

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

DEPT: Planning & Community Development *PF*
Urgent _____ Routine X
CEO Concurs with Recommendation YES _____ NO _____
(Information Attached)

BOARD AGENDA # D-2
AGENDA DATE: June 19, 2001
4/5 Vote Required YES _____ NO X

SUBJECT:

APPROVAL OF REPORT ON PROPOSED COMMUNITY SEPARATOR BETWEEN RIVERBANK AND OAKDALE

STAFF RECOMMENDATION:

1. RECEIVE REPORT; AND,
2. DIRECT STAFF TO CONDUCT A COMMUNITY MEETING WITHIN THE AREA OF THE SEPARATOR.

FISCAL IMPACT:

There will be no additional fiscal impact.

BOARD ACTION AS FOLLOWS:

No. 2001-484

On motion of Supervisor Paul , Seconded by Supervisor Simon
and approved by the following vote,
Ayes: Supervisors: Mayfield, Blom, Simon, Caruso, and Chair Paul
Noes: Supervisors: None
Excused or Absent: Supervisors: None
Abstaining: Supervisor: None
1) X Approved as recommended
2) _____ Denied
3) _____ Approved as amended
Motion:

ATTEST: CHRISTINE FERRARO TALLMAN, Clerk

By: Christine Ferraro
Deputy

File No. C-1-A-4
C-7-A-19

SUBJECT: APPROVAL OF REPORT ON PROPOSED COMMUNITY SEPARATOR BETWEEN
RIVERBANK AND OAKDALE

PAGE 2

DISCUSSION: For the past several years, Supervisor Paul, Mayor of Oakdale, Pat Kuhn, the current Mayor of Riverbank, William O'Brien and the former Mayor of Riverbank, have been in discussions to develop a community separator between Riverbank and Oakdale. This item was also discussed at your meeting in Oakdale, held on May 15, 2001.

At that meeting, the concept of a community separator was discussed and the process to be followed was also briefly discussed. The concept currently under discussion is the area between the western boundary of the Oakdale Sphere of Influence (Crane Road) and the eastern boundary of the Riverbank Sphere of Influence, (Eleanor, Mesa, Snedigar Roads); bound on the north by the Stanislaus River, and the Burlington Northern Santa Fe tracks on the south that run between Riverbank and Oakdale. The territory is bisected by State Highway 108

In our preliminary discussions and data gathering, we have found that the area north of Highway 108 to the Stanislaus River, between the Oakdale Sphere of Influence and the Riverbank Sphere of Influence is designated as "Agriculture" and zoned A-2-40. The vast majority of the properties on the north side of the highway are under Williamson Act Contracts, and under contract provisions, cannot be developed. The area south of Highway 108 and north of the railroad tracks between the Spheres of Influence is designated as A-2-3 or A-2-10 and has developed as an area of rural ranchettes with many of those parcels being divided into their minimum parcel size. The larger parcels in this area which are currently enrolled in the Williamson Act will remain under the Williamson Act. At such time these Williamson Act parcels were to come out of the contract, they could be developed to their minimum size as per the zone. It should be pointed out that both cities agree they would like to keep this area as an area between them that is relatively free of urban development as a rural area.

Recently, the City of Oakdale was awarded a \$20,000 LEGACI Grant from the Great Valley Center. The purpose of the grant is to further the plan for a community separator between the two cities and to study the feasibility and development of a Class 1 multi-use commute and recreational trail between the cities. In their grant application to the Great Valley Center, the city calls for a meeting with citizens interest groups and others (i.e., landowners) to build consensus regarding a separator and trails.

Staff of both cities and the County agree that we should conduct a public meeting in the area for landowners and of the area residents to explain the concept and the idea of the community separator. Attached to this report is a draft resolution with respect to the community separator including a map at Exhibit "A" which depicts the area covered. One of the key elements of this draft resolution to be adopted by both cities and the County is the ability to reopen and discuss the concept of the community separator after ten years. The agreement essentially is an agreement to hold the zoning "as is" for ten years which is consistent with the Williamson Act

SUBJECT: APPROVAL OF REPORT ON PROPOSED COMMUNITY SEPARATOR BETWEEN RIVERBANK AND OAKDALE

PAGE 3

**DISCUSSION
CONTINUED:**

Contract time frames. As mentioned earlier the majority of the properties on the north side are in agricultural production and under a Williamson Act Contract which has a ten-year time frame. It is our opinion as staff that public meetings need to be conducted within this area to gain input and explain the agreement to landowners, and in particular, the farmers that have their lands within the Williamson Act. Also, these meetings could be used as an opportunity to introduce the concept of land trusts and agricultural easements.

