

RESOLUTION NO. 21-4905

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LATHROP ADOPTING GENERAL PLAN AMENDMENTS TO THE GENERAL PLAN DIAGRAM, LAND USE ELEMENT AND CIRCULATION ELEMENT FOR THE RIVER ISLANDS MODIFIED PHASE 2 PROJECT (GPA-20-33)

WHEREAS, Section 65358 of the California Government Code provides for the amendment of all or part of an adopted General Plan; and

WHEREAS, the City has complied with the requirements of the Government Code (Government Code Section 65300 et. seq.), the current State of California General Plan Guidelines, and the City's applicable ordinances and resolutions with respect to approval of the proposed River Islands at Lathrop Modified Phase 2 Project General Plan Amendments (GPA); and

WHEREAS, the River Islands at Lathrop Modified Phase 2 Project GPA applies only to Modified Phase 2 and does not in any way apply to the River Islands at Lathrop Phase 2 Project; and

WHEREAS, pursuant to Government Code Section 65090, notice of the City Council hearing was published in accordance with State law in at least one newspaper of general circulation within the City of Lathrop at least ten calendar days before the City Council's public hearing; and

WHEREAS, prior to adoption of the GPA, the City Council adopted a Resolution, recommending that the City Council adopt a Resolution Certifying the Final Subsequent Environmental Impact Report (Final SEIR), CEQA Findings of Fact, Statement of Overriding Considerations and Mitigation Measures/Monitoring Plan for the River Islands at Lathrop Phase 2 Project in accordance with the California Environmental Quality Act (CEQA); and

WHEREAS, before adoption of the GPA, the City Council reviewed and considered the information contained in the Final SEIR for the River Islands at Lathrop Phase 2 Project (SCH #1993112027), and finds that mitigation measures identified in the Final SEIR have been imposed on and incorporated in the River Islands Modified Phase 2 Project which serve to mitigate or avoid the significant environmental effects, that certain mitigation measures are within the responsibility and jurisdiction of another public agency and such change can and should be adopted by such other agency, that specific economic, social and other considerations make infeasible the project alternatives that would avoid or mitigate the environmental impacts and that social, economic, and other benefits outweigh the environmental impacts that cannot be fully mitigated; and

WHEREAS, the proposed GPA is an amendment to the adopted 1991 Lathrop General Plan, which was adopted by Resolution No. 91-166 on December 17, 1991 and as amended through 2021; and

WHEREAS, the proposed GPA consists of amendments to the City of Lathrop General Plan Map, as shown in Attachment 17 of the City Council Staff Report, the Land Use Element and Circulation Element, as shown in Attachment 18 of the City Council Staff Report, and incorporated by reference herein; and

WHEREAS, notice of the proposed GPA was provided pursuant to California Government Code Section 65352.3 and 65352.4 (General Plan review by California Native American tribes). Notice was mailed out to California Native American tribes on a list provided by the California Native American Heritage Commission (NAHC) on March 26, 2020; and

WHEREAS, one Tribe, the California Valley Miwok, who had not previously participated in any consultations or outreach regarding the River Islands Project, requested an opportunity to consult with the City in accordance with Senate Bill 18 in a letter dated June 22, 2020; and

WHEREAS, the City responded to the California Valley Miwok in writing in response to the Tribe's letter and invited the Tribe to continue participating in the public review and comment process on the River Islands General Plan Amendments, and advised the Tribe that it also may consult and participate in the tribal consultation process for the City's General Plan Update which the City is undertaking as a separate City-wide planning effort; and

WHEREAS, no further written or oral comments were received relating to the proposed General Plan Amendment for River Islands Modified Phase 2 Project; and

WHEREAS, State Planning Law and the Lathrop Municipal Code require the Planning Commission to provide a recommendation for a General Plan Amendment to the City Council by Resolution; and

WHEREAS, the City of Lathrop Planning Commission held a duly noticed public hearing on May 19, 2021, to consider the proposed General Plan Amendment and after reviewing and considering all information provided and submitted, and after taking and considering all public testimony adopted Resolution No. 21-10 recommending City Council approval of the proposed General Plan Amendment; and

WHEREAS, proper notice of this public hearing was given in all respects as required by law including the publishing of a legal notice of the hearing in the Manteca Bulletin on or about June 3, 2021 and mailed out to property owners located within a 300-foot radius from the River Islands at Lathrop Phase 2 Project area on June 3, 2021; and

WHEREAS, the City Council has utilized its own independent judgement in adopting this Resolution.

