plan.

Sewer system improvements for the Project will involve sewer mains of different diameters throughout the Master Plan, which will connect into the City’s main trunk line along Walnut Avenue. The Project will also require construction of the new North Patterson Trunk Line, which will follow Eucalyptus Avenue and connect to the City’s Wastewater Treatment Plant.

## II. CEQA Findings for Significant Effects

The EIR analyzed the effects of the buildout of the Master Plan (or the “Project”). The EIR found certain environmental impacts that would remain significant and unavoidable, and that other impacts can be reduced to a less than significant level with implementation of mitigation measures. The City Council hereby makes the following findings for the Project’s potentially significant and unavoidable impacts:

### AGRICULTURAL RESOURCES:

**Impact AG-1:** Buildout of the Master Plan would convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland) as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to nonagricultural use. The EIR found this impact to be significant and unavoidable. Mitigation Measure AG-1 would minimize the impact to the extent feasible.

**Impact AG-3:** Buildout of the Master Plan may conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code section 12220, subdivision (g)), timberland (as defined by Public Resources Code section 4526), or timberland zoned Timberland Production (as defined by Government Code section 51104, subdivision (g)). This EIR found that implementation of Mitigation Measure AG-3 would make this impact less than significant.

### AIR QUALITY:

**Impact AIR-1:** Buildout of the Master Plan may conflict with or obstruct implementation of the applicable air quality plan (such as, resulting in ozone precursor and particulate matter emissions exceeding adopted thresholds). The EIR found this impact to be significant and unavoidable. Implementation of Mitigation Measure AIR-2 would minimize the impact to the extent feasible.

**Impact AIR-2:** Buildout of the Master Plan may result in a cumulatively considerable net increase of any criteria pollutant for which the project region is in nonattainment under an applicable federal or state ambient air quality standard (such as, resulting in ozone precursor and particulate matter emissions exceeding adopted thresholds). The EIR found this impact to be significant and unavoidable. Implementation of Mitigation Measures AIR-3a and Air-3b would minimize this impact to the extent feasible.

**Impact AIR-3:** Buildout of the Master Plan may expose sensitive receptors to substantial pollutant concentrations. The EIR found that implementation of Mitigation Measures AIR-3c and AIR-3d would make this impact less than significant.

### BIOLOGICAL RESOURCES:

**Impact BIO-1:** Buildout of the Master Plan may have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate,

sensitive, or special-status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Wildlife or the United States Fish and Wildlife Service. The EIR found that implementation of Mitigation Measures BIO-1a, BIO-1b, and BIO-1c would make this impact less than significant.

**Impact BIO-5:** Buildout of the Master Plan may conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance. The EIR found that implementation of Mitigation Measures BIO-1a and BIO-1b would make this impact less than significant.

#### **CULTURAL RESOURCES AND TRIBAL CULTURAL RESOURCES:**

**Impact CUL-1:** Buildout of the Master Plan may result in a substantial adverse change in the significance of a historical resource as pursuant to Section 15064.5. The EIR found that implementation of Mitigation Measure CUL-1 would make this impact less than significant.

**Impact CUL-2:** Buildout of the Master Plan may result in a substantial adverse change in the significance of an archaeological resource pursuant to Section 15064.5. The EIR found that implementation of Mitigation Measure CUL-2 would make this impact less than significant.

**Impact CUL-3:** Buildout of the Master Plan may result in disturbance to human remains, including those interred outside of formal cemeteries. The EIR found that implementation of Mitigation Measure CUL-3 would make this impact less than significant.

**Impact CUL-5:** Buildout of the Master Plan may cause a substantial adverse change in the significance of a tribal cultural resource, defined in Public Resources Code Section 21074 as either a site, feature, place, cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California Native American tribe, and that is a resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code Section 5024.1. The EIR found that implementation of Mitigation Measures CUL-1, CUL-2, and CUL-3 would make this impact less than significant.

#### **GEOLOGY, SOILS, AND SEISMICITY:**

**Impact GEO-1:** Buildout of the Master Plan may expose persons within the Master Plan areas to seismic hazards including fault rupture, strong ground shaking, liquefaction, or landsliding. The EIR found that implementation of Mitigation Measure GEO-1 would make this impact less than significant.

**Impact GEO-2:** Buildout of the Master Plan may result in substantial soil erosion or the loss of topsoil. The EIR found that implementation of Mitigation Measure HYD-1 would make this impact less than significant.

**Impact GEO-4:** Buildout of the Master Plan may be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial direct or indirect risks to life or property. The EIR found that implementation of Mitigation Measure GEO-1 would make this impact less than significant.

**Impact GEO-5:** Buildout of the Master Plan may impact undiscovered paleontological resources. The EIR found that implementation of Mitigation Measure GEO-5 would make this impact less than significant.

## **GREENHOUSE GAS EMISSIONS AND ENERGY**

**Impact GHG-1:** Buildout of the Master Plan would generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment. The EIR found this impact to be significant and unavoidable. Implementation of Mitigation Measure TRANS-2 would minimize this impact to the extent feasible.

**Impact GHG-2:** Buildout of the Master Plan may conflict with any applicable plan, policy or regulation of an agency adopted for the purpose of reducing the emissions of greenhouse gases. The EIR found this impact to be significant and unavoidable. The EIR found that implementation of Mitigation Measure TRANS-2 would minimize this impact to the extent feasible.

## **HAZARDS AND HAZARDOUS MATERIALS**

**Impact HAZ-3:** Buildout of the Master Plan would not be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result would not create a significant hazard to the public or the environment. The EIR found that implementation of Mitigation Measures HAZ-3a and HAZ-3b would ensure that this impact remains less than significant.

## **HYDROLOGY AND WATER QUALITY**

**Impact HYD-1:** Buildout of the Master Plan may violate water quality standards or waste discharge requirements or otherwise substantially degrade surface or groundwater quality. The EIR found that implementation of Mitigation Measures HYD-1a and HYD-1b would make this impact less than significant.

**Impact HYD-3:** Buildout of the Master Plan may alter the existing drainage pattern of the site that may create erosion or downstream flooding problems. The EIR found that implementation of Mitigation Measures HYD-3a and HYD-3b would make this impact less than significant.

## NOISE

**Impact NOI-1:** Buildout of the Master Plan may cause a significant environmental impact due to a conflict with any applicable land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect. The EIR found that implementation of Mitigation Measure NOI-1 would make this impact less than significant.

**Impact NOI-2:** Buildout of the Master Plan may result in generation of a substantial temporary or permanent increase in ambient noise levels in the vicinity of the project in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies. The EIR found that implementation of Mitigation Measures NOI-2a, NOI-2b, and NOI-2c would make this impact less than significant.

## PUBLIC SERVICES AND RECREATION

**Impact PSR-1:** Buildout of the Master Plan may result in a need for new or expanded fire protection facilities. The EIR found that implementation of Mitigation Measure PSR-1 would make this impact less than significant.

**Impact PSR-2:** Buildout of the Master Plan may result in a need for new or expanded police protection facilities. The EIR found that implementation of Mitigation Measure PSR-1 would make this impact less than significant.

## TRANSPORTATION

**Impact TRANS-1:** Buildout of the Master Plan would generate traffic under Existing Plus Approved Plus Project Conditions that may conflict with a program plan, ordinance or policy of the circulation system, referring to increased trips that would affect the target levels of service on affected roadways and intersections. The EIR found this impact to be significant and avoidable, as planned improvements may not result in restoring acceptable levels of service, and some facilities are outside the jurisdictional control of the City. Implementation of all Mitigation Measures TRANS-1a through TRANS-1z (inclusive) would minimize these impacts to the extent feasible. The City will collect funds from impact fees for the Project and the Community Facilities District established for the Project, and will use such funds to implement the roadway and intersection improvements under its jurisdiction described in the Master Plan and EIR.

