

## **APPENDIX B**

---

Consistency Table

---

TABLE B-1: Project Consistency with Stockton General Plan 1990

**Table B-1  
PROJECT CONSISTENCY WITH STOCKTON GENERAL PLAN 1990**

**LAND USE ELEMENT**

**Urban Growth and Overall Development**

*Goal 1.* Insure that Stockton’s future growth will proceed in an orderly planned manner, thereby preventing urban sprawl and the wasteful use of land and promoting the efficient and equitable provision of public services. (Several policies [1–7] expand on this goal.)

*Consistent.* The proposed project involves a logical expansion of the City boundaries; the SPA is contiguous to the existing city limits. Subject to approval of the proposed general plan amendment, the SPA would be within the expanded Urban Service Boundary.

*Goal 4.* Promote and maintain environmental quality and the preservation of agricultural land while promoting logical and efficient urban growth.

*Consistent.* The proposed project would convert agricultural land to urban uses, but the project would be an extension of existing urban development because upon approval of the proposed project, it would be located within the expanded Urban Services Boundary. The MLSP includes numerous provisions and policies that would promote the maintenance of environmental quality, as well as continuing agricultural production within each development phase of the project until needed for development in the future.

*Goal 4, Policy 1.* The wasteful and inefficient sprawl of urban uses into agricultural lands surrounding the urban area should be avoided by regulating the location of urban uses through the Urban Growth and Overall Development policies to minimize the consumption of agricultural land and other open areas containing valuable natural resources or scenic beauty.

*Consistent.* The proposed project involves a logical expansion of the City boundaries; the SPA is contiguous to the existing city limits. Subject to approval of the proposed general plan amendment, the SPA would be within the expanded Urban Service Boundary.

*Goal 4, Policy 2.* Urban growth shall be geographically limited by such environmental hazards as flood vulnerability and unstable soil characteristics.

*Consistent with Mitigation Incorporated.* The DEIR contains mitigation measures to reduce the level of impact from project development associated with environmental hazards such as flood vulnerability and expansive soils.

*Goal 4, Policy 3.* Urban growth, particularly sensitive developments (i.e., homes, schools, hospitals) should avoid locating in areas that are subject to adverse environmental or noise impacts.

*Consistent with Mitigation Incorporated.* The DEIR contains mitigation measures to reduce the level of impact from project development (sensitive receptors) from environmental hazards, including noise.

*Goal 4, Policy 4.* Environmentally sensitive areas, such as the Delta, Oak Groves, and areas of archaeological/historic value, should be preserved for the benefit of present and future generations.

*Consistent with Mitigation Incorporated.* The proposed project would restore and enhance existing degraded stream channels (i.e., Duck Creek and North Little Johns Creek). The DEIR also includes mitigation measures to minimize or compensate for the loss of biological resources and oak trees, and to preserve or mitigate loss of on-site archaeological resources, as well as mitigate for potential undiscovered cultural resources.

*Goal 4, Policy 5.* Storm water quality measures shall be undertaken to enhance to the maximum extent practicable the quality of the water in the sloughs, creeks, and rivers in this area.

*Consistent with Mitigation Incorporated.* The DEIR includes mitigation requiring implementation of various measures to protect water quality, including water sampling and Best Management Practices consistent with the City’s storm water management program.

**Table B-1  
PROJECT CONSISTENCY WITH STOCKTON GENERAL PLAN 1990**

*Goal 4, Policy 6.* Encourage the use of energy efficient transportation systems and building designs along with other measures to reduce air pollution and to conserve energy resources in the process of urban development.

*Consistent.* The proposed project would provide schools on-site and extensive internal commercial services, which would reduce trips and thereby reduce air pollution. The proposed project includes an Amtrak/multimodal transit facility, and it is anticipated that local transit facilities would be extended to the SPA as development proceeds. Chapter 17, "Utilities and Energy" of the DEIR describes several energy efficiency features of the proposed project that would also tend to reduce potential air pollution associated with implementation of the proposed project.

**City Concept and Design**

*Goal 1.* Enhance the sense of community identity in Stockton.

*Consistent.* The proposed project would result in development of a new urban village with a strong "sense of place" Consistent with the City's "Village" concept for new communities.

*Goal 1, Policy 1.* Encourage the development of identifiable boundaries for the City to maintain a sense of community identity. The City should also consider the development of some type of "gateway" treatment at major entrances into the City.

*Consistent.* The proposed project would extend the eastern boundary of the City of Stockton city limits to Kaiser Road/SR 4. Proposed land uses and boundary treatments would establish a clear new urban boundary at this location and at the primary access point to the SPA along Mariposa Road. The proposed project could be modified to incorporate gateway treatment if required by the City.

*Goal 1, Policy 3.* Residential subdivisions shall be designed to provide for internal circulation within neighborhoods and to prevent through traffic from traversing neighborhoods.

*Consistent.* Circulation within proposed neighborhoods would be internalized and would discourage through traffic. Proposed neighborhoods would be linked by planned collector and arterial streets.

*Goal 2 and Associated Policies.* Develop a balanced and complete community in terms of land use, distribution and densities, housing types and styles, job opportunities, and opportunities for social and cultural expression.

*Consistent.* The proposed project would be a balanced community, consisting of industrial, residential and commercial development. The proposed project would provide substantial job opportunities and promote the City's goal of an improved jobs/housing balance. The proposed project provides for a variety of housing types and styles as well as potential retail commercial development of an appropriate scale. The appropriateness of the proposed land use mix would be determined during Planning Commission and City Council review.

**Residential Land Use**

*Goal 1.* Promote a variety of housing types and densities throughout the City to satisfy the housing needs of various age and socioeconomic groups.

*Consistent.* The proposed project provides a range of low-, medium- and high-density residential development.

*Goal 1, Policy 2.* Higher residential densities are preferred at locations near commercial and office uses and along arterial and collector streets and bus routes.

*Consistent.* The proposed project designates high-density residential areas that would be adjacent to either the proposed Village Commercial Center, or to the northeast village center commercial area or the proposed Amtrak/multimodal station station. All of these areas would be adjacent to major existing or proposed streets and potential future transit routes.

**Table B-1  
PROJECT CONSISTENCY WITH STOCKTON GENERAL PLAN 1990**

*Goal 1, Policy 3.* Non-residential uses and public/quasi-public uses shall be discouraged in areas designated for high-density residential uses since such locations are limited.

*Consistent.* The proposed project would not displace any existing high-density residential land use designations. The proposed project would increase the amount of land designated for high-density residential use.

*Goal 2.* Promote and maintain a safe, healthful, and aesthetically pleasing environment for residential development and conserve and enhance distinctive neighborhood identities.

*Consistent.* The proposed project provides for development of attractively-designed, distinct neighborhoods. Residential neighborhoods would be landscaped and subject to design standards described in the MLSP.

*Goal 2, Policy 1.* The neighborhood shall be utilized as the basic planning unit for maintaining and preserving existing residential areas and in the planning of new ones. Key features of the neighborhood unit include a centrally located meeting place (i.e., school, park), access to arterials only through collector streets with an internally directed local street system, and services located at the periphery of the neighborhood (i.e., commercial, offices, institutional).

*Potentially Inconsistent.* The proposed project is largely neighborhood-oriented and conforms to this policy. The northeast village area, however, reflects the proposed General Plan Update 2035 concept of village planning, with high-density residential and commercial development at the core of this area, as opposed to the periphery. While this would be a potential conflict with the adopted General Plan 1990 policy, this portion of the proposed project would be consistent with the current planning direction of the City of Stockton as described in its proposed 2035 General Plan Update.

*Goal 2, Policy 2.* Individual direct access to arterial streets from residential lots should be discouraged.

*Consistent.* The proposed project would not result in direct access to arterials from residential development.

*Goal 2, Policy 3.* Residential development shall provide open space in either private yards or common areas to partially meet the resident's recreational needs.

*Consistent.* Single-family lots would provide open space in private yards. Future development of small-lot single-family and multifamily units would be subject to this policy and the more stringent open space requirements of the Stockton Development Code.

*Goal 2, Policy 4.* Provide for low and moderate income housing and social service housing (i.e., rest homes, convalescent hospitals, group homes) throughout the City.

*Consistent.* The proposed project would provide a range of low-, medium- and high-density residential areas. The proposed project designates approximately 100 acres of commercial uses and an area for institutional development.

*Goal 2, Policy 6.* Residential neighborhoods shall be protected from the excessive encroachment of incompatible activities and land uses (i.e., traffic, noise) and environmental hazards (i.e., flood, soil instability) which may have negative impacts on the living environment.

*Consistent with Mitigation Incorporated.* The DEIR includes mitigation measures that would protect residential neighborhoods from environmental hazards and encroachment of incompatible activities.

**COMMERCIAL LAND USE**

*Goal 1.* Direct commercial development to areas where it is complementary to and compatible with surrounding land uses and will visually enhance the environment.

*Consistent.* The proposed commercial areas would be integrated with surrounding high-density residential, community facilities, parks, and open space areas. Development would be subject to the design and architectural provisions of the MLSP.

*Goal 1, Policy 3.* The compatible integration of commercial and new residential uses shall be encouraged. Existing residential areas shall be buffered from new commercial uses through the provisions of the zoning code.

*Consistent.* See previous explanation. Proposed commercial and residential uses would be subject to Stockton Development Code requirements for walls and buffering between the uses.

**Table B-1  
PROJECT CONSISTENCY WITH STOCKTON GENERAL PLAN 1990**

*Goal 1, Policy 4.* Commercial areas shall be provided with frontage roads and/or access controls to reduce traffic congestion. Landscaping and design controls should be utilized to create an aesthetically pleasing environment.

*Consistent.* The proposed commercial area would allow adequate access control. Commercial development would be subject to MLSP design and landscaping requirements.

*Goal 1, Policy 5.* Creation of new strip commercial areas along arterial streets shall be discouraged to reduce traffic congestion and to enhance the visual appearance of the City.

*Consistent.* The proposed project does not include any proposed strip commercial areas, or land use designations that could be developed as strip commercial areas.

*Goal 2.* Encourage commercial facilities at locations that provide convenient service where their economic viability can be sustained.

*Consistent.* Proposed commercial areas would provide centralized and convenient service to future residents of the SPA.

*Goal 2, Policy 1.* New retail activities shall be limited to two corners of a major street intersection. The remaining two corners may be utilized for office or other non-residential use.

*Consistent.* The proposed project does not propose major commercial development at more than two corners of proposed major intersections. Proposed commercial development in the northeast area occupies four corners, but not four corners of a major street.

*Goal 2, Policy 2.* Clustering of commercial uses shall be encouraged and the splitting of commercial clusters or centers by roadways shall be discouraged.

*Potentially Inconsistent.* The northeast commercial area; would be intentionally split into four parcels by roadways. While this would be a potential conflict with the adopted General Plan 1990 policy, this portion of the proposed project would be consistent with the current planning direction of the City of Stockton, as described in its proposed 2035 General Plan Update.

**INDUSTRIAL LAND USE**

*Goal 1.* Provide sufficient land for a variety of industrial uses at various locations in coordination with the provision of infrastructure services.

*Consistent.* The proposed project would designate approximately 657 acres for future industrial uses, including light industry and business-professional uses. Urban infrastructure would be extended to these areas as they were developed for occupancy.

*Goal 2.* Guide new industrial development to locations where industrial activities will not conflict with neighboring land uses.

*Consistent.* Proposed industrial areas would not involve conflicts with surrounding uses. Industrial areas would be separated from proposed urban development by streets, greenways, masonry walls, and landscaping. Required conformance with the Stockton Development Code would prevent conflicts with existing adjacent residential uses.

*Goal 2, Policy 1.* Industrial development shall be discouraged in locations where access conflicts with neighboring land uses.

*Consistent.* Access to the industrial-designated area of the SPA would be from existing and relocated SR 4, Mariposa Road, and Newcastle Road, all of which are used for access to existing or approved industrial development. Future industrial access would not involve conflicts with neighboring land uses.

*Goal 2, Policy 4.* Commuting distances between residential concentrations and employment centers shall be minimized.

*Consistent.* The proposed project would involve development of a large industrial area in close proximity to planned new residential areas. The SPA is in relatively close proximity to other areas of industrial employment in south Stockton and the downtown area.

**Table B-1  
PROJECT CONSISTENCY WITH STOCKTON GENERAL PLAN 1990**

*Goal 2, Policy 5.* New residential developments shall be located to avoid conflicting with existing or planned industrial uses.

*Consistent.* Planned residential uses would be located to avoid conflicts with planned industrial uses, as discussed above.

*Goal 2, Policy 6.* Ensure an adequate separation between sensitive land uses (residential, educational, health care) and industrial land uses to minimize land use compatibility problems, associated odors, and air pollutant emissions from industrial areas.

*Consistent.* Planned residential uses would be separated from proposed industrial uses by streets, greenways, and landscaping.

**HOUSING ELEMENT**

Applicable provisions of the Housing Element are related to the availability of adequate sites for housing of all types and promoting housing affordability.