NOW THEREFORE, BE IT RESOLVED that the City Council of the City of Lathrop does hereby make the following findings:

Section 1. This Resolution incorporates, and by this reference makes a part hereof, that certain GPA, as shown in Attachments 17 of the City Council Staff Report, relative to the proposed development of the River Islands Modified Phase 2 Project on certain real property consisting of approximately 2,512.8 acres located in the City of Lathrop.

Section 2. This Resolution incorporates, and by this reference makes part hereof, that certain GPA, as shown in Attachment 18 of the City Council Staff Report, relative to the proposed Amendments to the City of Lathrop General Plan Land Use Element and Circulation Element.

Section 3. General Plan Amendment Findings. The City Council finds and determines as follows:

1. The proposed GPA would amend the General Plan Land Use Map adopted December 17, 1991, as amended through 2021, to reflect the proposed River Islands Modified Phase 2 Project land uses.
2. The proposed GPA to the Land Use Element would introduce the Transit Oriented Development Land Use Designation (TOD) and the Open Space/Public Uses (OS/P) Land Use Designation.

The TOD designation provides higher density uses within ½ mile of the proposed Valley Link transit station and provide the opportunity for residential uses within the TOD designation to be adjacent to or near mixed use residential. The OS/P Land Use Designation includes open space areas outside of Paradise Cut, adjacent to proposed development areas, the small riparian pond and areas including and around the central drainage ditch ("Stewart Canal").

Additional amendments include updates to descriptions for the Recreational Commercial, Regional Commercial and Mixed Use Land Use Designations, revisions to the Residential Land Use Policies and Programs, and revisions to the General Description to be consistent with current development in the Sub Plan Area #3 (Stewart Tract) area.

3. The proposed GPA to the Circulation Element would amend existing roadway classifications, add the Expressway definition, revisions to the arterial policies and proposals to be consistent with existing conditions and roadway alignments, addition of the 4-Lane Rural Arterial Road for Paradise Road (South of Paradise Cut), updates to Arterial Street Proposals to clarify lane configurations, revisions to Minor Street Policies to include additional information related to funding of deficiencies in existing minor streets, revision to Truck Routes to clarify east-west and north-south routes in the City, revisions to the Regional Transit description to include Altamont Corridor Express and Valley Link and revisions to Local Transit description to include the San

Joaquin Regional Transit District (RTD).

4. The proposed GPA is in the public interest of the people of the City of Lathrop as set for in more detail in the Statement of Overriding Considerations in the CEQA Resolution, herein incorporated by reference.
5. The proposed General Plan Land Use Map Amendment and GPA to the Land Use Element and Circulation Element will implement the following Policies contained in the General Plan in support of the proposed land use designations:
 - a. *"Policy 2.2: Residential development within Sub-Plan Area #3 shall provide a variety of housing types and a range of lot sizes throughout the Stewart Tract."*
The proposed GPA would allow for the development of a variety of housing types, including the addition of a new Land Use Designation of Transit Oriented Development that allows multi-family and attached single-family residential uses as well as horizontal and vertical mixed use developments.
 - b. *"Policy 2.3: Housing diversity within Sub-Plan Area #3 shall be encouraged through a mix of housing types and sizes, attractive design, innovation in site planning and design, and housing opportunities for a variety of income levels."* The proposed GPA would allow for the development of a variety of housing types, including Residential Low (3 – 9 du/ac), Residential Medium (6 – 20 du/ac), Residential High (15 – 40), Transit Oriented Development (6 – 40 du/ac) and Mixed Use (6 – 40 du/ac). The proposed GPA provides opportunities for residential development for a variety of income levels.
 - c. *"Policy 4.1: The City shall encourage development of a new town center within Sub-Plan Area #3 to provide a variety of goods and services to area residents."* The proposed GPA to the Land Use Map includes a new Mixed Use area located along Paradise Road that will allow for the development residential and commercial mixed use uses.
 - d. *"Program 1b: Continue to monitor the amount of land zoned for both single family and multifamily development and ensure that land use and zoning decisions do not reduce sites available for affordable housing, and adequate sites continue to be provided. As part of any entitlements for or amendments associated with River Islands/West Lathrop Specific Plan development, ensure that the Specific Plan and associated maps maintain a minimum of 45.67 acres of high density residential sites in River Islands*