**POLICY
ISSUES:**

The adoption of an agreement between the Cities of Riverbank, Oakdale and the County further the goals of multi-jurisdictional cooperation and community leadership. In addition, the concept of the community separators furthers the Visioning process. The adopted Vision Statement calls for the development of community separators.

**STAFFING
IMPACT:**

There will be some impact to staff with respect to conducting public meetings within the area. There will be minimal impact to staff after the adoption of the agreements.

ATTACHMENT:

Oakdale and Riverbank Corridor Area Agreement/Resolution

Draft

OAKDALE AND RIVERBANK CORRIDOR AREA
AGREEMENT/RESOLUTION

WHEREAS, Communities are desirous of developing and maintaining their individual identity; and,

WHEREAS, the Cities of Oakdale and Riverbank have adopted general plans which contain specific goals and policies to strengthen and maintain their identities by maintaining a separation between themselves; and,

WHEREAS, the Cities of Oakdale and Riverbank and Stanislaus County have adopted the countywide "Visioning Project 2000" which calls for clearly defined boundaries between cities; and,

WHEREAS, the Stanislaus Local Agency Formation Commission has designated Spheres of Influence which are based on the Cities's General Plans and maintains an important separation between the Cities; and,

WHEREAS, the Stanislaus Local Agency Formation Commission under law must "give great weight" to agreements reached between cities and counties; and,

WHEREAS, the Highway 108 Corridor Area (Exhibit A) has been identified by the Cities as an area that exhibits characteristics worthy of maintaining their individual identity and character and,

draft

WHEREAS, the north side of Highway 108 is zoned "General Agriculture" with a forty (40) acre minimum parcel size and those parcels support viable agricultural operations and an overwhelming majority of those parcels are enrolled in the California Land Conservation Act of 1965 (Williamson Act); and,

WHEREAS, the Stanislaus County General Plan, including the Agriculture Element, encourages the long-term conservation of viable agricultural operations and the protection of these lands from urban encroachment; and,

WHEREAS, the south side of Highway 108 is zoned "General Agriculture" with ten (10) and three (3) acre minimum parcel sizes and those parcels support some viable agricultural operations and maintain rural residential usage and character; and,

WHEREAS, the Stanislaus County General Plan and Board of Supervisors policy is to encourage multi-jurisdictional cooperation regarding land use issues; and,

WHEREAS, the Board of Supervisors and City Councils are in agreement the preservation of the character of this valuable corridor area is essential to maintaining the economic and general welfare of City and County residents.

NOW, THEREFORE, BE IT RESOLVED, that the County agrees: 1) to continue to maintain the "Agriculture" designation of the Land Use Element of the General Plan and the present zoning designations of A-2-3, A-2-10 and A-2-40 (General Agriculture) in the Highway 108 Corridor

draft

Area as shown on Exhibit A attached hereto; and, 2) to only allow those uses which are allowed in the A-2 General Agriculture zone district; and,

BE IT FURTHER RESOLVED, that the Cities of Oakdale and Riverbank agree to not request the Stanislaus Local Agency Formation Commission to expand their respective Sphere of Influence beyond its current location of the date of adoption of the resolution adjacent to the Highway 108 Corridor Area; and,

BE IT FURTHER RESOLVED, that the County and Cities of Oakdale and Riverbank support and encourage property owners with property classified as "agriculture" located in the corridor area to take full advantage of all nonregulatory programs (e.g., agricultural conservation easements, Williamson Act, etc.) that offer financial incentives to conserve farmland and keep in production; and,

BE IT FURTHER RESOLVED, that the Cities and the County with involvement of the Stanislaus Council of Governments (StanCOG) and the California Department of Transportation investigate several options for non-motorized trails and consider the establishment of a non-motorized trails between Riverbank and Oakdale; and,

BE IT FURTHER RESOLVED, that the Cities and the County shall encourage the California Department of Transportation to recognize and establish a scenic corridor designation for the area; and,

draft

BE IT FURTHER RESOLVED, the terms of this resolution shall be in effect for a period of ten (10) years from the date of its adoption. In the absence of a written request by either party to alter the terms of this resolution, submitted at least 180 days before the expiration of any 10-year period, the terms of this resolution shall remain in effect for an additional 10 year period.