*Consistent.* The proposed project would provide a range of sites for low- and medium-density residential development, including affordable housing; 55 acres of land would be made available for high-density residential development. The proposed project would be subject to any applicable regulatory requirements of the housing element.

**TRANSPORTATION ELEMENT**

**Streets and Highways**

*Goal 1, Policy 2.* The street system shall provide at least two independent access routes for all major developed areas.

*Consistent.* The proposed project provides for multiple access points and would conform to this standard.

*Goal 1, Policy 3.* Significant trip generating land uses should be served by roadways adequate to provide vehicular access with a minimum of delay.

*Consistent with Mitigation Incorporated.* The proposed project would be served by two major arterial roads: SR 4 and Mariposa Road. The DEIR includes mitigation measures that would require improvement of various streets and intersections as required to maintain City Level of Service standards.

*Goal 2, Policy 1.* Inter-neighborhood traffic movement should occur on arterial and collector streets.

*Consistent.* Inter-neighborhood circulation would occur via arterial and collector streets (Figure 3-20 in Chapter 3, "Project Description," of this DEIR).

*Goal 2, Policy 2.* Neighborhood streets shall be designed to discourage through traffic and excessive speeds.

*Consistent.* The proposed project includes required traffic calming features, consistent with the City's adopted traffic calming guidelines.

*Goal 2, Policy 3.* Off-street parking shall be required for all land uses in order to reduce congestion, improve overall operation and land use compatibility.

*Consistent.* Site plans for all land uses would be required to provide off-street parking in accordance with the Stockton Development Code, as incorporated into the proposed project.

*Goal 2, Policy 4.* The construction of new road systems or the expansion of existing streets shall consider the potential impacts on air quality, noise, and sensitive biological areas.

*Consistent with Mitigation Incorporated.* The DEIR includes mitigation measures to reduce or avoid project impacts related to air quality, noise, and sensitive biological resources, among others.

*Goal 3, Policy 1.* Streets and highways shall be constructed to accommodate the expected traffic flow from existing and planned development, both local and regional.

*Consistent with Mitigation Incorporated.* Chapter 16, "Transportation and Circulation," of this DEIR includes mitigation requiring implementation of improvements of various roadways and intersections to accommodate the expected project-related traffic flow.

**Table B-1  
PROJECT CONSISTENCY WITH STOCKTON GENERAL PLAN 1990**

*Goal 3, Policy 2.* Land uses adjacent to existing or proposed arterials shall not detract from the primary function of the roadway that is to provide through access with a minimum of delay.

*Consistent.* The proposed land uses adjacent to proposed arterials would not impede through access on the roadways.

*Goal 3, Policy 3.* Major public street and highway right-of-way dedications, highway interchanges, and improvements (i.e., arterial and collector streets and related bridges or railroad crossings) shall be required at the initial stage of development.

*Consistent with Mitigation Incorporated.* Chapter 16, “Transportation and Circulation,” of this DEIR contains mitigation requiring implementation of various public street, intersection, and highway improvements. Some improvements would be triggered by a specific number of dwelling units; others would occur at the start of each of the five phases of development (see Chapter 16 of this DEIR).

**Public Transportation**

*Goal 1, Policy 2.* Larger new developments along arterial and major collector streets shall provide transit-related public improvements to encourage bus use.

*Consistent with Mitigation Incorporated.* Chapter 16, “Transportation and Circulation,” of this DEIR includes mitigation measures requiring that project development incorporate San Joaquin Regional Transit District (SJRTD) recommendations for transit facilities.

*Goal 1, Policy 3.* The clustering of land uses that generate high trip volumes should be encouraged where they can be adequately served by public transportation.

*Consistent.* The proposed Village Commercial Center and adjoining high-density residential sites would be located near the intersection of Austin Road and Mariposa Road. Similarly, the other planned commercial and high-density residential areas would be located near planned arterials that could be expected to become future transit routes. One of the high-density residential areas would be located adjacent to the proposed Amtrak rail/multimodal transit facility.

*Goal 1, Policy 5.* Strongly encourage that new development incorporate transit-related design features.

*Consistent with Mitigation Incorporated.* Chapter 16, “Transportation and Circulation,” of this DEIR includes mitigation measures requiring that project development incorporate SJRTD recommendations for transit facilities.

**Non-Motorized Transportation**

*Goal 1.* Provide adequate pedestrian and bikeway facilities for present and future transportation needs.

*Consistent.* The proposed project provides for an interconnected system of pedestrian and bikeway systems that link proposed residential areas, schools, open spaces, and other proposed land uses (Figure 3-20 in Chapter 3, “Project Description,” of this DEIR).

*Goal 1, Policy 1.* Pedestrian travel shall be encouraged as a viable mode of movement throughout the City by providing safe and convenient pedestrian facilities, particularly in commercial areas and residential neighborhoods.

*Consistent.* Sidewalks would be constructed along all proposed streets. All walkways would have landscaped buffers from the street. Pedestrian and bikeways would also be located within proposed greenways and along the Duck Creek open space corridor, proposed to be restored as part of the proposed project.

*Goal 1, Policy 3.* Recreational bikeways shall be developed and maintained on separate rights-of-way (i.e., Calaveras River path, East Bay Municipal Utility District easement path).

*Consistent.* A Class 1 pedestrian/bicycle path would be constructed along both sides of the Duck Creek open space corridor, which is proposed for restoration as part of the proposed project.

**Table B-1  
PROJECT CONSISTENCY WITH STOCKTON GENERAL PLAN 1990**

*Goal 1, Policy 4.* Right-of-way requirements for bike usage shall be considered in the planning of new arterial and collector streets and in street improvement projects.

*Consistent.* Adequate space for off-street (Class 1) and on-street (Class 2) bikeways would be provided in proposed arterial and collector street sections, respectively.

**Railroad Transportation**

*Goal 1, Policy 2.* New noise sensitive activities should not be developed adjacent to railroad rights-of-way.

*Potentially Inconsistent.* Most proposed residential development would be separated from the BNSF railroad tracks by planned industrial land uses. However, one high-density residential area would be developed adjacent to the railroad tracks and the proposed Amtrak/multimodal transit facility. Portions of another residential neighborhood in the southern part of the SPA would be separated from the railroad tracks only by a greenbelt. Chapter 13, "Noise," of this DEIR contains mitigation requiring implementation of various measures to reduce exterior and interior noise levels related to railroad noise, including future monitoring of noise levels to assess the extent of these neighborhoods' conformance to City noise standards.

**PUBLIC FACILITIES AND SERVICES**

*Goal 2, Policy 1.* Elementary schools should be located within residential neighborhoods within an ideal service radius of approximately 1/2 mile. Elementary schools should be located where students need not cross major arterial or collector streets.

*Consistent.* The proposed elementary school sites have been located in consultation with the Stockton Unified School District (SUSD), and these sites would generally conform to these policy provisions. No additional schools are required in the SPA.

*Goal 2, Policy 2.* Middle and high schools should be located at the periphery of residential neighborhoods with access to arterial collector streets and with access to public transportation.

*Consistent.* The proposed high school would conform to this requirement. SUSD does not plan the construction of any middle schools in the project vicinity.

*Goal 2, Policy 3.* City parks shall be developed in conjunction with elementary schools whenever practical.

*Consistent.* The proposed project would in most cases site planned City parks adjacent to planned school sites. Two proposed elementary school sites would not be located with planned parks.

*Goal 2, Policy 7.* Residential developers should coordinate with the school district to insure the adequate provision of schools.

*Consistent.* The project applicant has initiated this coordination, which is ongoing. The project applicant and SUSD expect to enter into a written agreement regarding the provision of school sites, school construction, and financing.

**Water Facilities**

*Goal 1, Policy 4.* The use of settling ponds and other filtering methods shall be encouraged within the storm drainage system.

*Consistent.* The proposed project proposes an extensive system of lakes, canals, and detention ponds that would comply with City storm water management requirements, as discussed in Chapter 11, "Hydrology and Water Quality," of this DEIR.

**Parks and Recreation**

**Table B-1  
PROJECT CONSISTENCY WITH STOCKTON GENERAL PLAN 1990**

*Goal 1, Policy 1.* Park and recreation facilities shall be provided at a level that meets the City’s park and recreation standards.

*Consistent.* The proposed project would provide parkland in excess of general plan requirements and would pay required Public Facilities Fees for the provision of parks and recreation centers within the SPA. Additional discussion of this issue is provided in Chapter 15, “Public Services” of this DEIR.

*Goal 1, Policy 3.* Parks shall be located and designed in such a way as to facilitate their security and policing. Private property located immediately adjacent to a park site shall be discouraged.

*Consistent.* Proposed public parks would conform to these standards. The proposed public parks would be oriented to have adequate visibility from public streets. Future visibility would be dependent on park site design and landscaping.

*Goal 1, Policy 4.* Neighborhood parks shall, whenever possible, be developed in conjunction with elementary schools centrally located within the neighborhoods where park patrons need not cross major arterials or collector streets.

*Consistent.* Two proposed neighborhood park sites would be located adjacent to planned school sites.

*Goal 1, Policy 6.* Continue to provide for the development of linear parkways and recreational opportunities for Stockton residents and visitors.

*Consistent.* The project proposes development of linear parks along the restored Duck and North Little Johns Creeks, as well as the PG&E transmission line right-of-way. Additional greenways are proposed along the perimeter of the SPA and along the major boulevards.

*Goal 1, Policy 8.* Private open-space and recreational facilities shall be encouraged in larger residential developments in order to meet a portion of the open space and recreational needs generated by that development.

*Consistent.* The proposed project includes a 24-acre private recreation center.

**Fire Safety**

*Goal 1, Policy 4.* New development shall provide adequate access for emergency vehicles, particularly fire-fighting equipment, as well as provide evacuation routes.

*Consistent.* MLSP policies would require Fire and Police Department review of tentative subdivision maps and improvement plans to ensure adequate emergency access.

**Police Protection**

*Goal 1, Policy 2.* Defensible space design techniques shall be considered in the review of new development in order to enhance crime prevention.

*Consistent.* See above note under “Parks and Recreation Goal 1, Policy 3.”

**NATURAL AND CULTURAL RESOURCES**

**Conservation**

*Goal 1, Policy 1.* Existing agricultural soils capable of producing a wide variety of valuable crops shall be retained in agricultural use until the time that such soils are needed for logical urban expansion.

*Consistent.* The proposed project is contiguous to existing development and represents a logical area for urban expansion. MLSP policies would encourage the retention of agricultural land in agricultural use within the SPA until it is needed for future project development phases.

*Goal 1, Policy 4.* Consider establishing buffers, such as setbacks, berms, greenbelts, and open space areas, to separate farmland from urban uses.

*Consistent.* The SPA would be buffered from nearby agricultural land by adjoining street rights-of-way and proposed greenways. Additional protection for farmlands is provided by adopted Right-to-Farm ordinances.

**Table B-1  
PROJECT CONSISTENCY WITH STOCKTON GENERAL PLAN 1990**

*Goal 3, Policy 1.* Consider the cumulative air quality impacts from development and land use regulations to reduce air pollution.

*Consistent with Mitigation Incorporated.* Chapter 6, “Air Quality” and Chapter 18, “Cumulative Impacts” of this DEIR consider the project-specific and cumulative air quality impacts of implementing the proposed project, and include mitigation measures to reduce impacts.

*Goal 4, Policy 2.* Land use decisions shall consider the proximity of industrial and commercial uses to major residential areas in order to reduce commuting.

*Consistent.* The proposed project includes major employment centers and residential areas, providing an opportunity to reduce commuting.

*Goal 5, Policy 2.* Review proposed development for both local and regional air quality impacts.

*Consistent with Mitigation Incorporated.* Chapter 6, “Air Quality, of this DEIR evaluates the local and regional air quality impacts of the project and includes mitigation to reduce impacts.

**Open Space**

*Goal 1, Policy 4.* Significant wildlife and natural vegetation areas shall be protected and preserved for environmental, educational, and research purposes.

*Consistent with Mitigation Incorporated.* Development would be excluded from the Duck Creek and North Little Johns Creek channel areas, which would be expanded and restored as part of the proposed project. Chapter 7, “Biological Resources,” of this DEIR includes mitigation measures requiring that to the extent possible, oak trees would be conserved through compliance with the City’s tree preservation ordinance, as well as the County’s oak tree ordinance for off-site roadway and infrastructure improvements contained in San Joaquin County. Potential sensitive species habitat losses would be compensated through participation in the San Joaquin Multi-Species Habitat Compensation Plan or through implementation of equivalent mitigation measures.

*Goal 1, Policy 5.* Seek to preserve existing Valley Oak trees that are healthy.

*Consistent with Mitigation Incorporated.* Chapter 7, “Biological Resources,” of this DEIR includes mitigation measures that require project conformance with the City’s tree preservation ordinance, as well as the County’s oak tree ordinance for off-site roadway and infrastructure improvements contained in San Joaquin County.

*Goal 1, Policy 6.* Continue to recognize and preserve Stockton’s historical and cultural resources.