**Impact TRANS-2:** Buildout of the Master Plan would generate traffic under 2040 Cumulative Plus Project Conditions that may conflict with a program plan, ordinance or policy of the circulation system. The EIR found this impact to be significant and avoidable. Implementation of Mitigation Measures TRANS-2a and TRANS-2b would reduce this impact to the extent feasible.

**Impact TRANS-3:** Buildout of the Master Plan may conflict or be inconsistent with CEQA Guidelines Section 15064.3, subdivision (b), referring to additional vehicle miles

traveled due to buildout of the Master Plan. The EIR found that implementation of Mitigation Measures TRANS-2a and TRANS-2b would make this impact less than significant.

**Impact TRANS-4:** Buildout of the Master Plan may substantially increase hazards due to a geometric design feature or incompatible uses. The EIR found that implementation of Mitigation Measure TRANS-1m would make this impact less than significant.

## **UTILITIES AND SERVICE SYSTEMS**

**Impact USS-4:** Buildout of the Master Plan may generate solid waste in excess of State or local standards, or in excess of the capacity of local infrastructure, or otherwise impair the attainment of solid waste reduction goals. The EIR found that implementation of Mitigation Measure USS-4 would make this impact less than significant.

### **III. FINDINGS FOR PROJECT ALTERNATIVES**

The EIR analyzed four (4) alternatives to the proposed Master Plan:

1. The **No Project Alternative**, which would mean the planning areas would continue their existing agricultural land use activities within Stanislaus County.
2. The **Zacharias Master Plan Only Alternative**, which would not involve development of the Baldwin Ranch South area.
3. The **Reduced Density Alternative**, which would involve a 25% density reduction to the buildout potential of the proposed Master Plan.
4. The **Ivy Avenue Connection Alternative**, where Ivy Avenue would provide a second through connection between Ward Avenue and the Patterson Irrigation District Lateral M Canal, in addition to the planned east-west connector.

The City Council hereby finds that identified environmentally superior alternatives (i.e., the No Project Alternative and Zacharias Master Plan Only Alternative) would not advance the Project objectives to the same extent as the proposed Master Plan, and further that the benefits of the proposed Project outweigh the environmental benefits of the identified alternatives, as further described in Section 5 of the Draft EIR.



## EXHIBIT C

### STATEMENT OF OVERRIDING CONSIDERATIONS

The City Council hereby finds that the specific economic, legal, social, technological, and other benefits of the Master Plan, including provision of new employment opportunities, business investment, and housing production, outweigh the significant and unavoidable environmental effects and the alternatives identified in the Final EIR, for the following reasons:

1. The Project will be a place for residents of the City to live near their jobs, and enjoy diverse housing types and spaces to recreate.
2. The Project will lead to positive contributions to the local and regional economy through new capital investment, creation of new employment and housing opportunities, and expansion of the tax base.
3. The Project will develop a mix of new residential uses in proximity to a regional job center, which is identified as the West Patterson Business Park and West Patterson Business Park Expansion.
4. The Project will assist the City in meeting the goals of its Housing Element and its Regional Housing Needs Allocation.
5. The Project will continue to attract new businesses to the City of Patterson by providing adequate, available land and infrastructure.
6. The Project will facilitate buildout of the City's General Plan.
7. The Project will maintain and enhance a high quality of life in the City of Patterson through the provision of new schools, parks, open spaces, and trails in residential areas.
8. The Project will facilitate the development of the South County Corridor by reserving land for the future alignment of this transportation corridor and limiting new connections from the Project area. Project applicants will also be required to construct Zacharias Road to arterial standards. The South County Corridor is a pivotal transportation project for the region. The lack of an efficient and direct travel route between SR 99, SR 33, and I-5 in the southern part of Stanislaus County has become a pressing concern for the region. This is also a concern for the City, given the amount of regional and interregional traffic generating congestion within the City limits and surrounding areas. Improvements to local and regional congestion, noise, and safety issues is a concern to the City and the region, which depends on an efficient and safe transportation system to deliver manufactured and agricultural goods both regionally and inter-regionally.
9. The Project will promote land use compatibility with the Ivy Rose area by appropriately siting roadway connections and affording property owners the option of maintaining their existing land use activities or developing low density residential uses. The Project will avoid the premature conversion of viable agricultural land by using buffers and affording

property owners the ability to continue to farm their land until conditions are right for development.

10. The Project will ensure that the City limits are expanded in an orderly and logical manner.
11. The Project will provide groundwater recharge facilities to protect groundwater resources consistent with City and State groundwater recharge policies.

**EXHIBIT D**

**MITIGATION MONITORING AND REPORTING PROGRAM**

**Mitigation Monitoring and Reporting Program  
for the  
Baldwin Master Plan/Zacharias Master Plan Project  
Draft Initial Study/Mitigated Negative Declaration  
City of Patterson, Stanislaus County, California**

Prepared for:

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Report Date: July 2, 2021

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## PREFACE

Section 21081.6 of the California Environmental Quality Act (CEQA) and CEQA Guidelines Section 15097 require a Lead Agency to adopt a Mitigation Monitoring and Reporting Program (MMRP) whenever it adopts a Mitigated Negative Declaration (MND) in conjunction with a project approval. The purpose of the MMRP is to ensure compliance with the mitigation measures occurs during project implementation.

The Initial Study and Mitigated Negative Declaration (IS/MND) prepared for the Baldwin Master Plan/Zacharias Master Plan Project concluded that project implementation could result in potentially significant effects on the environment and mitigation measures were incorporated into the proposed project or are required as a condition of project approval that reduce these potential impacts to a less than significant level. This MMRP documents how and when the mitigation measures adopted by the lead agency will be implemented and confirms that potential environmental impacts are reduced to less than significant levels as identified in the MND.

This document does not discuss those subjects that the environmental analysis demonstrates would result in less than significant impacts and for which no mitigation was proposed or necessary.

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**Table 1: Baldwin Master Plan/Zacharias Master Plan Project Mitigation Monitoring and Reporting Program**

Mitigation Measures	Method of Verification	Timing of Verification	Responsible for Verification	Verification of Completion	
				Date	Initial
<b>3.2 Agricultural Resources</b>					
<p><b>MM AG-1:</b> Prior to issuance of the grading permit, the project applicant shall preserve Important Farmland acreage, as mapped by the California Department of Conservation Farmland Mapping and Monitoring Program (FMMP), within Stanislaus County (but outside of the Patterson Planning Area) at a ratio of no less than 1:1 for each acre of Important Farmland converted to non-agricultural use by the proposed project. Preserved acreage shall be of equal or higher quality to farmland converted to non-agricultural use by the proposed project. The preservation shall be accomplished through one of the following approaches:</p> <ul style="list-style-type: none"> <li>• The applicant shall enter into a binding agreement with one or more private property owners or third-party organizations acceptable to the City of Patterson (e.g., Stanislaus County farm Bureau or the American Farmland Trust) to permanently preserve farmland. The agreement shall identify an irrevocable instrument that will be recorded against the preserved acreage property. This option shall be pursued if the City of Patterson does not have a farmland preservation program in place at the time permits are sought.</li> <li>• If the City of Patterson establishes a farmland preservation program before the project applies for construction permits for any phase of development, the City may require the applicant to pay fees to the City of Patterson equivalent to cost of preserving Important Farmland. The City shall use the fees to fund an irrevocable instrument (e.g., deed restriction or reservation easements) to permanently preserve farmland.</li> </ul>	Submittal of documentation	Prior to issuance of the grading permit	City of Patterson		