that allow development at 20 to 40 du/ac.” The GPA to the Land Use Map and Land Use Element include high density residential sites as well as a new General Plan Land Use Designation of Transit Oriented Development. Both land uses allow up to 40 du/ac. To ensure compliance with the Housing Element, specific sites have been identified in Phase 2 area including Paradise Cut Village Center and the Transit Oriented Development Planning District to accommodate the sated General Plan Housing Policy. As development occurs within Phase 2, options are available to shift the assigned 28 acres of multifamily site with the Phase 2 planning area through the adoption of Preliminary Development Plan (PDP), Neighborhood Development Plan (NDP) and associated Architectural Guidelines and Development Standards (AG/DS).

Section 4. Upon adoption by the City Council, the GPA applies only to the River Islands at Lathrop Phase 2 Modified Project and does not change the General Plan as to the River Islands at Phase 1 Project.

Section 5. Upon adoption by the City Council, the Community Development Director is hereby directed to retain said GPA on permanent public display in the Community Development Department of the City of Lathrop.

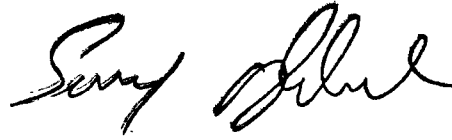
Section 6. Based on the findings set forth in this Resolution, the CEQA Resolution, and the evidence in the Staff Report, the City Council hereby adopt the General Plan Land Use Map Amendment, as illustrated and incorporated by reference as Attachment 17 of the City Council Staff Report, and General Plan Amendment to the Land Use Element and Circulation Element as illustrated and incorporated by reference as Attachment 18 of the City Council Staff Report.

Section 7. Based on the City’s letter to the California Valley Miwok tribe, dated August 27, 2020, providing further opportunity for the tribe to consult pursuant to Senate Bill 18 and that no further comments were received from the tribe relating to the proposed General Plan Amendments, the City finds that the consultation with the tribe has concluded.

BE IT FURTHER RESOLVED that the City Council of the City of Lathrop, based on substantial evidence in the administrative record of proceedings, its above findings, including the staff report and associated attachments, pursuant to its independent review and consideration, does hereby adopt the General Plan Land Use Map Amendment, as illustrated and incorporated by reference as Attachment 17 of the City Council Staff Report, and General Plan Amendment to the Land Use Element and Circulation Element as illustrated and incorporated by reference as Attachment 18 of the City Council Staff Report.

The foregoing resolution was passed and adopted this 14th day of June 2021, by the following vote of the City Council, to wit:

AYES: Akinjo, Diallo, Lazard, Torres-O'Callaghan, and Dhaliwal
NOES: None
ABSENT: None
ABSTAIN: None



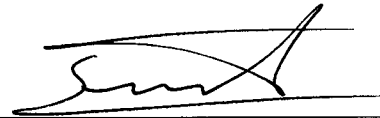
Sonny Dhaliwal, Mayor

ATTEST:



Teresa Vargas, City Clerk

APPROVED AS TO FORM:



Salvador Navarrete, City Attorney