*Consistent with Mitigation Incorporated.* Chapter 8, “Cultural Resources,” of this DEIR contains mitigation measures that would avoid, protect, or reduce impacts to historical and cultural resources at the SPA, including possible as-yet undiscovered resources.

*Goal 2.* Provide and maintain open space resources for outdoor recreation within the urban fabric of Stockton.

*Consistent.* The proposed project would provide numerous interconnected public parks and greenways.

*Goal 2, Policy 1.* Utilize open space areas to provide community and neighborhood identity and to insulate conflicting land uses and noise generators.

*Consistent.* Existing creek corridors and proposed greenways would be used to define neighborhoods and insulate noise-generating land uses.

*Goal 2, Policy 2.* Residential developments shall be encouraged to provide private open space areas.

*Consistent.* Proposed residential lots would include private open space. The proposed project also includes a 24-acre private recreation center.

**Table B-1  
PROJECT CONSISTENCY WITH STOCKTON GENERAL PLAN 1990**

*Goal 2, Policy 3.* Major arterials shall be provided with landscaped median strips in order to enhance these street systems as aesthetic open space corridors.

*Consistent.* Proposed boulevards would implement this requirement.

*Goal 3.* Retain in open space use any lands too hazardous for development to promote public health and safety.

*Consistent.* There are no portions of the SPA that are considered too hazardous for development.

**SAFETY**

**General Safety Issues**

*Goal 1, Policy 1.* Development shall only be permitted in those areas where the potential danger to the health and safety of people can be mitigated to an acceptable level.

*Consistent with Mitigation Incorporated.* The DEIR includes mitigation measures that would reduce potential impacts from health and safety hazards such as environmental contamination and noise.

**Seismic and other Geologic Hazards**

*Goal 1, Policy 4.* Recognize the limitations of expansive and peat soils in designating areas for urban growth and development.

*Consistent with Mitigation Incorporated.* Chapter 9, “Geology, Soils, and Paleontological Resources,” of this DEIR contains mitigation measures to address the limitations of construction in expansive soils. The SPA does not contain peat soils.

**Flood Hazards**

*Policy 1.* New urban development shall be approved only when the developer shows it to be protected from “100-year” floods.

*Consistent with Mitigation Incorporated.* Portions of the SPA are within the 100-year flood zone. Chapter 11, “Hydrology and Water Quality,” of this DEIR contains mitigation measures requiring design of an appropriate flood control system, approved by the City, prior to tentative subdivision map, improvement plan approval, or issuance of building permits.

**Table B-1**  
**PROJECT CONSISTENCY WITH STOCKTON GENERAL PLAN 1990**

**NOISE**

*Goal 2, Policy 1.* New residential development shall not be allowed where the ambient noise level due to locally-regulated noise sources (i.e. all noise sources other than roadway, railroad, and aircraft noise) will exceed the General Plan noise level standards.

*Consistent with Mitigation Incorporated.* There are no such existing sources on or adjacent to the SPA. Chapter 13, "Noise," of this DEIR includes a noise analysis. Because most of the proposed project, with the exception of development Phase 1, is evaluated at a program level, it is not possible at this time to determine site-specific noise levels from future industrial and commercial development, since the types of development are currently unknown. Therefore, the DEIR contains mitigation measures requiring that site-specific acoustical studies be funded by the project applicant(s) of all project phases, and that the recommendations contained in those studies to reduce noise levels must be incorporated into project site designs.

*Goal 2, Policy 2.* The compatibility of proposed projects with existing and future noise levels due to traffic on public roadways, railroad line operations, and aircraft in flight shall be evaluated by comparison to Figure 1 (in the General Plan).

*Consistent with Mitigation Incorporated.* Chapter 13, "Noise," of this DEIR contains mitigation requiring implementation of various measures such as sound walls, additional insulation, and thicker windows to reduce noise levels in development adjacent to streets, highways/freeways, and railroad tracks.

*Goal 2, Policy 3.* New development of residential land uses will not be permitted in areas exposed to existing or projected exterior noise levels exceeding 60 dB  $L_{dn}$  unless project design includes effective mitigation measures to meet specified levels.

*Consistent with Mitigation Incorporated.* See responses to "Noise Goal 2, Policy 1 and Policy 2" above.

*Goal 2, Policy 4.* Before approving proposed development of new residential land uses in areas exposed to existing or projected exterior noise levels exceeding 60 dB  $L_{dn}/CNEL$ , an acoustical analysis shall be required.

*Consistent with Mitigation Incorporated.* See response to "Noise Goal 2, Policy 1" above.

---

TABLE B-2: Stockton General Plan (2035 Draft) Consistency

**Table B-2**  
**STOCKTON GENERAL PLAN (2035 Draft) CONSISTENCY**

**CHAPTER 3. LAND USE**

**3.1 General**

***LU-1.5 Future Urban Development***

Future urban development within the Planning Area should occur under the jurisdiction of the City. To this end, the City shall require that vacant unincorporated properties be annexed into the City prior to the provision of any City services, or that a conditional service agreement be executed agreeing to annex when deemed appropriate by the City.

*Consistent.* The proposed project involves a logical expansion of the City boundaries; the SPA is contiguous to the existing city limits. Subject to approval of the proposed general plan amendment, the SPA would be annexed within the expanded Urban Service Boundary.

***LU-1.11 Safe Development***

The City shall limit urban growth in areas with hazardous nuisance conditions such as noise, flooding, or unstable soils.

*Consistent with Mitigation Incorporated.* This DEIR analyzes and includes mitigation measures to address hazardous nuisance conditions such as noise, flooding, and expansive soils.

***LU-1.12 Commuting Distances***

The City shall strive to minimize the commuting distances between residential concentrations and employment centers by encouraging infill development and a mix of residential densities.

*Consistent.* The propose project incorporates a mix of residential densities and includes proposed employment centers to reduce commuting distances.

***LU-1.13 Growth Phasing***

The City shall phase growth based on the availability of adequate water supplies, market forces, infrastructure financing capacity, and the timing of the design, approval, and construction of water supply and transportation facilities and other infrastructure.

*Consistent with Mitigation Incorporated.* Approval of the MLSP project is conditioned upon adoption of a Water Supply Assessment and a Water Supply Verification that will confirm the availability of water supply to serve the project site (see Chapter 17, “Utilities and Service Systems”). The project is planned for phased development with full buildout in approximately 20 years.

**3.2 Agriculture**

***LU-2.1 Agricultural Land Preservation***

The City shall limit the wasteful and inefficient sprawl of urban uses into agricultural lands

*Consistent.* The project represents a logical extension of urban development.

***LU-2.3 Land Conversion within the Urban Service Area***

The City shall discourage the premature conversion of agricultural land to urban uses within the Urban Service Area.

*Consistent.* The project would convert agricultural land to urban uses, but the project would be located within the 2035 Urban Services Boundary. The MLSP includes provisions and policies that would promote the maintenance of environmental quality, including continued agriculture operations on project lands until each phase of urbanization occurs.

**3.3 Residential Development**

***LU-3.4 Residential Open Space***

The City shall provide for open space in residential development in either private yards or common areas to partially meet the residents’ recreational needs.

*Consistent.* Single-family lots would provide open space in private yards. The project also includes a 24-acre private recreation center.

**Table B-2  
STOCKTON GENERAL PLAN (2035 Draft) CONSISTENCY**

***LU-3.5 Planned Development***

The City shall encourage the use of planned development provisions in residential development to provide flexibility, to meet various socio-economic needs, and to address environmental and site design constraints.

*Consistent.* The proposed project is a specific plan, which incorporates the use of planned development concepts that provide flexibility, meet socio-economic needs, and address environmental and site design constraints.

***LU-3.7 Incompatible Uses***

The City shall protect existing residential neighborhoods from the encroachment of incompatible activities and land uses (i.e., traffic, noise) and environmental hazards (i.e., flood, soil instability).

*Consistent with Mitigation Incorporated.* Residential areas would be buffered from proposed industrial and commercial uses by waterways, public streets, and set-backs. This DEIR includes mitigation measures to reduce impacts associated with environmental hazards such as flooding, noise, and expansive soils.

***LU-3.9 Conflicting Uses***

The City shall designate new residential developments in areas that will not create conflicts with existing or planned industrial or intensive commercial uses.

*Consistent.* As stated above, residential areas would be buffered from proposed industrial and commercial uses by waterways, public streets, and set-backs.

**3.4 Commercial/Mixed Use Development**

***LU-4.3 Commercial-Residential Integration/Compatibility***

The City shall encourage the compatible integration of commercial and new residential uses. Existing residential areas shall be integrated with new commercial uses through the provisions of the Development Code.

*Consistent.* The MLSP has been designed around the “village” concept to integrate commercial and residential land uses. Buffering between land uses would be provided by public streets and waterways.

***LU-4.4 Commercial Area Access***

The City shall require commercial projects to provide frontage roads and/or access controls to reduce traffic congestion.

*Consistent.* Access to proposed commercial lots would be limited to future defined access points. All commercial development would be subject to City landscaping and design controls.

***LU-4.5 Commercial Area Aesthetics***

The City shall require that new commercial development incorporate landscaping and good design in accordance with Citywide Design Guidelines.

*Consistent.* All MLSP commercial development would be subject to MLSP specific plan and applicable City landscaping and design controls.

***LU-4.6 Commercial Strip Centers***

The City shall discourage the creation of new strip commercial areas along arterial streets to reduce traffic congestion and to enhance the visual appearance of the city.

*Consistent.* The proposed project does not include strip commercial areas, or land use designations that could be developed as strip commercial areas.

***LU-4.7 Commercial Signage***

The City shall require that signage in commercial development complement rather than detract from the visual quality of the commercial development and surrounding neighborhood.

*Consistent.* All MLSP commercial development would be required to meet standards for signage as set forth in the City’s Design Guidelines.

**Table B-2**  
**STOCKTON GENERAL PLAN (2035 Draft) CONSISTENCY**

***LU-4.8 Neighborhood-Serving Commercial***

The City shall encourage small neighborhood-serving commercial uses adjacent to and within residential areas where such uses are compatible with the surrounding area and mitigate any significant impacts (i.e., traffic, noise, lighting).

*Consistent with Mitigation Incorporated.* In addition to the Austin Road Town Center, the MLSP includes other village commercial centers to serve residential and industrial areas in the northern portion of the project site. This DEIR contains mitigation measures to reduce impacts related to various environmental issues such as traffic, noise, and lighting.

***LU-4.10 Commercial Cluster Encouragement/Protection***

The City shall encourage the clustering of commercial uses and discourage the splitting of commercial clusters or centers by arterial roadways.

*Potentially Inconsistent.* The major proposed commercial areas would be clustered together consistent with this policy. However, the northeast commercial area would be intentionally split into four parcels by roadways, consistent with the City's proposed "village" planning principles.

**Table B-2  
STOCKTON GENERAL PLAN (2035 Draft) CONSISTENCY**

**3.5 Industrial Development**

***LU-5.1 Available Services***

The City shall encourage industrial activities to locate where municipal services are available including adequate sanitary, storm drainage and water facilities as well as easy access to multiple modes of transportation.

*Consistent with Mitigation Incorporated.* The proposed project would locate new industrial development immediately adjacent to existing industrial development south of SR 4, consistent with existing zoning. Chapters 11 (“Hydrology and Water Quality”) and 17 (“Utilities and Service Systems”) of this EIR contain mitigation measures requiring that assurance of necessary municipal services be provided to the city prior to issuance of building permits. Industrial land uses would be located with access to automobile, bus, and rail transit.

***LU-5.2 Clustering of Uses***

The City shall encourage the clustering of industrial uses into areas that have common needs and are compatible in order to maximize their efficiency.

*Consistent.* The proposed project would cluster all the proposed industrial land uses together in the northwestern portion of the project site.

***LU-5.5 Compatible Land Use***

The city shall ensure an adequate separation between sensitive land uses (residential, educational, healthcare) and industrial land uses to minimize land use incompatibility associated noise, odors, and air pollutant emissions from industrial uses.

*Consistent.* The proposed project incorporates separation between industrial development and sensitive land uses via the use of greenbelts, roadways, and in some cases, sound barriers.

***LU-5.6 Development Design***

The City shall require that industrial development incorporate landscaping and good design in accordance with Citywide Design Guidelines.

*Consistent.* The proposed project has been designed in accordance with Citywide Design Guidelines.

***LU-5.7 Adjacent Major Transit Uses***

The City shall guide industrial uses near the Stockton Metropolitan Airport and Port of Stockton by the policies of the Airport Land Use Commission and the Port of Stockton Master Development Plan, respectively.

*Consistent.* Chapter 12, “Land Use” of the DEIR contains mitigation measures that require conformance with the policies of the Airport Land Use Commission.

**CHAPTER 4. HOUSING**

**4.2 Goals, Policies and Implementation Programs**

***HE-1.3 Transit-Oriented Development***

The City shall encourage new residential uses near main transportation routes to ensure convenient access to employment centers, schools, shopping, and recreational facilities.

*Consistent.* High and medium-density residential development areas would be located adjacent to or near arterial streets and a proposed Amtrak rail/multimodal transit facility. Proposed circulation would provide convenient access to on-site employment centers, schools, shopping, and recreational facilities.