Mitigation Measures	Method of Verification	Timing of Verification	Responsible for Verification	Verification of Completion	
				Date	Initial
<p><b>MM AG-3:</b> Prior to the issuance of the grading permit, the project applicant shall prepare and submit plans to the City of Patterson demonstrating that the 150-foot minimum setbacks have been established between the proposed project and all agricultural lands in unincorporated Stanislaus County zoned General Agriculture (A-2) and outside the Patterson Sphere of Influence. Pursuant to the County’s policy, permitted uses within the setback may include public roadways, utilities, drainage facilities, rivers and adjacent riparian areas, landscaping, parking lots, and similar low-people-intensive uses. Permitted uses may also include non-agricultural uses adjoining or surrounding a project site (including but not limited to legal, non-conforming uses and home sites) that are of a permanent nature and are not likely to be returned to agriculture. Landscaping within a buffer setback area shall be designed to exclude turf areas that could induce activities and add to overall maintenance costs and water usage.</p>	Approval of plans	Prior to the issuance of the grading permit	City of Patterson		
<p><b>3.3 Air Quality</b></p>					
<p><b>MM AIR-3a:</b> Prior to the issuance of grading permits, the applicant shall provide the City of Patterson with documentation demonstrating a good faith effort was made to obtain off-road equipment meeting Tier 4 standards</p>	Submittal of documentation	Prior to the issuance of grading permits	City of Patterson		
<p><b>MM AIR-3b:</b> All hearths and fireplaces shall utilize natural gas. No woodburning hearths are allowed in the Master Plan area.</p>	Approval of plans	Prior to issuance of building permits for residential units	City of Patterson		
<p><b>MM AIR-3c:</b> Prior to approval of site plans for warehouse/distribution center projects located within 1,000 feet of a sensitive receptor location (including land designated for residential, school, etc.) and accommodates more than 100 trucks per day, more than 40 trucks with operating transport refrigeration units (TRUs) per day, or where TRU unit operations exceed 300 hours per week, the applicant shall provide a health risk prioritization screening</p>	Submittal of documentation	Prior to approval of site plans for warehouse/distribution center projects located within 1,000 feet of a sensitive receptor location (including	City of Patterson		

Mitigation Measures	Method of Verification	Timing of Verification	Responsible for Verification	Verification of Completion	
				Date	Initial
<p>analysis to assess the potential cancer and non-cancer risks from project DPM emissions. If the project exceeds screening criteria, the applicant shall provide a Health Risk Assessment prepared by a qualified air quality consultant and the City shall submit the Health Risk Assessment (HRA) for review by the Valley Air District. In addition, the following measures should be considered for the projects:</p> <ul style="list-style-type: none"> <li>• Locate loading docks and truck access routes as far from receptor locations as possible.</li> <li>• Place signs at loading docks requiring trucks to limit idling to less than 5 minutes to comply with the ARB In-Use Diesel Truck Regulation anti-idling provisions.</li> <li>• Provide electric plug in capability to a suitable portion of loading docks for warehouses that use refrigerated trucks to limit TRU operation.</li> <li>• Encourage the use of electric yard hostlers to move trailers on-site.</li> </ul>		land designated for residential, school, etc.) and accommodates more than 100 trucks per day, more than 40 trucks with operating transport refrigeration units (TRUs) per day			
<p><b>MM AIR-3d:</b> Prior to approval of a site plan or conditional use permit for a high-volume gasoline station (3 million gallons per year) within 300 feet of a sensitive receptor location the applicant shall provide a health risk prioritization screening analysis to assess the potential health risk from benzene emissions impacts from the fueling operation. Projects that exceed the risk screening criteria may reduce the fuel throughput or prepare a full HRA to more accurately determine project impacts.</p>	Submittal of documentation	Prior to approval of a site plan or conditional use permit for a high-volume gasoline station (3 million gallons per year) within 300 feet of a sensitive receptor	City of Patterson		
<p><b>3.4 Biological Resources</b></p>					
<p><b>MM BIO-1a:</b> No more than 10 days prior to the initiation of ground-disturbing activities within the nesting season (February 1 to August 31), a qualified Biologist shall perform a pre-construction survey for the tri-colored blackbird, burrowing owl, loggerhead shrike, or nesting migratory birds active within the Master Plan areas and within a 200-foot</p>	Submittal of documentation	No more than 10 days prior to the initiation of ground-disturbing activities within the nesting	City of Patterson		

Mitigation Measures	Method of Verification	Timing of Verification	Responsible for Verification	Verification of Completion	
				Date	Initial
<p>buffer of the project site to determine the presence or absence of these species. If these species are determined to be present, the applicant shall follow the guidelines outlined by the California Department of Fish and Wildlife (CDFW):</p> <ul style="list-style-type: none"> <li>• If an active tri-colored blackbird nesting colony is found during preconstruction surveys, a minimum 300-foot no-disturbance buffer shall be established in accordance with CDFW’s “Staff Guidance Regarding Avoidance of Impacts to Tricolored Blackbird Breeding Colonies on Agricultural Fields in 2015” (CDFW 2015). The buffer shall remain in place until the breeding season has ended or until a biologist determines that nesting ceased, birds have fledged, and are no longer reliant upon the colony or parental care for survival.</li> <li>• If burrowing owls are found on-site during the nesting season (February 1 to August 31), they shall be avoided by a work-free buffer unless it has been determined by a qualified biologist that either: 1) the birds have not begun egg laying and incubation; or 2) that juveniles from the occupied burrows have fledged and are independent of their parents. The buffers shall be established with CDFW according to the guidance in the Staff Report on Burrowing Owl Mitigation (CDFG 2012). The disturbance-free buffer shall be clearly defined (e.g., with orange construction fencing), and a biological monitor shall visit the site randomly throughout the breeding season to ensure the area remains work-free and the owls are not negatively affected by construction activities.</li> <li>• If loggerhead shrike or any other migratory birds are found nesting on-site, a 50-foot work-free buffer area will be established and monitored by a qualified Biologist until young have fledged and are independent of their parents. Again, nests and work-free buffers would be monitored.</li> <li>• If burrowing owls occur on the project area during the wintering season (September 1 to January 31), and</li> </ul>		season (February 1 to August 31)			

Mitigation Measures	Method of Verification	Timing of Verification	Responsible for Verification	Verification of Completion	
				Date	Initial
<p>construction is slated to begin during this time and active burrows cannot be avoided, an eviction of owls can be conducted to ensure owls move off the site prior to commencement of construction. The eviction process includes the installation of one-way doors that remain in all burrows of suitable size for at least 3 days, monitored by a qualified Biologist, and then hand-excavating burrows to ensure no owl remains in the burrow. Once the site is clear of owls, the burrows can be backfilled, after which ground-disturbing construction activity can commence.</p> <ul style="list-style-type: none"> <li>• In the unlikely event burrowing owls are found on-site, mitigation lands must be purchased to offset the loss of their habitat. The standard mitigation lands required to loss of habitat is 6.5 acres for every pair of owls found on-site.</li> <li>• If nesting birds are identified during preconstruction surveys, a qualified biologist shall conduct a survey to establish the behavioral baseline for all active nests. Active nests will be monitored daily to detect behavioral changes. If negative behavioral changes occur, additional avoidance and minimization measures shall be implemented in consultation with CDFW.</li> <li>• If daily monitoring is not feasible, active non-listed bird species’ nests shall be protected by a no-disturbance buffer of 250 feet, and a no-disturbance buffer of 500 feet around active non-listed raptor nests. These buffers shall remain in place until a qualified biologist determines that the birds have fledged. Variance from these no-disturbance buffers may be permitted when there are biological or ecological reasons to do so, such as physical barriers.</li> </ul>					
<p><b>MM BIO-1b:</b> No more than 10 days prior to ground-disturbing activities during the breeding season (February 1 to August 31), a qualified Biologist shall perform pre-construction surveys for the Swainson’s hawk in accordance with the Recommended Timing and Methodology for Swainson’s Hawk</p>	<p>Submittal of documentation</p>	<p>No more than 10 days prior to ground-disturbing activities during the breeding season</p>	<p>City of Patterson</p>		