PASSED AND ADOPTED by the City Council of Oakdale this ____ day of _____, 1998 on motions of Council Member _____, seconded by Council Member _____, by the following vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

ATTEST: _____
Name and Title of Appropriate Person

PASSED AND ADOPTED by the City Council of Riverbank this ____ day of _____, 1998 on motions of Council Member _____, seconded by Council Member _____, by the following vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

ATTEST: _____
Name and Title of Appropriate Person

draft

PASSED AND ADOPTED by the Stanislaus County Board of Supervisors this ____ day of _____, 1998 on motions of Board Member _____, seconded by Board Member _____, by the following vote:

AYES:

Noes:

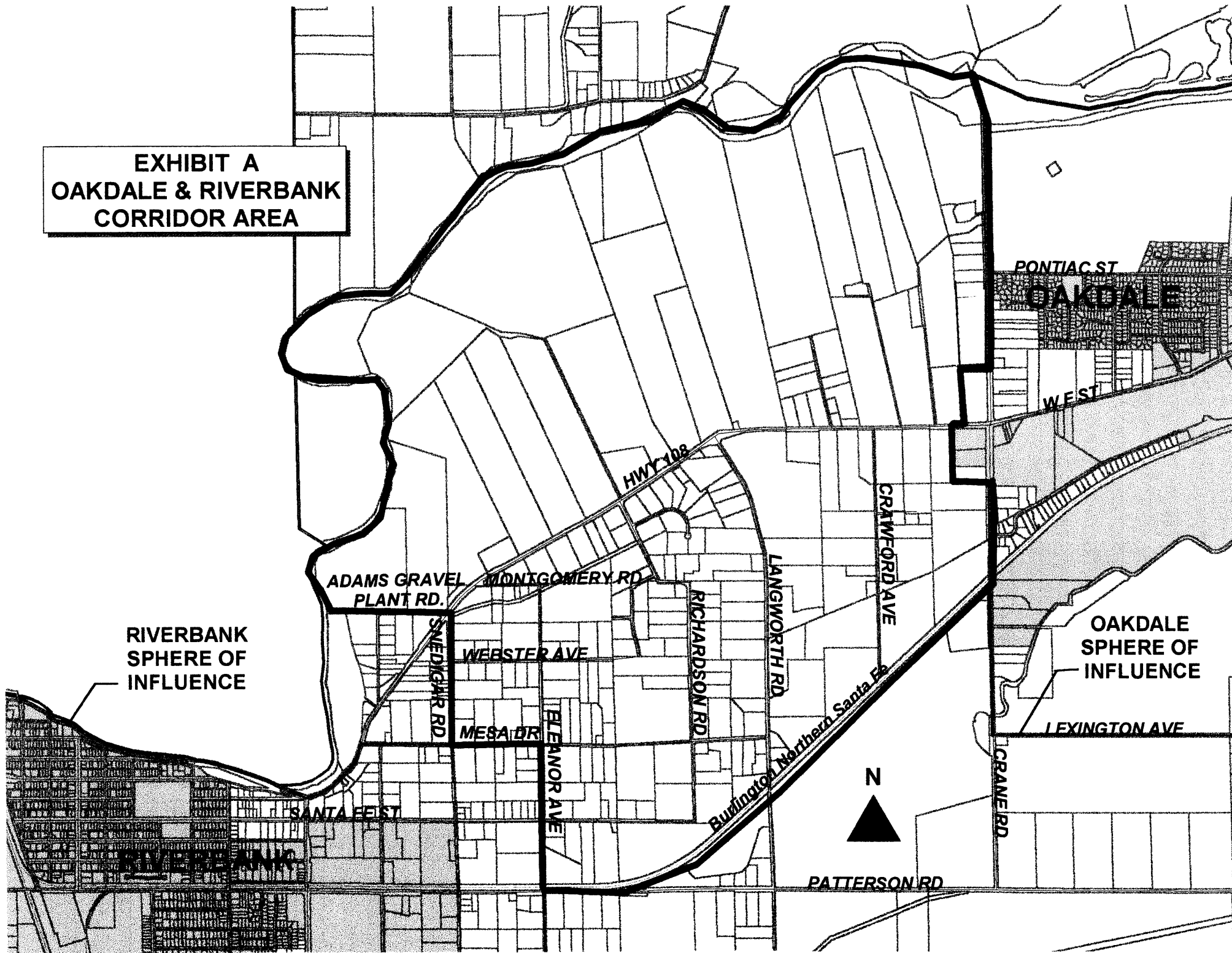
Abstain:

Absent:

Attest: Reagan M. Wilson, Clerk By: Deputy _____

bml:\BRENDA\FREITAS\OAK-RIV3.AGR.wpd

**EXHIBIT A
OAKDALE & RIVERBANK
CORRIDOR AREA**



✓ Bruce Bannerman, City Administrator
City of Oakdale
280 N. Third Avenue
Oakdale, CA 95361

✓ Eric Brown, PD
City of Oakdale
455 S. 5th Avenue
Oakdale, CA 95361

✓ Richard P. Holmer, City Manager
City of Riverbank
6707 Third Street
Riverbank, CA 95367

✓ Jake Raper, Jr., PD
City of Riverbank
6707 Third Street
Riverbank, CA 95367