***HE-1.4 Public Services Availability***

The City shall insure that sites designated for new residential development are adequately served by public utilities, are minimally impacted by noise and blighting conditions, and are compatible with surrounding land uses.

*Consistent with Mitigation Incorporated.* This EIR contains mitigation measures to ensure that the MLSP would be adequately served by public utilities (Chapter 17, “Utilities and Service Systems”) and to reduce noise impacts (Chapter 13, “Noise”). Streets, greenbelts, and restored creek channels would act as buffers between land uses.

**Table B-2**  
**STOCKTON GENERAL PLAN (2035 Draft) CONSISTENCY**

**CHAPTER 5. ECONOMIC DEVELOPMENT**

**5.2 Employment**

**ED-2.7 Jobs/Housing Ratio**

The City shall strive to maintain a jobs-to-housing ratio of greater than one.

*Inconsistent.* The estimated jobs-to-housing ratio for MLSP is 0.99, which indicates that the ratio of jobs to employed residents would be nearly equal.

**5.4 Business Attraction, Expansion and Retention**

**ED-4.7 Industrial Parks**

The City shall designate appropriate sites for industrial development to meet projected demand and allow adequate sites for a competitive environment, protecting existing and expanded industrial parks, including Arch-Sperry Industrial Area, Stockton Metropolitan Airport, Arch-Austin Industrial Area, Duck Creek Industrial Area, as well as smaller industrial parks such as Triangle Industrial Park and Grupe Business Park.

*Consistent.* The proposed project includes an area of proposed industrial development, which would be located immediately adjacent to existing industrial development south of SR 4.

**ED-4.10 Railways**

The City shall support the improvement of rail lines and services for cargo as well as passengers in support of existing and future industrial and commercial development.

*Consistent.* The proposed project includes development of a new Amtrak rail/multimodal transit facility that would support future development.

**CHAPTER 6. COMMUNITY DESIGN**

**6.1 General**

**CD-1.1 Urban Design Plans**

The City shall ensure that plans for districts, corridors, and villages reflect citywide urban design concepts set out in the General Plan.

*Consistent.* The MLSP incorporates the City's urban design concepts, including the village concept.

**CD-1.2 Contrast Between Urban and Rural**

The citywide design framework shall heighten the contrast between rural, natural, and urban areas as one enters and travels through the community.

*Consistent.* The MLSP would extend the eastern boundary of the City of Stockton to Kaiser Road/SR 4. Proposed land uses and boundary treatments would establish a clear new urban/rural boundary at this location. The use of the lake systems and restoration of Duck Creek, North Little Johns Creek, and Branch Creek would provide a natural aesthetic appeal.

**CD-1.3 Travel Experience**

To the extent possible, the City shall ensure that all public and private investments in Stockton's districts and villages contribute positively to the overall travel experience by automobile, rail, pedestrian, and bicycle in the community.

*Consistent.* The circulation system within the MLSP area is designed to allow efficient and convenient travel. The project includes an extensive pedestrian and bicycle system, which accompanies the village concept employed in the design of the project.

**CD-1.4 Transition to Rural Landscapes**

Transitions between urban and rural areas at the edge of the community shall not diminish the visual quality of open space. Soundwalls and utilitarian edges of developments shall not be allowed as an interface between development and rural landscapes.

*Consistent.* The eastern boundary of the SPA will consist of Village Residential Estate lots that front onto Kaiser Road. The remaining boundaries to the north and south that are adjacent to rural and agricultural land uses would consist of linear open spaces.

**Table B-2  
STOCKTON GENERAL PLAN (2035 Draft) CONSISTENCY**

**CD-1.5 Gateways**

The City shall define a set of distinctive gateway districts that provide a sense of arrival. Gateway districts shall use a combination of streetscape, building orientation and placement, and signage to create memorable community entries.

*Consistent.* The MLSP includes an entry identity plan for proposed neighborhoods. Entrances to the residential areas of the SPA would be landscaped and include views to aesthetic features, including lakes.

**CD-1.6 Open Space Features**

The City shall promote community design that incorporates the open space features of Stockton’s waterways, wetlands, and parks into the travel experience. This includes visual access to open space features and private and public investment that visually frames and complements natural landscapes and parks.

*Consistent.* The MLSP design includes enhancement of existing waterways, numerous neighborhood and community parks, as well as a lake and canal system.

**6.4 Districts, Villages and Neighborhoods**

**CD-4.1 Creating Central Places**

Stockton’s citywide land use and transportation planning shall support the creation of “central places” that provide social, economic, and identity of districts and villages.

*Consistent.* As stated above, the MLSP incorporates the village concept into its design and is supported by a circulation system that allows convenient access to all areas of the SPA.

**CD-4.3 District Gateways**

The City shall require that districts and villages include a deliberate gateway and entrance design that is inviting, attracting, and complementary to the overall design of the district or village.

*Consistent.* See response to CD-1.5 Gateways above.

**CD-4.4 Integration of Village Centers**

Commercial uses shall be integrated into the design of each village and neighborhood. Commercial and higher density residential development shall be planned to transition in scale and use to promote pedestrian and visual connections to residential neighborhoods. Village center commercial and residential uses shall interface around streets and open spaces to activate public places.

*Consistent.* Commercial land uses, as well as institutional land uses, are located within the SPA to create the village concept prescribed by the City.

**CHAPTER 7 DISTRICTS AND VILLAGES**

**7.1 General**

**DVI.1 Overall Civic Framework**

Each district and village will be connected to the City’s overall circulation and open space systems. Transit armatures, open space corridors, waterways, streets, and other organizational features will link districts and villages to each other and the rest of the community. Each district and village will contribute to the design of the entire city.

*Consistent.* The SPA will have access to SR 99 via both Farmington Road and Mariposa Road. The internal circulation system connects the various land uses. The MLSP includes substantial interconnected open spaces and greenways.

**Table B-2  
STOCKTON GENERAL PLAN (2035 Draft) CONSISTENCY**

***DV-1.2 Mixed-use and Mixed Density***

A mix of housing and land uses will be realized in every district and village. Denser housing would be located along transit routes and adjacent to commercial areas. Land uses will be mixed and organized around public streets and spaces. Housing, employment, civic facilities, and commercial services would become part of mixed-use district and village centers. Institutional uses, such as churches and schools, would be located in residential areas providing an opportunity for joint use of park spaces and provide neighborhood social and physical focal points.

*Consistent.* The MLSP provides for higher density residential land uses located along future transit routes and adjacent to commercial land uses. Employment opportunities, civic facilities, schools, and commercial services are all incorporated into the design of the SPA.

***DV-1.3 Pedestrian and Transit Accessible***

An underlying organization feature of the districts and villages will be their scale and pattern of development. Each will be designed and implemented to be conducive to walking and using transit. Designs will incorporate block patterns, walking routes and edges, social orientation of buildings, and streetscapes provide for pedestrian comfort and interest.

*Consistent.* As stated above, the MLSP incorporates Village design concepts and includes a pedestrian and bicycle plan that would provide convenient access within the SPA.

***DV-1.5 Commercial and Community Facilities***

Each district and village will provide commercial and institutional services that support the local population. This would include a grocery store, shops, restaurants, elementary schools, post office, and neighborhood parks. Some villages may also include uses that support larger portions of the city such as shopping centers, high schools, libraries, and regional or community parks.

*Consistent.* The SPA would include commercial and institutional services to support the population, including grocery stores, shops, restaurants, elementary, secondary and college-level schools, and a variety of parks and sports facilities.

**CHAPTER 8 TRANSPORTATION & CIRCULATION**

**8.2 Streets and Highways**

***TC-2.1 Level of Service***

To assist in ensuring efficient traffic operating conditions, evaluating the effects of new development, determining mitigation measures and impact fees, and developing capital improvement programs, the City shall require that Level of Service (LOS) D or better be maintained for both daily and peak hour conditions.

*Consistent with Mitigation Incorporated.* Chapter 16, “Traffic and Transportation” of the DEIR contains mitigation measures requiring various street and intersection improvements to maintain LOS D or better.

***TC-2.4 Dual Access***

The City shall require at least two (2) independent access routes for all major development areas.

*Consistent.* The MLSP would conform to this standard: SR 4 and Mariposa Road would both provide access to the project site.

***TC-2.5 Multiple Transportation Modes***

The City shall require that significant trip-generating land uses be served by roadways and transit connections adequate to provide efficient access by multiple transportation modes with a minimum of delay.

*Consistent.* Planned transportation systems would meet this standard as shown on the circulation plan. The project also includes development of an Amtrak rail/multimodal transit facility.

**Table B-2**  
**STOCKTON GENERAL PLAN (2035 Draft) CONSISTENCY**

***TC-2.7 Efficient Traffic Flow***

The City shall ensure that highways and arterial streets within its jurisdiction provide for the efficient flow of traffic. Therefore, the following shall be undertaken: a) minimize the number of intersections along arterials; b) reduce curb cuts along arterials through the use of common access easements, backup lots and other design measures; c) provide grade separations at all major railroad crossings with arterials; d) extend arterials over waterways, railroads and through developed and undeveloped areas, where feasible, to provide for the continuous flow of through traffic and appropriate area access; and e) consider alternative designs for high capacity multi-modal corridors.

*Consistent with Mitigation Incorporated.* Chapter 16, "Traffic and Transportation" of the DEIR includes mitigation measures requiring street, intersection, bridge, and railroad grade separation designs consistent with this General Plan policy.

***TC-2.11 Inter-Neighborhood Traffic***

Consistent with the goals of the City of Stockton Neighborhood Traffic Management Program, the City shall encourage inter-neighborhood traffic movement on arterial and collector streets and discourage such traffic from using neighborhood streets.

*Consistent.* Project design incorporates traffic calming measures such as roundabouts. The circulation plan provides an arterial network for through traffic and local streets have been designed to loop only within individual neighborhoods.

***TC-2.12 Neighborhood Street Design***

The City shall ensure that neighborhood streets are designed to discourage through traffic and excessive speeds.

*Consistent.* See response to TC-2.11 above.

**Table B-2**  
**STOCKTON GENERAL PLAN (2035 Draft) CONSISTENCY**

***TC-2.13 Environmental Impacts of Roadway Projects***

The City shall ensure that construction of new roadways and expansion of existing streets mitigates impacts on air quality, noise, historic resources, sensitive biological areas, and other resources.

*Consistent with Mitigation Incorporated.* Chapter 16, “Traffic and Transportation,” of the DEIR includes mitigation requiring implementation of various off-site road and intersection improvements, the impacts of which have been analyzed at either a program or project level of detail in each chapter of the EIR. Where necessary, mitigation measures to reduce environmental impacts associated with both off-site and on-site road construction have been included in each chapter of the EIR.

***TC-2.14 Roadway Dedications***

The City shall require major public street and highway right-of-way dedications, highway interchanges, and improvements (i.e., arterial and collector streets and related bridges or railroad crossings) at the initial stage of development

*Consistent with Mitigation Incorporated.* Chapter 16, “Traffic and Transportation,” of the DEIR contains mitigation requiring implementation of various public street, intersection, and highway improvements. Some improvements would be triggered by a specific number of dwelling units; others would occur at the start of each of the five phases of development (see Chapter 16 of the DEIR).

***TC-2.17 Vehicles Miles Traveled (VMT) Reduction***

To improve air quality and reduce congestion, the City shall seek to reduce vehicle-miles-traveled per household by making efficient use of existing and planned transportation facilities. Supporting policies are detailed in the City’s adopted list of Reasonably Available Control Measures. These measures include:  
a) promoting efficient arrangement of land uses; b) improving public transportation and ridesharing; and c) facilitating more direct routes for pedestrians and bicyclists and other non-polluting modes of transportation.

*Consistent.* The MLSP has been designed in conformance with the list of Reasonably Available Control Measures.

**8.4 Transit**

***TC-4.2 Transit-Related Public Improvements***

The City shall ensure that larger new developments along arterial and major collector streets provide transit-related public improvements (e.g., bus pullouts, bus shelters) to encourage transit use.

*Consistent with Mitigation Incorporated.* Chapter 16, “Traffic and Transportation” of the DEIR includes mitigation measures requiring that MLSP development incorporate SJRTD recommendations for transit facilities.

***TC-4.3 Clustering of Land Uses in Transit-Serving Area***

The City shall encourage clustering of land uses that generate high trip volumes in areas that are served by existing or planned transit, especially when such uses are complementary and where they can be adequately served by public transportation.

*Consistent.* Commercial and high-density residential land uses are grouped in the southwestern portion of the SPA closer to the proposed Amtrak rail/multimodal transit facility. High density residential sites are located in groups. Proposed arterial street alignments would facilitate transit service.