Mitigation Measures	Method of Verification	Timing of Verification	Responsible for Verification	Verification of Completion	
				Date	Initial
<p>Nesting Surveys in California’s Central Valley. In accordance with the guidelines, surveys shall occur within a 0.5-mile radius of the site, and shall involve a minimum of two survey periods. In the event that one or more Swainson’s hawks are observed to be nesting, a work-free buffer area shall be established and monitored by a qualified Biologist. The Biologist shall have the discretion to determine the appropriate buffer, which may involve consultation with the CDFW, as appropriate. The Biologist shall determine when the nest has been vacated, at which point, the work-free buffer area can be removed.</p> <p>If an occupied nest is found, an in-depth assessment by a qualified raptor biologist to determine appropriate buffers will be conducted. Accordingly, a nesting buffer shall be established in consultation with the CDFW that accurately reflects current research and site conditions that could exacerbate or diminish a likelihood of impact to the nesting Swainson’s hawks. In accordance with the survey protocol, all activities that are 200 yards or greater from a nest site, assuming that the Swainson’s hawks are moderately acclimated to human disturbance (which would be the case in the area of the project site), would represent a Low Level of Risk to the nesting Swainson’s hawks. Such considerations will be addressed by the qualified raptor biologist who conducts the nesting survey and who will present an analysis of the effects of the project on the nesting Swainson’s hawks to the CDFW. The qualified biologist’s analysis will also recommend a buffer size that will protect the Swainson’s hawks from the deleterious effects of disturbance. Any protective nesting buffer would be maintained until the Swainson’s hawks complete their nesting cycle. A completed nesting cycle would occur when the young are fully fledged and independent of the nest site or the nesting attempt has failed and the adult Swainson’s hawks are no longer</p>		(February 1 to August 31)			

Mitigation Measures	Method of Verification	Timing of Verification	Responsible for Verification	Verification of Completion	
				Date	Initial
<p>defending the nest site. If a qualified biologist does not monitor the nesting attempt to ascertain the completion of the nesting attempt, the protective buffer shall remain in place until September 15.</p> <p>Removal of known recent raptor nest trees, even outside the nesting season, will be replaced with an appropriate native tree species planting at a ratio of 3:1 at or near the Master Plan area or in another area that will be protected in perpetuity to reduce the impacts resulting from the loss of nesting habitat.</p>					
<p><b>MM BIO-1c:</b> The project applicant shall adhere to the following requirements to avoid or minimize adverse impacts on the San Joaquin kit fox:</p> <ul style="list-style-type: none"> <li>• No more than 14 days prior to the first ground-disturbing activity, a qualified Biologist shall thoroughly walk the Master Plan areas, as well as a 200-foot buffer around the perimeter of the Master Plan areas, to locate potential San Joaquin kit fox dens. If no dens are located, no further surveys efforts are required. If dens are located during this survey effort, the status of the dens shall be assessed, and the United States Fish and Wildlife Service (USFWS) and the California Department of Fish and Wildlife (CDFW) shall be consulted.</li> <li>• All vehicles operating within the construction area shall observe a maximum 20-mph speed limit.</li> <li>• All ground-disturbing construction activities shall occur during daylight hours.</li> <li>• All excavated, steep-walled holes or trenches more than 2 feet deep shall be covered at the close of each workday or shall have escape ramps constructed of earth fill or wooden planks installed. Before such holes or trenches are filled, they shall be thoroughly inspected for trapped animals. If an animal is found within these structures, the</li> </ul>	Notes on construction plans; Site inspection	No more than 14 days prior to the first ground-disturbing activity; During construction	City of Patterson		

Mitigation Measures	Method of Verification	Timing of Verification	Responsible for Verification	Verification of Completion	
				Date	Initial
<p>animal shall be allowed to leave on its own without harm or harassment.</p> <ul style="list-style-type: none"> <li>• All construction piles, culverts, or similar structures with a diameter of 4 inches or greater that are stored at the construction site shall be thoroughly inspected for animals prior to burial, capping, or moving. If a kit fox is found within any of these structures, the structure shall remain untouched until the kit fox has vacated the structure; if necessary, the USFWS and CDFW shall be consulted.</li> <li>• All food-related trash shall be disposed of in closed containers and removed from the construction site at a minimum of once per week.</li> <li>• Prior to the first ground-disturbing activity, a qualified Biologist shall conduct an employee education program for construction personnel. The education program shall include a physical description of the kit fox, methods of impact avoidance, and points of contact should an impact occur or potentially occur. A fact sheet covering all of this information shall be provided to each employee.</li> <li>• The applicant shall establish a point of contact for construction personnel in the event that a kit fox is accidentally injured or killed.</li> <li>• Prior to ground-disturbing activities, the City shall retain a qualified Biologist to conduct periodic inspections of the Master Plan areas during construction to ensure compliance with the above measures.</li> <li>• The CDFW shall be notified immediately and the Sacramento Fish and Wildlife office shall be notified within 3 days if a kit fox is injured or killed.</li> </ul>					
<b>3.5 Cultural Resources and Tribal Cultural Resources</b>					
<p><b>MM CUL-1:</b> Prior to the commencement of any construction or demolition activities that would affect any building or structure over 45 years in age, an architectural historian who meets the qualification standards of the Secretary of the</p>	<p>Submittal of documentation</p>	<p>Prior to the commencement of any construction or demolition</p>	<p>City of Patterson</p>		

Mitigation Measures	Method of Verification	Timing of Verification	Responsible for Verification	Verification of Completion	
				Date	Initial
<p>Interior shall be retained to evaluate the property and determine if it is eligible for listing on the California Register of Historical Resources. The Architectural Historian will engage in expanded archival research and oral interviews to better document the age, periods of use, owners and residents who were associated with each potential resource. The Architectural Historian shall inspect the structure(s) to determine if any qualify as significant under CEQA Guidelines on the basis of their association with significant events or persons, state of preservation, unique design qualities, or as examples of historically important structures at the national, State and local level. If the structure is determined to not have historical significance, the Architectural Historian shall document his/her findings in a report and no further action is required. If the structure is determined to have historical significance, the Architectural Historian shall document his/her findings in the form of a Historic Resource Assessment report that shall be prepared for each structure along with all appropriate Department of Parks and Recreation (DPR) building and structure recordation forms. The Historic Resource Assessment shall be submitted to the City of Patterson, State Historic Preservation Office, and the Central California Information Center as required. In the event any of the structures are found to be significant, the Architectural Historian will be retained to design a Historic Property Treatment Plan that adheres to the Secretary of the Interior’s guidelines for the treatment of historic properties, and provides mitigation to reduce potential impacts to historic resources to a less than significant level. Such mitigation may include, but is not limited to:</p> <ul style="list-style-type: none"> <li>• Preservation in place of significant structures or rehabilitation for re-use appropriate for the proposed development.</li> <li>• Relocation of significant structures to locations outside of the disturbance area or renovation for re-use.</li> </ul>		activities that would affect any building or structure over 45 years in age			