**Table B-2  
STOCKTON GENERAL PLAN (2035 Draft) CONSISTENCY**

***TC-4.4 Transit-Related Design Features***

The City shall strongly encourage new development projects to incorporate the following transit-related design features [only those features applicable to the MLSP project are listed]: a) a through roadway shall connect adjacent developments to permit transit circulation between developments; b) parking shall be prohibited on collector and arterial streets to provide access to bus stops in major employment/commercial areas; c) where subdivision sound walls exist or are warranted, appropriate designs shall be used to facilitate direct pedestrian access to transit stops; e) commercial and industrial developments shall have easy access to major arterials and transit stops; f) sheltered bus stops shall be provided with new development; g) medium and high-density development shall be located near transit services; h) residential areas shall be linked to transit stops via continuous sidewalks or pedestrian paths; k) major new developments shall be required to provide, operate, and maintain park-and-ride facilities; and m) in major new development areas, the project proponents shall be required to coordinate with transit operators in advance of discretionary project approvals and to provide an agreement for the timely provision of transit service.

*Consistent with Mitigation Incorporated.* See responses to TC-4.2 and TC-4.3 above.

**8.5 Pedestrian, Bicycle, And Other Non-Motorized Transportation**

***TC-5.1 Pedestrian and Bicycle Facilities***

The City shall encourage pedestrian and bicycle travel as viable modes of movement throughout the city by providing safe and convenient pedestrian facilities, within and linking commercial areas, residential neighborhoods, and employment centers.

*Consistent.* Sidewalks would be constructed along all proposed streets. A bicycle/pedestrian path system is included in the MLSP.

***TC-5.3 Pedestrian Walkways for New Residential Developments***

The City shall require new subdivisions and planned unit developments to include safe pedestrian walkways that provide direct links between streets and major destinations such as bus stops, schools, parks, and shopping centers.

*Consistent.* The MLSP includes a pedestrian and bicycle network that would provide the required linkages with services and transit facilities.

***TC-5.4 Pedestrian Walkways for Commercial Developments***

The City shall encourage existing and new commercial and office establishments to develop and enhance pedestrian pathways through landscaping, frontage improvements, and creating pedestrian crosswalks through parking areas or over major barriers such as freeways or canals.

*Consistent.* The proposed project includes a network of pedestrian and bicycle paths as shown in Figure 3-20 in Chapter 3, "Project Description," of the DEIR.

***TC-5.6 Right-Of-Way Dedications***

The City shall ensure dedication of adequate right-of-way for bicycle use in the development of new arterial and collector streets, and where feasible, in street improvement projects.

*Consistent.* Adequate space for Class 1 and Class 2 bikeways are provided for in proposed MLSP street sections, as required by the Stockton Bikeways Plan.

**Table B-2  
STOCKTON GENERAL PLAN (2035 Draft) CONSISTENCY**

***TC-5.7 Bicycle Parking***

The City shall require that safe and secure bicycle parking facilities be provided at major activity centers such as public facilities, employment sites, and shopping and office centers.

*Consistent.* The City would ensure compliance with this policy through its design review process prior to issuance of project-specific building permits within the SPA.

**8.6 Railroad Transportation**

***6.1 Grade Separations***

The City shall work to provide grade separations at all railroad crossings on arterial streets to both ensure public safety and minimize traffic delay.

*Consistent.* The proposed project includes both on-site and off-site grade separations where arterial streets cross the BNSF railroad tracks.

**CHAPTER 9 PUBLIC FACILITIES AND SERVICES**

**9.1 General**

***PFS-1.4 Development Impacts to Existing Infrastructure***

The City shall ensure that proposed developments do not create substantial adverse impacts on existing infrastructure and that the necessary infrastructure will be in place to support the development.

*Consistent with Mitigation Incorporated.* The SPA contains little or no existing infrastructure. Chapter 17, “Utilities and Service Systems” of the DEIR contains mitigation measures requiring installation of appropriate infrastructure necessary to serve the proposed project.

***PFS-1.8 Impact Mitigation***

The City shall review development proposals for their impacts on infrastructure (i.e., sewer, water, fire stations, libraries, streets) and require appropriate mitigation measures if development reduces service levels.

*Consistent with Mitigation Incorporated.* Chapters 11 (“Hydrology and Water Quality”), 15 (“Public Services”), 16 (“Traffic and Transportation”), and 17 (“Utilities and Service Systems”) of the DEIR include analyses of the proposed project’s impacts on infrastructure and include mitigation measures to reduce the level of impacts.

***PFS-1.9 Conditions of Approval***

During the development review process, the City shall not approve new development unless the following conditions are met: a) the applicant provides acceptable documentation demonstrating infrastructure capacity is available to serve the project; b) the applicant can demonstrate that all necessary infrastructure to serve the project is adequately financed and will be installed prior to occupancy; c) infrastructure improvements are consistent with City or other service provider’s infrastructure master plans; and d) infrastructure improvements incorporate a range of feasible measures that can be implemented to reduce all public safety and/or environmental impacts associated with the construction, operation, or maintenance of any required improvement.

*Consistent with Mitigation Incorporated.* Chapter 17, “Utilities and Service Systems” of the DEIR includes mitigation measures that would reduce the level of impact from installation of necessary project-specific installation of infrastructure. The DEIR also includes mitigation measures that require conformance with items a, b, and c of this General Plan policy.

**Table B-2**  
**STOCKTON GENERAL PLAN (2035 Draft) CONSISTENCY**

***PFS-1.11 Subdivision Approval***

Prior to approval of any tentative small lot subdivisions map for a proposed residential project of more than 500 dwelling units, the City shall comply with Government code Section 66473.7. Prior to approval of any tentative small lot subdivision map for a proposed residential project of 500 or fewer units, the City need not comply with Section 66473.7 or formally consult with the public water system that would provide water to a proposed subdivision, but shall nevertheless make a factual showing or impose conditions similar to those required by Section 66473.7 in order to ensure an adequate water supply for development authorized by the map. Prior to recordation of any final small lot subdivision map, or prior to City approval of any project-specific discretionary approval or entitlement required for non residential land uses, the City or the project applicant shall demonstrate, based on substantial evidence, the availability of a long-term, reliable water supply from a public water system for the amount of development that would be authorized by the final subdivision map or project-specific discretionary nonresidential approval or entitlement. Such a demonstration shall consist of a written verification that existing sources are or will be available and that needed physical improvements for treating and delivering water to the project site will be in place prior to occupancy.

*Consistent with Mitigation Incorporated.* Chapter 17, “Utilities and Service Systems” of the DEIR includes a mitigation measure that requires conformance with General Plan policy PFS-1.11.

**9.2 Water Supply and Delivery**

***PFS-2.7 Water Supply for New Development***

The City shall ensure that water supply capacity and infrastructure are in place prior to granting building permits for new development.

*Consistent with Mitigation Incorporated.* Approval of the MLSP project is conditioned upon adoption of a Water Supply Assessment and a Water Supply Verification that will confirm the availability of water supply to serve the project site (see Chapter 17, “Utilities and Service Systems”). The project is planned for phased development with full buildout in approximately 20 years.

***PFS-2.8 Delta Water Supply***

The City shall not approve new development that relies on water from the Delta Water Supply Project until this Delta water is allocated through a water right to the City by the State Water Resources Control Board or a replacement water supply is secured.

*Potentially Inconsistent.* At full buildout, the proposed project relies on water from the Delta Water Supply project. It is unknown whether or not the State Water Resources Control Board has allocated a water right to the City.

***PFS-2.12 Water for Irrigation***

The City shall encourage the use of non-potable water supplies for irrigation of landscape.

*Consistent.* A non-potable water system for use in landscape irrigation is proposed as part of the MLSP.

**Table B-2**  
**STOCKTON GENERAL PLAN (2035 Draft) CONSISTENCY**

***PFS-2.13 Timing of Future Development***

Prior to approval of any tentative small lot subdivisions map for a proposed residential project of more than 500 dwelling units, the City shall comply with Government code Section 66473.7. Prior to approval of any tentative small lot subdivision map for a proposed residential project of 500 or fewer units, the City need not comply with Section 66473.7 or formally consult with the public water system that would provide water to a proposed subdivision, but shall nevertheless make a factual showing or impose conditions similar to those required by Section 66473.7 in order to ensure an adequate water supply for development authorized by the map. Prior to recordation of any final small lot subdivision map, or prior to City approval of any project-specific discretionary approval or entitlement required for non residential land uses, the City or the project applicant shall demonstrate, based on substantial evidence, the availability of a long-term, reliable water supply from a public water system for the amount of development that would be authorized by the final subdivision map or project-specific discretionary nonresidential approval or entitlement. Such a demonstration shall consist of a written verification that existing sources are or will be available and that needed physical improvements for treating and delivering water to the project site will be in place prior to occupancy.

**9.3 Wastewater**

***PFS-3.1 Sanitary Sewer Service Area***

The City shall require that all new urban development is served by an adequate collection system to avoid possible contamination of groundwater from onsite wastewater disposal (septic) systems.

*Consistent with Mitigation Incorporated.* Chapter 17, “Utilities and Service Systems” of the DEIR includes a mitigation measure that requires conformance with General Plan policy PFS-2.13.

*Consistent with Mitigation Incorporated.* Chapter 17, “Utilities and Service Systems” of the DEIR contains mitigation measures that (1) require an adequate collection system to be constructed, and (2) condition tentative subdivision map/building permit approval on a demonstration to the City that an adequate sewer collection system is in place and/or funding has been secured to construct it.

**Table B-2**  
**STOCKTON GENERAL PLAN (2035 Draft) CONSISTENCY**

***PFS-3.8 Timing of Future Development***

Prior to approval of any tentative subdivision map for a proposed residential project, the City shall formally consult with the wastewater system provider that would serve the proposed subdivision to make a factual showing or impose conditions in order to ensure an adequate wastewater removal system necessary for the proposed development. Prior to recordation of any final small lot subdivision map, or prior to City approval of any project-specific discretionary approval or entitlement required for nonresidential land uses, the City or the project applicant shall demonstrate, based on substantial evidence, the availability of a long-term, reliable wastewater collection system for the amount of development that would be authorized by the final subdivision map or project-specific discretionary nonresidential approval or entitlement. Such a demonstration shall consist of a written verification that existing treatment capacity is or will be available and that needed physical improvements for treating wastewater from the project site will be in place prior to occupancy.

*Consistent with Mitigation Incorporated.* Chapter 17, “Utilities and Service Systems” of the DEIR includes a mitigation measure that requires conformance with General Plan policy PFS-3.8.

**9.4 Stormwater**

***PFS-4.1 Creek and Slough Capacity***

The City shall require detention storage with measured release to ensure that the capacity of downstream creeks and sloughs will not be exceeded. To this end: a) outflow to creeks and sloughs shall be monitored and controlled to avoid exceeding downstream channel capacities; and b) storage facilities shall be coordinated and managed to prevent problems caused by timing of storage outflows.

*Consistent with Mitigation Incorporated.* Chapter 11, “Hydrology and Water Quality” of the DEIR contains mitigation measures requiring that the downstream capacity of creek channels below the SPA would not be exceeded as a result of project development.

**Table B-2**  
**STOCKTON GENERAL PLAN (2035 Draft) CONSISTENCY**

***PFS-4.3 Best Management Practices***

The City shall require, as part of watershed drainage plans, Best Management Practices (BMPs), to reduce pollutants to the maximum extent practicable.

As of November 25, 2003, the City shall require that all new development and redevelopment projects comply with the post-construction Best Management Practices (BMPs) called for in the Stormwater Quality Control Criteria Plan (SWQCCP), as outlined in the City’s Phase 1 Stormwater NPDES permit issued by the California Water Quality Control Board, Central Valley Region (Order No. R5-20020-0181). Also the owners, developers, and/or successors-in-interest must establish a maintenance entity acceptable to the City to provide funding for the operation, maintenance, and replacement costs of all post-construction BMPs.

The City shall require, as part of its Storm Water NPDES Permit and ordinances, that a Grading Plan, Erosion Control Plan, and Pollution Prevention Plan (SWPPP) be implemented during construction activities of any improvement plans, new development, and redevelopment projects to reduce pollutants to the maximum extent practicable.

***PFS-4.6 Stormwater Facility Sizing***

The City shall ensure through the development review process that public facilities and infrastructure are designed to meet ultimate capacity needs, pursuant to a master plan, to avoid the need for future replacement to achieve upsizing. For facilities subject to incremental sizing, the initial design shall include adequate land area and any other elements not easily expanded in the future.

**9.5 Solid and Hazardous Waste**

***PFS-5.5 Recycling of Hazardous Materials***

The City shall require the proper disposal and recycling of hazardous materials.

***PFS-5.6 Recycling of Construction Debris***

The City shall require the recycling of construction debris.

***PFS-5.7 Development Requirements***

The City shall ensure that all new development has appropriate provisions for solid waste storage, handling, and collection pickup.

**9.6 Gas and Electric Services**

***PFS-6.1 Expansion of Gas and Electricity Facilities***

*Consistent with Mitigation Measures Incorporated.* Chapter 11, “Hydrology and Water Quality” of the DEIR contains mitigation measures requiring that the project conform to the requirements of the City’s SWQCCP and NPDES permit; that appropriate BMPs be implemented; and that a maintenance entity be established to provide funding for post-construction BMPs.

*Consistent with Mitigation Incorporated.* Chapter 11, “Hydrology and Water Quality” of the DEIR contains mitigation measures requiring that project-related stormwater facilities be sized to meet ultimate project capacity needs.

*Consistent with Mitigation Incorporated.* Chapter 10, “Health and Safety” of the DEIR contains mitigation measures requiring that any hazardous materials at the project site be properly disposed of in accordance with applicable federal, state, and local regulations and policies.

*Inconsistent.* Neither the MLSP nor the DEIR currently contain policies or mitigation measures requiring that construction debris are recycled.

*Consistent.* The appropriate solid waste landfill has indicated they have sufficient capacity to accommodate the proposed project’s waste disposal needs.

**Table B-2**  
**STOCKTON GENERAL PLAN (2035 Draft) CONSISTENCY**

The City shall coordinate with gas and electricity service providers in planning the expansion of gas and electrical facilities to meet the future needs of City residents.

**9.7 Law Enforcement**

***PHS-7.1 Police Response Time***

The city shall maintain an average response time of 5 minutes or less for priority one calls.

*Consistent.* Gas and electricity service providers have been consulted regarding service to the SPA, and have indicated they have capacity to serve the proposed project.

*Consistent.* The Stockton Police Department district office located at 22 East Main Street oversees the Civic Center, Park, and Seaport Policing Districts in the southern areas of the City. The project site falls within the Park Policing District. The City plans to open three new police substations throughout Stockton in the next 6–8 years. The substations are necessary to provide adequate public safety to a rapidly increasing population in Stockton. One of these planned substations would be located in the vicinity of Arch Road and SR 99 in southeast Stockton and would serve the SPA. Once this substation was constructed, the City would be able to maintain its average response time of 5 minutes or less for priority one calls from the project site. By law, the project applicant(s) are required to pay their fair share of costs associated with expanded police services, as appropriate, through the City’s public facilities fees. Payment of these fees would be specified in the Public Facilities Financing Plan associated with this project.

***PHS-7.2 Staffing Ratios***

The City shall strive to maintain a minimum ratio of 1.5 sworn officers per 1,000 residents served.

*Consistent.* A minimum of 47 new police officers would be needed to serve project development at buildout. By law, the project applicant(s) are required to pay their fair share of costs associated with expanded police services, as appropriate, through the City’s public facilities fees. Payment of these fees would be specified in the Public Facilities Financing Plan associated with this project.

**9.8 Fire Protection**

***PFS-8.1 Fire Response Time***

The City shall work to maintain a fire response time of 5 minutes or less for new development areas through the locations of stations, staffing, and adequate funding.

*Consistent.* The SPA includes provisions for construction and maintenance of a new fire station to be located near the center of the SPA, which would allow the 5-minute response time to be maintained.

***PFS-8.4 Cost Sharing***

The City shall require new development to pay all public facility fees (PFF) as a means to provide a fair share of costs to provide fire station facilities and equipment in order to maintain the City’s ISO rating of 1. Also, new development may be required to create a Community Facility District (CFD) or other funding mechanisms to pay the costs associated with the operation of a fire station.

*Consistent.* The MLSP includes a Public Facilities Financing Plan that sets forth the applicant’s obligations to fund fire station construction.

***PFS-8.6 Adequate Emergency Access and Routes***

The City shall require that new development provide adequate access for emergency vehicles, particularly firefighting equipment, as well as provide evacuation routes.

*Consistent.* Adequate access for emergency vehicles and firefighting equipment is included in the design of MLSP.

**Table B-2**  
**STOCKTON GENERAL PLAN (2035 Draft) CONSISTENCY**

***PFS-8.8 Fire Flow Requirements***

The City shall ensure that adequate fire flow requirements are maintained throughout the City.

*Consistent.* By law, all MLSP development phases must incorporate fire flow requirements of the City Fire Code and the Stockton Fire Department into project designs prior to building permit approval.

***PFS-8.11 Buffer Zones for Fire Protection***

The City shall require new development to incorporate additional greenbelts, fuel breaks, fuel reduction, and buffer zones around communities to minimize potential fire losses.

*Consistent.* The proposed project is located in a flat area of the Central Valley, surrounded by urban development and agricultural land. The project site is not located in a high fire hazard zone. All four project site boundaries are marked by either streets or the BNSF railroad, including associated setbacks, which would serve as fuel breaks around the edges of the community.

**9.9 Schools**

***PFS-9.1 Appropriate Siting of Schools***

The City shall coordinate with school districts to locate new schools in existing residential neighborhoods, the Village areas, and other newly developing areas where they are easily accessible by motorized vehicles, bicycles, pedestrians, and public transportation.

*Consistent.* SUSD was consulted and contributed to the placement of designated school sites within the SPA where they would be accessible by all modes of transportation.

***PFS-9.2 Funding for New School Construction***

The City shall support school districts in maximizing the use of developer fees and other funding options (Mello-Roos districts) to fund new construction.

*Consistent.* The applicant(s) would pay their fair share of required school fees to fund construction of new schools on the project site. The applicant(s) are in the process of negotiating a school fee agreement with the SUSD.

***PFS-9.4 Elementary School Sites***

The City shall encourage school districts to site elementary schools within residential neighborhoods with a walking radius of approximately 1.5 miles. Elementary schools should be located where students need not cross major arterial or collector streets.

*Consistent.* The proposed elementary school sites have been located in consultation with SUSD to reduce transportation safety hazards and provide maximum accessibility. All elementary schools would be located within a 1.5-mile walking radius.

***PFS-9.5 School Funding***

To the extent allowed by State law, the City will require new projects to mitigate impacts on school facilities, which could occur through the use of developer fees. The City will also work with school districts, developers, and the public to evaluate alternatives to funding/providing adequate school facilities.

*Consistent.* The proposed project would construct six elementary schools and one high school. As discussed in Chapter 15, "Public Services" of the DEIR, the proposed schools would have sufficient capacity to accommodate the proposed project. The applicant(s) would pay their fair share of required school fees to fund construction of new schools on the project site. The applicant(s) are in the process of negotiating a school fee agreement with the SUSD.

**9.10 Communication Systems**

***PFS-10.1 Wiring for Information Technology***

The City shall require that all new residential, commercial, and industrial areas be wired for new information technologies.

*Consistent.* The MLSP would provide wiring for new information technologies to residential, commercial, and industrial developments within the SPA.

**Table B-2  
STOCKTON GENERAL PLAN (2035 Draft) CONSISTENCY**

**9.11 Libraries**

***PFS-11.2 Branch Library Locations: Siting of Libraries***

The City shall locate branch libraries in accordance with service area boundaries established in the 1987 City of Stockton Branch Library Study and subsequent City of Stockton or Stockton-San Joaquin County Public Library branch library study or studies that accommodate the population growth in the service areas since 1987 and areas of future growth. Library's shall be located in areas easily accessible by motorized vehicle, bicycles and other non-motorized vehicles, pedestrians, and public transportation, such as shopping centers or neighborhood business districts. If feasible, the City shall seek to site libraries centrally within the service area boundaries of the branch.

*Consistent.* The proposed project includes a parcel of land that would be set aside as a future branch library location.

**CHAPTER 10 RECREATION & WATERWAYS**

**10.1 General**

***RW-1.1 Recreational Needs***

The City shall develop and provide facilities and programs to address the diverse recreation needs of Stockton residents, including various age groups and income levels. Facilities shall be developed in compliance with all applicable regulations designed to address public safety and environmental impacts that may result through the construction, operation, and maintenance of these facilities.

*Consistent with Mitigation Incorporated.* The proposed project includes a private recreation center, a network of bicycle and pedestrian paths, access to restored and enhanced creek channels, and dedicated community and neighborhood parks in compliance with the City of Stockton parkland dedication requirements. The proposed facilities would meet many of the diverse recreational needs of Stockton residents. Each chapter of the DEIR contains an analysis of potential environmental impacts associated with construction of the proposed recreational facilities, and includes mitigation measures to reduce the level of impacts, where necessary.

**10.2 City Park Facilities**

***RW-2.1 City Park and Recreation Standards***

The City shall ensure that park and recreation facilities be provided at a level that meets the standards (net acres/1,000 residents, minimum net acres/park, service radius) for neighborhood parks, community parks, and regional parks.

*Consistent.* The project would provide parkland per the City standards and would pay required Public Facilities Fees as specified in the Public Facilities Financing Plan.

***RW-2.2 Funding for Recreational Areas and Facilities***

The City shall strive for adequate funding to meet the park standards in Policy RW-2.1 through development fees and state, federal, and local grants to construct new recreational facilities.

*Consistent.* The project applicant(s) would fund construction of the proposed on-site recreational facilities.

***RW-2.3 Siting to Maximize Security***

The City shall require that new parks be located and designed in such a way as to facilitate their security and policing.

*Consistent.* Proposed public parks would conform to these standards. All proposed public parks would have adequate visibility from public streets.

**Table B-2**  
**STOCKTON GENERAL PLAN (2035 Draft) CONSISTENCY**

***RW-2.4 Joint Park and School Facilities***

Whenever possible, the City shall develop neighborhood parks adjacent to elementary and middle schools subject to the discretion of the Director of Parks and Recreation, develop shared facilities as feasible.

*Consistent.* Two MLSP neighborhood parks would be located adjacent to elementary schools. Two additional MLSP schools would be located adjacent to community parks.

***RW-2.5 Stormwater Detention Basins for Recreational Uses***

The City shall require, wherever feasible, that stormwater detention basins be designed for recreational uses.

*Consistent.* Detention basins proposed as part of the project would incorporate recreational features such as pedestrian/bicycle trails around the edge of the basins.

***RW-2.7 Design of Community Parks***

The City shall design community parks to meet the recreational needs of large sections of the community, such as a Village area. These parks should allow for larger group activities and recreational activities not suited for neighborhood parks. Park land directly adjacent to private property shall be separated from such property by a 6-foot-high (minimum) masonry wall located on the private property.

*Consistent.* Park sites of adequate size have been included in MSLP design. Planned neighborhood and community parks would be designed to meet recreational needs.

Community parks may include, but are not limited to the following features: 1)sports fields (baseball/softball and soccer) for practice and league activities; 2)tennis courts (2); 3) basketball court (1 full or 2 half courts); 4) handball court; 5) playground and tot lot; 6) group picnic area; 7) walking/jogging paths; 8) restroom facilities; 9) sports lighting; and 10) ornamental security lighting.

***RW-2.9 Community and Regional Park Access to Public Roadways***

The City shall locate new community and regional parks adjacent to an arterial or collector street so they are bordered by public streets, except where they are adjacent to another public facility.

*Consistent.* The community parks developed as part of the proposed project would be located adjacent to an arterial or collector street.

**10.3 Other Recreational Facilities**

***RW-3.2 Joint School and Community Facilities***

Whenever possible, the City shall develop joint use facilities that combine community center functions with schools.

*Consistent.* The proposed project would locate two of the proposed community parks adjacent to proposed school sites.

**Table B-2**  
**STOCKTON GENERAL PLAN (2035 Draft) CONSISTENCY**

***RW-3.5 Acquisition of Open Space***

The City shall encourage developers to provide privately developed and maintained open space including, but not limited to: greenbelts (including along levees), pocket parks, trails, medians, and landscaped street right-of-ways.

*Consistent.* The proposed project includes greenbelts, trails along restored and enhanced creek channels, a network of bicycle and pedestrian paths, medians, and landscaped street right-of-ways. Maintenance and upkeep of these areas would be the responsibility of the MLSP homeowners association.

***RW-3.6 Development of Utility Easements for Open Space***

The City shall require developers to improve utility easement property as usable public open space. Such land would not be credited toward meeting the recreation standards in Policy RW-2.1 nor would it be eligible for parkland fee reimbursement.

*Consistent.* The proposed project includes creation of a linear park within the utility easement of the high-voltage electrical lines and towers that traverse the project site.

**CHAPTER 11 HEALTH AND SAFETY**

**11-1 General**

***HS-1.1 Development Constraints***

The City shall permit development only in areas where the potential danger to the health and safety of people can be mitigated to an acceptable level.

*Consistent with Mitigation Incorporated.* This EIR includes mitigation measures to reduce the level of impacts related to potential health and safety hazards such as environmental contamination and noise.

**11.2 Noise**

***HS-2.1 Sensitive Receptors***

The City shall prohibit the development of new commercial, industrial, or other noise-generating land uses adjacent to existing residential uses, and other sensitive noise receptors such as schools, health care facilities, libraries, and churches if noise levels are expected to exceed 70 dBA Community Noise Equivalent (CNEL) (decibels on A-weighted scale CNEL) measured at the property line of the noise sensitive land use.

*Consistent with Mitigation Incorporated.* Chapter 13, "Noise" of this DIR includes mitigation requiring implementation of various measures to reduce noise levels below the 70 dBA CNEL standard.

**Table B-2**  
**STOCKTON GENERAL PLAN (2035 Draft) CONSISTENCY**

***HS-2.2 Noise Compatibility Guidelines***

The City shall allow the development of noise sensitive land uses (which include, but are not limited to, residential neighborhoods, schools, and hospitals) only in areas where existing or projected noise levels are “acceptable” according to Table HS-11.1 “Land Use Compatibility for Community Noise Environments.” Noise mitigation measures may be required to reduce noise in outdoor activity areas and interior spaces to achieve these levels.