Mitigation Measures	Method of Verification	Timing of Verification	Responsible for Verification	Verification of Completion	
				Date	Initial
<ul style="list-style-type: none"> <li>Complete photo documentation and architectural recording for archival purposes, salvage of elements of the structures for re-use elsewhere or for display at local historical venues prior to demolition.</li> </ul>					
<p><b>MM CUL-2:</b> In the event a potentially significant cultural resource is encountered during subsurface earthwork activities, all construction activities within a 100-foot radius of the find shall cease and workers should avoid altering the materials until a qualified Archaeologist who meets the Secretary of Interior’s Professional Qualification Standards for archaeology has evaluated the situation. The applicant shall include a standard inadvertent discovery clause in every construction contract to inform contractors of this requirement. Any previously undiscovered resources found during construction activities shall be recorded on appropriate Department of Parks and Recreation (DPR) forms and evaluated for significance in terms of CEQA criteria by a qualified Archaeologist. Potentially significant cultural resources consist of but are not limited to stone, bone, glass, ceramics, wood, or shell artifacts, or features including hearths, structural remains, or historic dumpsites. If the resource is determined to be significant under CEQA, the qualified Archaeologist shall prepare and implement a research design and archaeological data recovery plan that will capture those categories of data for which the site is significant in accordance with Section 15064.5 of the CEQA Guidelines. The Archaeologist shall also perform appropriate technical analyses, prepare a comprehensive report complete with methods, results, and recommendations, and provide for the permanent curation or repatriation of the recovered resources in cooperation with the designated Most Likely Descendant (MLD) as needed. The report shall be submitted to the City of Patterson, the Central California Information</p>	Notes on construction plans; Site inspection	During subsurface earthwork activities	City of Patterson		

Mitigation Measures	Method of Verification	Timing of Verification	Responsible for Verification	Verification of Completion	
				Date	Initial
Center (CCIC), and the California Office of Historic Preservation (OHP), as required.					
<p><b>MM CUL-3:</b> In the event of the accidental discovery or recognition of any human remains, CEQA Guidelines Section 15064.5, Health and Safety Code Section 7050.5, and Public Resources Code Sections 5097.94 and Section 5097.98 shall be followed. If during the course of project construction, there is accidental discovery or recognition of any human remains, the following steps shall be taken:</p> <ol style="list-style-type: none"> <li>1. There shall be no further excavation or disturbance within 100 feet of the remains until the Stanislaus County Coroner is contacted to determine if the remains are Native American and if an investigation of the cause of death is required. If the Coroner determines the remains to be Native American, the Coroner shall contact the Native American Heritage Commission (NAHC) within 24 hours, and the NAHC shall identify the person or persons it believes to be the Most Likely Descendant (MLD) of the deceased Native American. The MLD may make recommendations to the landowner or the person responsible for the excavation work within 48 hours, for means of treating or disposing of, with appropriate dignity, the human remains, and any associated grave goods as provided in Public Resource Code Section 5097.98.</li> <li>2. Where the following conditions occur, the landowner or his or her authorized representative shall rebury the Native American human remains and associated grave goods with appropriate dignity either in accordance with the recommendations of the most likely descendant or on the project site in a location not subject to further subsurface disturbance: <ul style="list-style-type: none"> <li>• The NAHC is unable to identify a most likely descendent or the most likely descendent failed to make a</li> </ul> </li> </ol>	Notes on construction plans; Site inspection	During subsurface earthwork activities	City of Patterson		

Mitigation Measures	Method of Verification	Timing of Verification	Responsible for Verification	Verification of Completion	
				Date	Initial
<p>recommendation within 48 hours after being notified by the commission.</p> <ul style="list-style-type: none"> <li>• The descendant identified fails to make a recommendation.</li> <li>• The landowner or his authorized representative rejects the recommendation of the descendant, and mediation by the NAHC fails to provide measures acceptable to the landowner.</li> </ul> <p>Additionally, California Public Resources Code Section 15064.5 requires the following relative to Native American Remains:</p> <ul style="list-style-type: none"> <li>• When an initial study identifies the existence of, or the probable likelihood of, Native American Remains within a project, a lead agency shall work with the appropriate Native Americans as identified by the Native American Heritage Commission as provided in Public Resources Code Section 5097.98. The applicant may develop a plan for treating or disposing of, with appropriate dignity, the human remains, and any items associated with Native American Burials with the appropriate Native Americans as identified by the Native American Heritage Commission.</li> </ul>					
<b>3.6 Geology, Soils and Seismicity</b>					
<p><b>MM GEO-1:</b> Prior to the issuance of building permits, the project applicant shall submit a design-level geotechnical study and building plans to the City of Patterson for review and approval. The design-level geotechnical study shall be prepared by a qualified Engineer and shall identify grading and building practices necessary to ensure stable building conditions, including the abatement of expansive soil conditions on the project site. The project applicant shall implement the recommendations of the approved geotechnical study into project plans. The project’s building plans shall demonstrate that they incorporate all applicable</p>	Approval of plans	Prior to the issuance of building permits	City of Patterson		

Mitigation Measures	Method of Verification	Timing of Verification	Responsible for Verification	Verification of Completion	
				Date	Initial
recommendations of the geotechnical study and comply with all applicable requirements of the latest adopted version of the California Building Standards Code (CBC). A licensed Professional Engineer (PE) shall prepare the plans, including those that pertain to soil engineering, structural foundations, pipeline excavation, and installation. The approved plans shall be incorporated into the proposed project. All on-site soil engineering activities shall be conducted under the supervision of a licensed Geotechnical Engineer (GE) or Certified Engineering Geologist (CEG).					
Implement Mitigation Measure HYD-1.					
<b>MM GEO-5:</b> In the event a fossil or fossil formation are discovered during any subsurface construction activities associated with buildout of the Master Plans, all excavations within 100 feet of the find shall be temporarily halted until the find is examined by a qualified paleontologist, in accordance with Society of Vertebrate Paleontology standards. The paleontologist shall notify the City of Patterson, who shall coordinate with the paleontologist concerning any necessary investigation of the find. If the find is determined to be significant under CEQA, the City, based on the recommended mitigation measures of the qualified paleontologist, shall require the applicant to implement those measures, which may include avoidance, preservation in place, or other appropriate measures, as outlined in Public Resources Code Section 21083.2.	Notes on construction plans; Site inspection	During any subsurface construction activities	City of Patterson		
<b>3.8 Hazards and Hazardous Materials</b>					
<b>MM HAZ-3a:</b> Prior to issuance of grading permits for any portion of the project site where pesticides or other agricultural chemicals have been applied within the past 5 years, the project applicant shall retain a qualified consultant to perform soil testing for residual concentrations of agricultural chemicals. Soils shall be laboratory tested in	Submittal of documentation	Prior to issuance of grading permits for any portion of the project site where pesticides or other agricultural	City of Patterson		

Mitigation Measures	Method of Verification	Timing of Verification	Responsible for Verification	Verification of Completion	
				Date	Initial
accordance with California Department of Toxic Substances Control (DTSC) Guidelines. If the testing finds concentrations in excess of acceptable limits, the project applicant shall retain a qualified contractor to conduct remediation activities, which may include treatment or removal. The soil remediation activities shall be completed prior to grading.		chemicals have been applied within the past 5 years			
<b>MM HAZ-3b:</b> Prior to issuance of demolition permits for any structures, the project applicant shall retain a certified hazardous waste contractor to properly remove and dispose of all materials containing asbestos, lead, mercury, and polychlorinated biphenyls. Upon completion, the applicant shall submit documentation to the City of Patterson verifying such activities have been completed.	Submittal of documentation	Prior to issuance of demolition permits for any structures,	City of Patterson		
<b>3.9 Hydrology and Water Quality</b>					
<b>MM HYD-1a:</b> Prior to issuance of the first grading permit for each development phase of either the Baldwin Master Plan or Zacharias Master Plan, the applicant shall prepare and submit a Stormwater Pollution Prevention Plan to the City of Patterson for review and approval that demonstrate the use of stormwater treatment Best Management Practices (BMP) identified in the most recent version of the California Stormwater Quality Association Stormwater Best Management Handbook-Construction or the Caltrans Stormwater Quality Handbook Construction Site BMPs Manual.	Approval of SWPPP	Prior to issuance of the first grading permit for each development phase of either the Baldwin Master Plan or Zacharias Master Plan	City of Patterson		
<b>MM HYD-1b:</b> Prior to issuance of the first building permit for each development phase of either the Baldwin Master Plan or Zacharias Master Plan, the applicant shall prepare and submit drainage plans to the City of Patterson for review and approval that demonstrate the use of Low Impact Development practices, bioswales, bioretention and other forms of stormwater treatment Best Management Practices	Approval of plans	Prior to issuance of the first building permit for each development phase of either the Baldwin Master Plan or Zacharias Master Plan	City of Patterson		