*Consistent with Mitigation Incorporated.* Chapter 13, “Noise” of the DEIR includes mitigation requiring implementation of various measures to reduce noise levels in accordance with the standards in Table HS-11.1.

***HS-2.3 Noise Analysis***

The City shall require noise analysis of proposed development projects as part of the environmental review process and to require mitigation measures to reduce noise impacts to acceptable levels. The acoustical analysis shall:

- a) Be the responsibility of the applicant.
- b) Be prepared by a qualified person experienced in the fields of environmental noise assessment and architectural acoustics.
- c) Include representative noise level measurements with sufficient sampling periods and locations to adequately describe local conditions.
- d) Estimate existing and projected (20 years) noise levels in terms of  $L_{dn}/CNEL$  and compare the levels to the adopted policies of the Public Health and Safety Element.
- e) Recommend appropriate mitigation to achieve compatibility with the adopted noise policies and standards of this Public Health and Safety Element. Where the noise source in question consists of intermittent single events, the acoustical analysis must address the effects of maximum noise levels in sleeping rooms in terms of possible sleep disturbance.
- f) Estimate noise exposure after the prescribed mitigation measures have been implemented. If the project does not comply with the adopted standards and policies of the Public Health and Safety Element, the analysis must provide acoustical information for a statement of overriding considerations for the project.
- g) Describe a post-project assessment program, which could be used to evaluate the effectiveness of the proposed mitigation measures.

*Consistent with Mitigation Included.* Chapter 13, “Noise” of the DEIR includes a noise analysis. Because most of the proposed project, with the exception of development Phase 1, is evaluated at a program level, it is not possible at this time to determine site-specific noise levels from future industrial and commercial development, since the types of development are currently unknown. Therefore, the DEIR contains mitigation measures requiring that site-specific acoustical studies be funded by the project applicant(s) of all project phases, and that the recommendations contained in those studies to reduce noise levels must be incorporated into project site designs.

***HS-2.10 Construction Noise***

The City shall seek to limit the potential noise impacts of construction activities on surrounding land uses.

*Consistent with Mitigation Incorporated.* Chapter 13 of this EIR includes mitigation measures to reduce the impacts of MLSP construction noise sources on surrounding land uses.

**Table B-2**  
**STOCKTON GENERAL PLAN (2035 Draft) CONSISTENCY**

***HS-2.11 Limiting Construction Activities***

The City shall limit construction activities to the hours of 7 am to 7 pm, Monday through Saturday. No construction shall occur on Sundays or national holidays without a written permit from the City.

*Consistent.* Construction activities within the SPA would conform to these requirements.

***HS-2.12 Sound Attenuation Features***

The City shall require sound attenuation features such as walls, berming, and heavy landscaping between commercial, industrial, and residential uses to reduce noise and vibration impacts

*Consistent with Mitigation Incorporated.* Chapter 13, “Noise” of the DEIR contains mitigation requiring implementation of various measures such as sound walls, berms, and landscaping, between commercial, industrial, and residential land uses to reduce noise levels.

***HS-2.13 Noise Buffering***

The City shall require noise buffering or construction treatments (additional insulation, double paned glass, etc.) in new development that includes noise sensitive uses located near major streets, highways, the airport, railroad tracks, or other significant noise sources.

*Consistent with Mitigation Incorporated.* Chapter 13, “Noise” of the DEIR contains mitigation requiring implementation of various measures such as sound walls, additional insulation, and thicker windows to reduce noise levels in development adjacent to significant noise sources such as streets, highways, and railroad tracks.

***HS-2.17 Commercial Uses***

The City shall require that noise produced by commercial uses not exceed 75 dB Ldn/CNEL at the nearest property line.

*Consistent with Mitigation Incorporated.* See response to HS-2.3 above.

***HS-2.19 Setback of Habitable Structures***

The City shall require that all new habitable structures be setback at least 85 feet from the nearest railroad track. These setback areas shall be measured from the edge of the outermost railroad track.

*Consistent.* Project design would incorporate an 85-foot setback from edge of the outermost railroad track.

**11.3 Geologic and Seismic Hazards**

***HS-3.2 Development in Areas Subject to Geologic Hazards***

The City shall require all proposed development, reconstruction, utilities, or public facilities situated within areas subject to geologic-seismic hazards as identified in the soils engineering and geologic-seismic analysis to be sited, designed, and constructed to mitigate the risk associated with the hazard (e.g., expansive soils, liquefaction, etc.).

*Consistent with Mitigation Incorporated.* Chapter 9, “Geology, Soils and Paleontological Resources” of the DEIR includes mitigation to address geologic hazards, including construction in areas of expansive soils.

**Table B-2**  
**STOCKTON GENERAL PLAN (2035 Draft) CONSISTENCY**

***HS-3.4 Uniform Building Code***

The City shall require that alterations to existing buildings and all new buildings be built according to the seismic requirements of the Uniform Building code.

*Consistent.* Project facilities would be designed in conformance with the seismic requirements of the Uniform Building Code (UBC). Where requirements of the California Building Standards Code are more stringent than the UBC, by the law, the CBC requirements would apply.

**11.4 Air Quality**

***HS-4.3 Regional Air Quality Project Review***

The City shall consult with the SJVAPCD during CEQA review for projects that require air quality impact analysis and ensure that the SJVAPCD is on the distribution list for all CEQA documents.

*Consistent.* The SJVAPCD was consulted during preparation of the DEIR, and is included on the distribution list for CEQA documents associated with the proposed project.

***HS-4.5 City Review of Development Proposals***

The City shall use the SJVAPCD Guidelines for Assessing and Mitigating Air Quality Impacts (GAAMAQI) for determining and mitigating project air quality impacts and related thresholds of significance for use in environmental documents. The City shall continue to cooperate with the SJVAPCD in the review of development proposals.

*Consistent.* The GAAMAQI promulgated by the SJVAPCD were used to determine and mitigate air quality impacts of the proposed project.

***HS-4.6 CEQA Compliance***

The City shall ensure that air quality impacts identified during the CEQA review process are fairly and consistently mitigated.

*Consistent with Mitigation Incorporated.* Chapter 6, “Air Quality” of the DEIR includes an air quality analysis that identifies air quality impacts and contains mitigation measures to reduce the level of those impacts. Furthermore, this project includes a Mitigation, Monitoring and Reporting Program to implement the required mitigation measures.

***HS-4.9 Dust Suppression Measures***

The City shall require contractors to implement dust suppression measures during excavation, grading, and site preparation activities. Techniques may include, but are not limited to, the following: a) site watering or application of dust suppressants; b) phasing or extension of grading operations; c) covering of stockpiles; d) suspension of grading activities during high wind periods (typically winds greater than 25 miles per hour), and e) revegetation of graded areas.

*Consistent with Mitigation Incorporated.* Chapter 6, “Air Quality” of the DEIR includes mitigation measures that require implementation of dust suppression techniques during construction activities.

**Table B-2**  
**STOCKTON GENERAL PLAN (2035 Draft) CONSISTENCY**

***HS-4.10 Travel Demand Measures***

Coordinating with the SJVAPCD, the City shall require large development projects to mitigate air quality impacts. Mitigation measures may include, but are not limited to, the following: a) providing bicycle access and parking facilities; b) providing preferential parking for high-occupancy vehicles, car pools, or alternative fuels vehicles; or c) establishing telecommuting programs or satellite work centers.

*Consistent with Mitigation Incorporated.* Chapter 6, “Air Quality” of the DEIR includes an air quality analysis that identifies air quality impacts and contains various mitigation measures to reduce the level of those impacts.

***HS-4.12 Employment-Intensive Development***

The City shall encourage employment-intensive development with a high floor area ratio where adequate transit service is planned, and discourage such development where adequate transit service is not planned.

*Consistent.* The proposed project locates employment-intensive development in close proximity to adequate transit service.

***HS-4.13 Location of Support Services***

The City shall support the location of ancillary employee services (including, but not limited to, child care, restaurants, banking facilities, convenience markets) at major employment centers for the purpose of reducing midday vehicle trips.

*Consistent.* The proposed project incorporates adequate provision of land uses that would accommodate on-site ancillary employee services.

***HS-4.18 Design for Transportation Alternatives***

The City shall encourage all new development to be designed to promote pedestrian and bicycle access and circulation, to the greatest extent feasible.

*Consistent.* The proposed project includes a network of pedestrian and bicycle trails to facilitate circulation.

**11.5 Hazardous Materials**

***HS-5.2 Hazardous Materials***

The City shall require that hazardous materials are used, stored, transported, and disposed of within the city in a safe manner and in compliance with local, state, and federal safety standards.

*Consistent.* By law, the applicant(s), project construction contractors, and future business owners are required to use, store, transport, and dispose of hazardous materials in compliance with numerous federal, state, and local laws and regulations (see Chapter 10, “Health and Safety” of the DEIR, for further discussion of this issue).

***HS-5.5 Hazardous Materials Inventory***

The City shall require, as appropriate and as a component of the environmental review process, a hazardous materials inventory for project sites, including an assessment of materials and operations for any development applications. Particular attention should be paid to land that previously contained agricultural uses.

*Consistent with Mitigation Incorporated.* Phase I and Phase II Environmental Site Assessments were performed as part of the proposed project. Results of those studies, along with recommended mitigation measures, are contained in Chapter 10, “Health and Safety” of the DEIR.

**Table B-2**  
**STOCKTON GENERAL PLAN (2035 Draft) CONSISTENCY**

***HS-5.9 Hazardous Materials Studies***

The City shall ensure that the proponents of new development projects address hazardous materials concerns through the preparation of Phase I or Phase II hazardous materials studies for each identified site as part of the design phase for each project. Recommendations required to satisfy federal or state cleanup standards outlined in the studies will be implemented as part of the construction phase for each project.

*Consistent.* See response to HS-5.5 above.

**11.6 Flood Hazards**

***HS-6.1 New Urban Development***

The City shall approve new urban development only when the project is shown to be protected from a 100-year flood.

*Consistent with Mitigation Incorporated.* Portions of the SPA are within the 100-year flood zone. Chapter 11, “Hydrology and Water Quality” of the DEIR contains mitigation measures requiring design of an appropriate flood control system, approved by the City, prior to subdivision map approval or issuance of building permits.

**Table B-2**  
**STOCKTON GENERAL PLAN (2035 Draft) CONSISTENCY**

***HS-6.3 Preservation of Floodway and Floodplains***

The city shall preserve floodways and floodplains for non-urban uses, except that development may be allowed in a floodplain with mitigation measures that are in conformance with the City’s floodplain management program.

*Consistent with Mitigation Incorporated.* See response to HS-6.1 above.

***HS-6.8 Prohibited Uses Within a 100-Year Floodplain***

The City’s floodplain management program shall prohibit development of residential land uses, critical emergency response facilities, and the streets that provide access to such properties within a floodway or floodplain which is subject to a 100-year flood. Area’s designated for such land uses and adjacent streets shall be removed from the 100-year floodplain prior to approval of any related final map, final parcel map, or building permit, as applicable.

*Consistent with Mitigation Incorporated.* See response to HS-6.1 above.

**11.7 Emergency Operations Plan**

***HS-7.3 Access and Evacuation Corridors***

The City shall ensure that major access and evacuation corridors are available and unobstructed in case of major emergency or disaster.

*Consistent with Mitigation Incorporated.* Chapter 15, “Public Services” of the DEIR include a mitigation measure requiring implementation of a traffic management plan during construction activities to ensure that major access and evacuation corridors are available in case of emergency.

**CHAPTER 13 NATURAL & CULTURAL RESOURCES**

**13.1 General**

***NCR-1.1 Protect Natural Resources***

The City shall strive to protect natural resource areas, fish and wildlife habitat, scenic areas, open space areas, agricultural lands, parks, and other cultural/historic resources (including oak trees) from encroachment or destruction by incompatible development.

*Consistent with Mitigation Incorporated.* This DEIR contains mitigation measures that would either protect, or provide compensation for project-related impacts to, natural resource areas, fish and wildlife habitat, scenic areas, open space areas, agricultural lands, parks, and other cultural/historic resources (including oak trees).

***NCR-1.2 Establish Buffer Areas***

The City shall encourage the use of open space or recreational buffers between incompatible land uses.

*Consistent.* The proposed project incorporates open space, recreational, and roadway uses and buffers between land uses.

***NCR-1.3 Preserve Open Space***

The City shall promote contiguous and compact development to preserve open space land.

*Consistent.* The proposed project would be contiguous with existing development at the southern edge of the City of Stockton, and thus represents a logical extension of urban development.

***NCR-1.4 Environmental Review Process***

The City shall use its environmental and design review process to ensure effective protection of natural and cultural resources and compliance with federal, State, and City policies and regulations.

*Consistent with Mitigation Incorporated.* This DEIR contains mitigation measures, where necessary, to reduce the proposed project’s environmental impacts.