Mitigation Measures	Method of Verification	Timing of Verification	Responsible for Verification	Verification of Completion	
				Date	Initial
pursuant to the NPDES Phase II stormwater permit (or most recently approved permit).					
<b>MM HYD-3a:</b> Prior to operation of the stormwater lift station that would serve the Zacharias Master Plan, the applicant shall prepare and submit an emergency action plan for lift station failure to the City of Patterson for review and approval. The plan shall outline pump and power redundancy plans, potential flow routing, and other potential actions to be taken if pump failure occurs. The approved plan shall be implemented.	Approval of plan	Prior to operation of the stormwater lift station that would serve the Zacharias Master Plan	City of Patterson		
<b>3-11 Noise</b>					
<b>MM NOI-1:</b> Prior to issuance of residential building permits for the Zacharias Master Plan, the applicant shall submit building plans to the City of Patterson for review and approval that demonstrate that each dwelling unit includes a code compliant mechanical ventilation system that would permit windows to remain closed for prolonged periods for all residential units within 100 feet of Zacharias Road, Baldwin Road, or State Route 33.	Approval of plans	Prior to issuance of residential building permits for the Zacharias Master Plan	City of Patterson		
<b>MM NOI-2a:</b> To reduce potential construction noise impacts, the following multi-part mitigation measure shall be implemented for all developments included in the proposed project: <ul style="list-style-type: none"> <li>• The construction contractor shall ensure that all internal combustion engine-driven equipment is equipped with mufflers that are in good condition and appropriate for the equipment.</li> <li>• The construction contractor shall locate stationary noise-generating equipment as far as possible from sensitive receptors when sensitive receptors adjoin or are near a construction project area. In addition, the project contractor shall place such stationary construction</li> </ul>	Notes on construction plans; Site inspection	During construction	City of Patterson		

Mitigation Measures	Method of Verification	Timing of Verification	Responsible for Verification	Verification of Completion	
				Date	Initial
<p>equipment so that emitted noise is directed away from sensitive receptors nearest the project site.</p> <ul style="list-style-type: none"> <li>• The construction contractor shall prohibit unnecessary idling of internal combustion engines.</li> <li>• The construction contractor shall, to the maximum extent practical, locate on-site equipment staging areas so as to maximize the distance between construction-related noise sources and noise-sensitive receptors nearest the project site during all project construction.</li> <li>• The construction contractor shall limit noise producing construction activity located within five hundred feet of a residential zone, including deliveries and equipment idling activities, to the daytime hours of 7:00 a.m. to 10:00 p.m., unless beforehand a special permit authorizing exception to these hours has been obtained from the officer or body of the city having the function to issue permits of this kind.</li> </ul>					
<p><b>MM NOI-2b:</b> Proposed parking areas within the Zacharias Master Plan area shall be located a minimum of 100 feet from existing residential land uses or shall provide shielding (e.g., sound barrier) to block the line of sight to nearby noise sensitive land uses to meet the City’s nighttime noise performance standards of 45 dBA Leq or 64 dBA Lmax. If shielding is needed, shielding shall have a minimum height sufficient to completely block line-of-sight between the on-site noise source and the nearest residential dwelling to meet the City’s noise standards.</p>	Approval of plans	Prior to issuance of building permits within the Zacharias Master Plan	City of Patterson		
<p><b>MM NOI-2c</b> Proposed mechanical ventilation systems within the Zacharias Master Plan area shall be located a minimum of 55 feet from existing sensitive receptors or should provide shielding to block the line of sight to nearby noise sensitive land uses to meet the City’s noise performance standards of 45 dBA Leq or 64 dBA Lmax. Shielding shall have a minimum height sufficient to completely block line-of-sight between the on-site noise source and the nearest residential dwelling</p>	Approval of plans	Prior to issuance of building permits within the Zacharias Master Plan	City of Patterson		

Mitigation Measures	Method of Verification	Timing of Verification	Responsible for Verification	Verification of Completion	
				Date	Initial
to meet the City’s noise standards. Based on the size and placement of the HVAC units (i.e., ground level or roof top), barrier heights may range between three to six feet.					
<b>3-13 Public Services and Recreation</b>					
<b>MM PSR-1:</b> Prior to issuance of building permits, the applicant shall pay all public safety development fees in accordance with the City of Patterson’s latest adopted fee schedule.	Receipt of fees	Prior to issuance of building permits	City of Patterson		
<b>3-14 Transportation</b>					
<b>MM TRANS-1a:</b> Prior to recordation of the first final map, the project applicant and the City of Patterson shall establish a Community Facilities District or other financing mechanism to fund transportation improvements. Applicants that pursue development in accordance with the Baldwin Master Plan and Zacharias Master Plan shall contribute a fair share of the costs of necessary improvements at the time building permits are sought through participation in the Community Facilities District or other financing mechanism.	Establishment of Community Facilities District or other financing mechanism	Prior to recordation of the first final map	City of Patterson		
<b>MM TRANS-1b:</b> Prior to issuance of a building permit, the project applicant shall pay fair share fees to the City of Patterson for improvements to the Interstate 5 / Sperry Avenue interchange. The improvements shall consist of the installation of signals at both ramp terminals and adaptive signal operations. These improvements shall be programmed into the Community Facilities District or other financing mechanism contemplated by Mitigation Measure TRANS-1a.	Receipt of fees	Prior to issuance of a building permit	City of Patterson		
<b>MM TRANS-1c:</b> Prior to issuance of a building permit, the project applicant shall pay fair share fees to the City of Patterson for improvements to the Sperry Avenue / Rogers Road intersection. The improvements shall consist of additional eastbound left turn, eastbound right-turn and add additional through lane for both directions making Sperry	Receipt of fees	Prior to issuance of a building permit			



Mitigation Measures	Method of Verification	Timing of Verification	Responsible for Verification	Verification of Completion	
				Date	Initial
Avenue four lane road. In addition, the improvements shall include the following lane geometry for Rogers Road extension northbound approach: double left-turn, through and right-turn lanes. These improvements shall be programmed into the Community Facilities District or other financing mechanism contemplated by Mitigation Measure TRANS-1a.					
<b>MM TRANS-1d:</b> Prior to issuance of a building permit, the project applicant shall pay fair share fees to the City of Patterson for widening Sperry Avenue to four lanes between Rogers Road and Baldwin Road. If determined to be necessary by the City of Patterson, an additional northbound left turn lane shall be installed. These improvements shall be programmed into the Community Facilities District or other financing mechanism contemplated by Mitigation Measure TRANS-1a.	Receipt of fees	Prior to issuance of a building permit			
<b>MM TRANS-1e:</b> Prior to issuance of a building permit, the project applicant shall pay fair share fees to the City of Patterson for adding an eastbound through lane to Sperry Avenue at Del Puerto Avenue. These improvements shall be programmed into the Community Facilities District or other financing mechanism contemplated by Mitigation Measure TRANS-1a.	Receipt of fees	Prior to issuance of a building permit			
<b>MM TRANS-1f:</b> Prior to issuance of a building permit, the project applicant shall pay fair share fees to the City of Patterson for improvements to the intersection of Sperry Avenue/State Route 33. The improvements shall consist of signaling the intersection and adding a left turn lane to each approach. If determined to be necessary by the City of Patterson, a second left turn lane shall be installed on the north bound approach. These improvements shall be programmed into the Community Facilities District or other	Receipt of fees	Prior to issuance of a building permit			

Mitigation Measures	Method of Verification	Timing of Verification	Responsible for Verification	Verification of Completion	
				Date	Initial
financing mechanism contemplated by Mitigation Measure TRANS-1a.					
<b>MM TRANS-1g:</b> Prior to issuance of a building permit, the project applicant shall pay fair share fees to the City of Patterson for improvements to the intersection of M Street / Walnut Avenue / State Route 33. The improvements shall consist of installing a shared through and right-turn lane on the southbound approach, an additional westbound left-turn lane and northbound right-turn lane and second through lane. If determined to be necessary by the City of Patterson, two through lanes shall be installed on SR-33. These improvements shall be programmed into the Community Facilities District or other financing mechanism contemplated by Mitigation Measure TRANS-1a.	Receipt of fees	Prior to issuance of a building permit			
<b>MM TRANS-1h:</b> Prior to issuance of a building permit, the project applicant shall pay fair share fees to the City of Patterson for improvements to the intersection of Olive Avenue / State Route 33. The improvements shall consist of signalizing the intersection, adding a left turn lane to each approach and adding a second through lane on the northbound and south bound approaches. If determined to be necessary by the City of Patterson, a second left turn lane shall be installed on the north bound approach. These improvements shall be programmed into the Community Facilities District or other financing mechanism contemplated by Mitigation Measure TRANS-1a.	Receipt of fees	Prior to issuance of a building permit			
<b>MM TRANS-1i:</b> Prior to issuance of a building permit, the project applicant shall pay fair share fees to the City of Patterson for improvements to the intersection of Park Center / Keystone Pacific Parkway. The improvements shall consist of signalizing the intersection and adding an eastbound right-turn lane and northbound left-turn lane. These improvements shall be programmed into the Community Facilities District or	Receipt of fees	Prior to issuance of a building permit			

Mitigation Measures	Method of Verification	Timing of Verification	Responsible for Verification	Verification of Completion	
				Date	Initial
other financing mechanism contemplated by Mitigation Measure TRANS-1a.					
<b>MM TRANS-1j:</b> Prior to issuance of a building permit, the project applicant shall pay fair share fees to the City of Patterson for improvements to the intersection of Rogers Road / Keystone Pacific Parkway. The improvements shall consist of signaling the intersection, adding a left turn lane to each approach, widening Rogers Road to two through lanes on each approach, and widening Keystone Pacific Parkway to two through lanes on each approach. In addition, a second southbound through lane on Rogers Road shall be installed. These improvements shall be programmed into the Community Facilities District or other financing mechanism contemplated by Mitigation Measure TRANS-1a.	Receipt of fees	Prior to issuance of a building permit			
<b>MM TRANS-1k:</b> Prior to issuance of a building permit, the project applicant shall pay fair share fees to the City of Patterson for improvements to the intersection of Rogers Road / Zacharias Road. The improvements shall consist of signaling the intersection, adding a left turn lane to each approach, and widening Zacharias Road to two through lanes on each approach. If determined to be necessary by the City of Patterson, Rogers Road shall be widened to provide three through lanes on the northbound approach. These improvements shall be programmed into the Community Facilities District or other financing mechanism contemplated by Mitigation Measure TRANS-1a.	Receipt of fees	Prior to issuance of a building permit			
<b>MM TRANS-1l:</b> Prior to issuance of a building permit, the project applicant shall pay fair share fees to the City of Patterson for improvements to the intersection of Baldwin Road / Zacharias Road. The improvements shall consist of signaling the intersection, adding a left turn lane to each approach, adding a second westbound left-turn lane, adding a right turn lane and additional through lane on northbound	Receipt of fees	Prior to issuance of a building permit			

Mitigation Measures	Method of Verification	Timing of Verification	Responsible for Verification	Verification of Completion	
				Date	Initial
and southbound Baldwin Road, and widening Zacharias Road to two through lanes on each approach. These improvements shall be programmed into the Community Facilities District or other financing mechanism contemplated by Mitigation Measure TRANS-1a.					
<b>MM TRANS-1m:</b> Prior to issuance of a building permit, the project applicant shall pay fair share fees to the City of Patterson for improvements to the intersection of Zacharias Road / State Route 33. The improvements shall consist of adding two left-turn lanes on the northbound approach and two right-turn lanes on the eastbound approach. Additionally, the existing railroad grade crossing adjacent to this intersection shall be upgraded with gates, flashers, and a concrete panel roadbed. Because the proposed South County Corridor would reconfigure this intersection as an overcrossing, the City of Patterson has the discretion to forego this mitigation measure in order to avoid conflicts with the planned improvements. The City shall transfer the fees to Caltrans to implement the improvement provided that an agreement is in place with the respective agencies. These improvements shall be programmed into the Community Facilities District or other financing mechanism contemplated by Mitigation Measure TRANS-1a.	Receipt of fees	Prior to issuance of a building permit			
<b>MM TRANS-1n:</b> Prior to issuance of a building permit, the project applicant shall pay fair share fees to the City of Patterson for improvements to the intersection of State Route 33 / Eucalyptus Avenue. The improvements shall consist of signaling the intersection and widening State Route 33 to provide two lanes on each approach. These improvements shall be programmed into the Community Facilities District or other financing mechanism contemplated by Mitigation Measure TRANS-1a.	Receipt of fees	Prior to issuance of a building permit			

Mitigation Measures	Method of Verification	Timing of Verification	Responsible for Verification	Verification of Completion	
				Date	Initial
<p><b>MM TRANS-1o:</b> Prior to issuance of a building permit, the project applicant shall pay fair share fees to the City of Patterson for improvements to the intersection of Baldwin Road / State Route 33. The improvements shall consist of signalizing the intersection, adding a left turn lane on the northbound approach, and widening State Route 33 to provide two lanes on each approach. In addition, an additional eastbound left-turn lane and additional through lane on the northbound approach shall be installed. The City shall transfer the fees to the County of Stanislaus or Caltrans to implement the improvement provided that an agreement is in place with the respective agencies. These improvements shall be programmed into the Community Facilities District or other financing mechanism contemplated by Mitigation Measure TRANS-1a.</p>	Receipt of fees	Prior to issuance of a building permit			
<p><b>MM TRANS-1p:</b> Prior to issuance of a building permit, the project applicant shall pay fair share fees to the City of Patterson for improvements to the intersection of Rogers Road / State Route 33. The improvements shall consist of signalizing the intersection, adding a left turn lane on the northbound approach, and widening State Route 33 to provide two lanes on each approach. The City shall transfer the fees to the County of Stanislaus or Caltrans to implement the improvement provided that an agreement is in place with the respective agencies. These improvements shall be programmed into the Community Facilities District or other financing mechanism contemplated by Mitigation Measure TRANS-1a.</p>	Receipt of fees	Prior to issuance of a building permit			
<p><b>MM TRANS-1q:</b> Prior to issuance of a building permit, the project applicant shall pay fair share fees to the City of Patterson for improvements to the intersection of Sycamore Avenue / E. Las Palmas Avenue. The improvements shall consist of signalizing the intersection, adding left turn lanes on the northbound and southbound approaches. The City</p>	Receipt of fees	Prior to issuance of a building permit			