***NCR-1.5 Recreational Areas***

**Table B-2**  
**STOCKTON GENERAL PLAN (2035 Draft) CONSISTENCY**

The City shall reserve, preserve, and promote areas particularly suited for open space/recreational uses. Appropriate public access to these resources shall also be preserved, enhanced, and restored.

***NCR-1.6 Pursue Funding Opportunities***

The City shall actively pursue funding for enhancement and preservation of sensitive environmental resources.

**13.2 Biological Resources**

***NCR-2.1 Protect Sensitive Habitats***

The City shall support preservation, restoration, and enhancement of the designated habitats of State or Federally listed rare, threatened, endangered, and/or other sensitive and special status species.

***NCR-2.2 Management of Wetlands***

The City shall support the management of wetland and riparian plant communities for passive recreation, groundwater recharge, and wildlife habitats. Where possible and appropriate, such communities shall be restored or expanded.

***NCR-2.3 Management of Sensitive Habitats***

The City shall favor sensitive habitat protection and enhancement of contiguous areas over small-segmented remainder parcels.

***NCR-2.4 Impacts to Sensitive Habitats***

The City shall consider the loss of sensitive habitats due to development to be a significant environmental impact. All development that is proposed to disturb or remove sensitive habitat shall demonstrate mitigation for this loss.

***NCR-2.5 SJCOG Multi Species Habitat Conservation and Open Space Plan***

The City shall continue to coordinate with the San Joaquin Council of Governments (SJCOG) and comply with the terms of the Multi Species Habitat Conservation and Open Space Plan to protect critical habitat areas that support endangered species and other special-status species.

*Consistent.* The proposed project includes restoration and enhancement of the Duck Creek and North Little Johns Creek channels through the project site. Public recreational access would be provided adjacent to the restored channels.

*Consistent.* The applicant(s) would bear the costs of restoring and enhancing the on-site creek channels as part of the proposed project.

*Consistent with Mitigation Incorporated.* Potential sensitive species habitat losses would be compensated through participation in the SJMSCP or equivalent mitigation measures (see Chapter 7, “Biological Resources” of the DEIR).

*Consistent.* MLSP development would be excluded from the Duck Creek and North Little Johns Creek channel areas, which would be expanded and restored.

*Consistent.* The proposed project would include restoration of the contiguous Duck Creek and North Little Johns creek channels throughout the project site.

*Consistent with Mitigation Incorporated.* Potential loss of sensitive habitats/species would be compensated through participation in the SJMSCP or equivalent mitigation measures (see Chapter 7, “Biological Resources” of the DEIR).

*Consistent with Mitigation Incorporated.* See response to NCR-2.4 above.

**Table B-2**  
**STOCKTON GENERAL PLAN (2035 Draft) CONSISTENCY**

***NCR-2.6 New Development in Sensitive Areas***

The City shall require careful planning of new development in areas that are known to have particular value for biological resources to maintain sensitive vegetation and wildlife habitat.

*Consistent with Mitigation Incorporated.* See response to NCR-2.4 above.

***NCR-2.7 Development Review***

The City shall review development proposals against the California NDDB to assist in identifying potential conflicts with sensitive habitats or special status species.

*Consistent with Mitigation Incorporated.* Chapter 7, “Biological Resources” of the DEIR includes a review of CNDDDB-listed species and includes mitigation measures, where appropriate, to reduce project-related impacts.

***NCR-2.8 Development Review***

The City shall review development proposals in accordance with applicable federal, State, and local statutes protecting special-status species and jurisdictional wetlands.

*Consistent with Mitigation Incorporated.* Chapter 7, “Biological Resources” of the DEIR includes a review of the proposed project in relationship to applicable federal, State, and local statutes protecting special-status species and jurisdictional wetlands. Where appropriate, mitigation measures to reduce project-related impacts are included.

***NCR-2.9 Appropriate Mitigation Measures***

The City shall impose appropriate mitigation measures using protocols defined by the applicable statute (e.g., USFWS, CDFG, etc.)

*Consistent with Mitigation Incorporated.* Chapter 7, “Biological Resources” of the DEIR includes mitigation measures using protocols defined by the applicable statute, where appropriate, to reduce project-related impacts

***NCR-2.10 Wetland Resources***

The City shall require that a wetland delineation be prepared using the protocol defined by the U.S. Army Corps of Engineers. On development sites with the potential to contain wetland resources, a report on the findings of this survey shall be submitted to the City as part of the application process.

*Consistent.* A wetland delineation was prepared and Chapter 7, “Biological Resources” of the DEIR contains mitigation measures to reduce impacts associated with wetland fill and disturbance of creek channels associated with project-related construction and restoration activities.

***NCR-2.12 Requirements for Biological Studies***

On sites that have the potential to contain critical or sensitive habitats or special-species or are within 100 feet of such areas, the City shall require the project applicant to have the site surveyed by a qualified biologist. A report on the findings of this survey shall be submitted to the City as part of the application process.

*Consistent.* A biology survey and report were performed as part of the project, and Chapter 7, “Biological Resources” of the DEIR contains mitigation measures to reduce impacts on sensitive biological habitats and species.

**Table B-2**  
**STOCKTON GENERAL PLAN (2035 Draft) CONSISTENCY**

***NCR-2.13 Encourage Planting of Native Vegetation***

The City shall encourage the planting of native trees, shrubs, and grasslands in order to preserve the visual integrity of the landscape, provide habitat conditions suitable for native vegetation, and ensure that a maximum number and variety of well-adapted plants are maintained.

*Consistent.* The conceptual level restoration plan prepared for the proposed project incorporates native plants into the design of the restored North Little Johns Creek channel area.

***NCR-2.18 Minimize Lighting Impacts***

The City shall ensure that lighting associated with new development or facilities (including street lighting, recreational facilities, and parking) shall be designed to prevent artificial lighting from illuminating adjacent natural areas at a level greater than one foot candle above ambient conditions.

*Consistent with Mitigation Incorporated.* Chapter 4, “Aesthetics” of the DEIR includes mitigation measures to reduce the proposed project’s impacts related to nighttime glare and skyglow effects. In addition, the MLSP includes policies designed to reduce the spillover of artificial lighting.

**13.3 Cultural Resources**

***NCR-3.1 Evaluation of Historic Resources***

The City shall use appropriate state and federal standards in evaluating the significance of historic resources that are identified in the city.

*Consistent.* A qualified historian prepared an inventory and evaluation, using appropriate state and/or federal standards, of existing structures within the SPA area.

***NCR-3.5 Archaeological Resource Surveys***

Prior to project approval, the City shall require project applicant to have a qualified archeologist conduct the following activities: (1) conduct a record search at the Central California Information Center located at California State University Stanislaus and other appropriate historical repositories, (2) conduct field surveys where appropriate, and (3) prepare technical reports, where appropriate, meeting California Office of Historic Preservation Standards (Archeological Resource Management Reports).

*Consistent.* A cultural resources record search, field survey, and technical reports were prepared in conjunction with preparation of this EIR (see Chapter 8, “Cultural Resources”).

**Table B-2**  
**STOCKTON GENERAL PLAN (2035 Draft) CONSISTENCY**

***NCR-3.6 Discovery of Archaeological Resources***

Consistent with Stockton Municipal code Section 16-310.050-Cultural Resources, in the event that archaeological/paleontological resources are discovered during site excavation, the City shall require that grading and construction work on the project site be suspended until the significance of the features can be determined by a qualified archaeologist/paleontologist. The City will require that a qualified archaeologist/paleontologist make recommendations for measures necessary to protect any site determined to contain or constitute an historical resource, a unique archaeological resource, or a unique paleontological resource or to undertake data recovery, excavation, analysis, and curation of archaeological/paleontological materials. City staff shall consider such recommendations and implement them where they are feasible in light of project design as previously approved by the City.

*Consistent with Mitigation Incorporated.* Chapter 8, “Cultural Resources” and Chapter 9, “Geology, Soils, and Paleontological Resources” contain mitigation measures that incorporate the same requirements as policy NCR-3.6.

***NCR-3.7 Native American Resources***

The City shall consult with Native American representatives regarding cultural resources to identify locations of importance to Native Americans, including archaeological sites and traditional cultural properties. Coordination with the Native American Heritage Commission should begin at the onset of a particular project.

*Potentially Inconsistent.* Senate Bill 18 requires government to government communication with Native American representatives. This responsibility cannot be delegated to a consulting firm. It is unknown whether or not the City of Stockton has initiated consultation with the appropriate Native American tribes regarding the proposed project.

***NCR-3.8 Discovery of Human Remains***

**Table B-2**  
**STOCKTON GENERAL PLAN (2035 Draft) CONSISTENCY**

Consistent with Stockton Municipal Code Section 16-310.050-Cultural Resources and the CEQA Guidelines (Section 15064.5), if human remains of Native American origin are discovered during project construction, it is necessary to comply with State laws relating to the disposition of Native American burials, which fall within the jurisdiction of the Native American Heritage Commission (Public Resources Code Sec. 5097). If any human remains are discovered or recognized in any location on the project site, there shall be no further excavation of disturbance of the site or any nearby area reasonably suspected to overlie adjacent human remains until:

- a) The San Joaquin County Coroner/Sheriff has been informed and has determined that no investigation of the cause of the death is requirement; and
- b) If the remains are of Native American origin,
  1. The descendants of the deceased Native Americans have made a timely recommendation to the landowner of the person responsible for the excavation work, for means of treating or disposing of, with appropriate dignity, the human remains and any associated grave goods as provided in Public Resources Code Section 5097.98;
  2. The Native American Heritage Commission was unable to identify a descendant or the descendant failed to make a recommendation within 24 hours after being notified by the Commission, or
  3. The landowner or his or her authorized representative rejects any timely recommendations of the descendent, and mediation conducted by the Native American Heritage Commission has failed to provide measures acceptable to the landowner.

**13.4 Agricultural Resources**

***NCR-4.4 Agricultural Conservation Program (ACP)***

*Consistent with Mitigation Incorporated.* Chapter 8, "Cultural Resources" contains mitigation measures that incorporate the same requirements as policy NCR-3.8.

**Table B-2**  
**STOCKTON GENERAL PLAN (2035 Draft) CONSISTENCY**

The City shall support an Agricultural Conservation Program (ACP) for the protection and conservation of agricultural lands. The ACP shall include the collection of an agricultural mitigation fee for acreage converted from agricultural to urban use, outside of the Enterprise Zone, Free Trade Zone, or Redevelopment Area, taking into consideration all fees collected for agricultural loss (i.e., AB1600).

*Consistent.* The MLSP applicant(s) would participate in an Agricultural Conservation Program and pay appropriate fees, if such a program is adopted.

The mitigation fee collected shall fund agricultural conservation easements, fee title acquisition, research, the funding of agricultural education and local marketing programs, other capital improvement projects that clearly benefit agriculture (i.e., groundwater recharge projects) and administrative fees through an appropriate entity (“Administrative Entity”) pursuant to an administrative agreement.

The conservation easements and fee title acquisition of conservation lands shall be used for lands determined to be of statewide significance, or sensitive and necessary for the preservation of agricultural land, including land that may be part of a community separator as part of a comprehensive program to establish community separators.

**13.5 Soil Resources**

***NCR-5.3 Soil Erosion***

The City shall require new development to implement measures that minimize soil erosion from wind and water related to construction. Measures may include, but are limited to, the following: a) grading requirements that limit grading to the amount necessary to provide stable areas for structural foundations, street rights-of-way, parking facilities, or other intended uses; and/or b) construction techniques that utilize site preparation, grading, and best management practices that provide erosion and sediment control to prevent construction-related contaminants from leaving development sites and polluting local waterways.

*Consistent with Mitigation Incorporated.* Chapter 11, “Hydrology and Water Quality” of the DEIR includes mitigation measures that require appropriate construction techniques to minimize disturbance and erosion, and to implement BMPs for erosion, sediment, and pollutant control.

**13.6 Scenic Resources**

***NCR-6.1 Community Design***

The City shall ensure that development incorporate open space areas that provide community and neighborhood identity and insulate conflicting land uses and noise generators.

*Consistent.* The proposed project incorporates numerous open space areas, includes policies to provide community and neighborhood identity, and proposes the use of greenbelts, roadways, and soundwalls to separate land uses.

***NCR-6.2 Landscaped Corridors***

The City shall ensure that the design of major arterials includes landscaped medium strips to enhance these street systems as aesthetic open space corridors.

*Consistent.* The proposed project includes policies requiring landscaped medium strips.

**13.8 Energy Resources**

***NCR-8.1 Energy Conservation for New Development***

**Table B-2**  
**STOCKTON GENERAL PLAN (2035 Draft) CONSISTENCY**

All new development, including rehabilitation, renovation, and redevelopment, shall incorporate energy conservation and green building practices to the maximum extent feasible. Such practices include, but are not limited to: building orientation and shading, landscaping, and the use of active and passive solar heating and water systems.

*Consistent.* The proposed project includes energy conservation measures and green building practices. Chapter 17, "Utilities and Energy" of the DEIR describes several energy efficiency features of the proposed project.