Mitigation Measures	Method of Verification	Timing of Verification	Responsible for Verification	Verification of Completion	
				Date	Initial
shall transfer the fees to the County of Stanislaus to implement the improvement provided that an agreement is in place with the respective agencies. These improvements shall be programmed into the Community Facilities District or other financing mechanism contemplated by Mitigation Measure TRANS-1a.					
<b>MM TRANS-1r:</b> Prior to issuance of a building permit, the project applicant shall pay fair share fees to the City of Patterson for improvements to the intersection of West Main Avenue / Jennings Avenue. The improvements shall consist of signalizing the intersection, adding a left turn lane on the eastbound approach. The City shall transfer the fees to the County of Stanislaus to implement the improvement provided that an agreement is in place with the respective agencies. These improvements shall be programmed into the Community Facilities District or other financing mechanism contemplated by Mitigation Measure TRANS-1a.	Receipt of fees	Prior to issuance of a building permit			
<b>MM TRANS-1s:</b> Prior to issuance of the first occupancy permit for the portion of the Zacharias Master Plan located east of Baldwin Road, the project applicant shall install improvements to the planned intersection of State Route 33 / East-West Connection. The improvements shall consist of signalizing the intersection, installing two northbound left-turn and one southbound right-turn lanes, and widening State Route 33 to two lanes in each direction. The applicants are responsible for the full cost of these improvements. These improvements shall be programmed into the Community Facilities District or other financing mechanism contemplated by Mitigation Measure TRANS-1a.	Receipt of fees	Prior to issuance of a building permit			
<b>MM TRANS-1t:</b> Prior to issuance of the first occupancy permit for the portion of the Zacharias Master Plan located east of Baldwin Road, the project applicant shall install improvements to the planned intersection of Ward Avenue /	Acceptance of improvements	Prior to issuance of the first occupancy permit for the portion of the			

Mitigation Measures	Method of Verification	Timing of Verification	Responsible for Verification	Verification of Completion	
				Date	Initial
East-West Connection. The improvements shall consist of signalizing the intersection, installing two northbound left-turn lanes. If determined to be necessary by the City of Patterson, The East-West Connection shall provide two lanes in each direction. The applicants are responsible for the full cost of these improvements. These improvements shall be programmed into the Community Facilities District or other financing mechanism contemplated by Mitigation Measure TRANS-1a.		Zacharias Master Plan located east of Baldwin Road			
<b>MM TRANS-1u:</b> Prior to issuance of a building permit, the project applicant shall pay fair share fees to the City of Patterson for improvements to the intersection of SR-33 / Grayson Road. The improvements shall consist of signalizing the intersection. The City shall transfer the fees to the County of Stanislaus or Caltrans to implement the improvement provided that an agreement is in place with the respective agencies. These improvements shall be programmed into the Community Facilities District or other financing mechanism contemplated by Mitigation Measure TRANS-1a.	Receipt of fees	Prior to issuance of a building permit			
<b>MM TRANS-1v:</b> Prior to issuance of a building permit, the project applicant shall pay fair share fees to the City of Patterson for improvements to the intersection of State Route 33/ Marshall Road. The improvements shall consist of signalizing the intersection. The City shall transfer the fees to the County of Stanislaus or Caltrans to implement the improvement provided that an agreement is in place with the respective agencies. These improvements shall be programmed into the Community Facilities District or other financing mechanism contemplated by Mitigation Measure TRANS-1a.	Receipt of fees	Prior to issuance of a building permit			
<b>MM TRANS-1w:</b> Prior to issuance of a building permit, the project applicant shall pay fair share fees to the City of Patterson for improvements to the intersection of State Route 33 / Crows	Receipt of fees	Prior to issuance of a building permit			

Mitigation Measures	Method of Verification	Timing of Verification	Responsible for Verification	Verification of Completion	
				Date	Initial
Landing Road. The improvements shall consist of signaling the intersection. The City shall transfer the fees to the County of Stanislaus or Caltrans to implement the improvement provided that an agreement is in place with the respective agencies. These improvements shall be programmed into the Community Facilities District or other financing mechanism contemplated by Mitigation Measure TRANS-1a.					
<b>MM TRANS-1x:</b> When monitoring determines that SR-33 between Baldwin Avenue and Sperry Avenue is approaching deficient operations, the 2-lane portion of this roadway shall be widened to four lanes. The City shall transfer the fees Caltrans to implement the improvement provided that an agreement is in place with this agency. These improvements shall be programmed into the Community Facilities District or other financing mechanism contemplated by Mitigation Measure TRANS-1a.	Receipt of fees	Prior to issuance of a building permit			
<b>MM TRANS-1y:</b> When monitoring determines that Zacharias Road between west of Baldwin Road and SR-33 is approaching deficient operations, the roadway shall be widened to four lanes. These improvements shall be programmed into the Community Facilities District or other financing mechanism contemplated by Mitigation Measure TRANS-1a.	Receipt of fees	Prior to issuance of a building permit			
<b>MM TRANS-1z:</b> When monitoring determines that Baldwin Road between north of Zacharias Road and the New East-West Connector is approaching deficient operations, the roadway shall be widened to four lanes. These improvements shall be programmed into the Community Facilities District or other financing mechanism contemplated by Mitigation Measure TRANS-1a.	Receipt of fees	Prior to issuance of a building permit			
<b>MM TRANS-2a:</b> Prior to the approval of each map for the Zacharias Master Plan and Baldwin Master Plan, the applicant shall prepare plans for review and approval by the City of	Approval of plans	Prior to the approval of each map for the			



Mitigation Measures	Method of Verification	Timing of Verification	Responsible for Verification	Verification of Completion	
				Date	Initial
<p>Patterson that identify the following applicable Transportation Demand Management Measures</p> <ul style="list-style-type: none"> <li>• A clearly designated pedestrian circulation network within the site that links to the City of Patterson roadway network.</li> <li>• Secure bicycle parking in safe, strategic locations within the site.</li> <li>• Safety amenities such as lighting, sidewalks, and off-street pedestrian / bicycle paths.</li> </ul>		Zacharias Master Plan and Baldwin Master Plan			
<p><b>MM TRANS-2b:</b> Prior to the final approval for individual development projects that would employ more than 50 people that occur pursuant to the Zacharias Master Plan, the applicant shall retain a qualified transportation consultant to prepare a project-specific Transportation Demand Management Plan that includes the following applicable measures:</p> <ul style="list-style-type: none"> <li>• Transit, bicycle, and pedestrian facilities</li> <li>• Alternative work schedules</li> <li>• Guaranteed ride home</li> <li>• Carpool or vanpool program</li> <li>• Commute assistance and ride-matching</li> <li>• Shuttle program / shuttle consortium / fund transit service</li> <li>• Transit passes or subsidies</li> <li>• Car share on-site</li> <li>• Self-Driving shuttle</li> <li>• Transportation Management Associations</li> <li>• Telework</li> </ul>	Approval of plan	Prior to the final approval for individual development projects that would employ more than 50 people that occur pursuant to the Zacharias Master Plan			
<b>3-15 Utilities and Service Systems</b>					
<p><b>MM USS-4:</b> Prior to issuance of building permits, the Master Plan applicants shall demonstrate compliance with the City of Patterson’s Construction and Demolition Debris Recycling Ordinance. The applicants shall prepare a waste management plan that identifies (1) the estimated volume or mass of</p>	Approval of plan	Prior to issuance of building permits			

Mitigation Measures	Method of Verification	Timing of Verification	Responsible for Verification	Verification of Completion	
				Date	Initial
<p>construction and demolition debris; (2) the maximum volume or mass of such materials that can be feasibly diverted via reuse or recycling; (2) the vendor or facility that would collect and transport the materials; and (4) the estimated volume and mass of materials that would be landfilled. The City of Patterson shall review and approve the plan and the applicant is required to implement the approved plan during construction activities.</p>					