

RESOLUTION NO. 21-098

A RESOLUTION OF THE DIXON CITY COUNCIL, PURSUANT TO THE CALIFORNIA ENVIRONMENTAL QUALITY ACT FOR THE DIXON 2040 GENERAL PLAN UPDATE: (1) CERTIFICATION OF THE FINAL ENVIRONMENTAL IMPACT REPORT, (2) ADOPTION OF CEQA FINDINGS FOR SIGNIFICANT ENVIRONMENTAL IMPACTS AND A STATEMENT OF OVERRIDING CONSIDERATIONS, AND (3) ADOPTION OF THE MITIGATION MONITORING AND REPORTING PROGRAM

WHEREAS, in 2014, the City of Dixon ("City") began the process of comprehensively updating the City's General Plan, and since this time City officials, employees, and community members have been actively involved in the preparation of the 2040 General Plan Update ("2040 General Plan"); and

WHEREAS, the 2040 General Plan applies to lands within City limits and also certain lands outside City limits, which collectively comprise the City's Planning Area. The City's Planning Area covers a total of 5,522 acres (8.6 square miles) of land within and outside City limits; and

WHEREAS, the 2040 General Plan is a comprehensive, long-term plan for the City's future growth and development. The 2040 General Plan establishes goals, policies, and actions relating to the City's natural environment, land use, economic development, mobility, and public facilities and services. At buildout, the 2040 General Plan projects a population of approximately 29,000 residents due to increases in housing and jobs compared to existing levels; and

WHEREAS, the City is the lead agency for the 2040 General Plan project pursuant to the California Environmental Quality Act ("CEQA"); and

WHEREAS, the City has completed the 2040 General Plan and analyzed potential environmental impacts in compliance with CEQA. The 2040 General Plan and corresponding environmental review documents are now before the City's decision-making bodies for consideration, certification, and adoption; and

WHEREAS, on November 12, 2018, the City filed a Notice of Preparation ("NOP") with the State Office of Planning and Research ("OPR") to determine the scope of environmental review for the 2040 General Plan. The NOP was circulated to the relevant state and local public agencies, as well as to interested organizations and members of the public between November 13, 2018 and December 20, 2018. On December 12, 2018, a scoping meeting was conducted by the City's Planning Commission ("Planning Commission") to receive public comments on the scope and content of the environmental impact report; and

WHEREAS, the City prepared a Draft Environmental Impact Report ("Draft EIR") (*SCH No. 2018112035*) for the 2040 General Plan; and

WHEREAS, on July 1, 2020, the City filed the Notice of Completion ("NOC") informing OPR that the City had completed the Draft EIR, and recommending distribution of the Draft EIR to certain state agencies for review; and

WHEREAS, prior to circulating the Draft EIR for public review, the City distributed and published the Notice of Availability ("NOA") for the Draft EIR to all interested groups, organizations, and individuals; and

WHEREAS, the Draft EIR was available for public review and comment for forty-five (45) days, between July 8, 2020 and August 24, 2020; and

WHEREAS, the City received a total of eighteen (18) comments, comment letters, and emails relating to the 2040 General Plan Draft EIR during the public review period; and

WHEREAS, the City has evaluated and responded to the comments received on the Draft EIR; and

WHEREAS, the City has prepared the Final Environmental Impact Report ("Final EIR") for the 2040 General Plan, which incorporates the Draft EIR, contains the City's responses to written comments received on the Draft EIR, and identifies revisions to the Draft EIR; and

WHEREAS, pursuant to California Code of Regulations, title 14 ("CEQA Guidelines"), section 15090, the lead agency's decision-making bodies shall review the Final EIR and certify that the Final EIR was prepared in compliance with CEQA; and

WHEREAS, pursuant to CEQA Guidelines section 15091, the City has prepared findings regarding the significant adverse environmental impacts that may result from approval and implementation of the 2040 General Plan ("CEQA Findings"); and

WHEREAS, pursuant to CEQA Guidelines sections 15091 and 15093, the City has prepared a Statement of Overriding Considerations for environmental impacts that are expected to remain significant and unavoidable; and

WHEREAS, pursuant to CEQA Guidelines section 15091 and 15097, the City has prepared a Mitigation Monitoring and Reporting Program ("MMRP") for mitigation measures imposed to avoid or mitigate significant environmental impacts; and

WHEREAS, following notice duly provided as required by law, the Planning Commission held a public hearing on March 9, 2021 at which all interested parties were given an opportunity to comment on the Final EIR, CEQA Findings, Statement of Overriding Considerations, and MMRP prior to the Planning Commission's recommendation to the Dixon City Council ("City Council"); and

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WHEREAS, after the public review period for the Draft EIR, the City received nine (9) written comment letters in advance of the March 9, 2021 Planning Commission and received six (6) oral comments during the public hearing; and

WHEREAS, on March 8, 2021, the City received a written comment letter from the Solano County Counsel's Office ("Solano County"), requesting that the Planning Commission postpone its consideration of the Final EIR and General Plan in order to revise and recirculate the EIR. Solano County alleged inadequate evaluation of the 2040 General Plan's potential hydrological impacts, specifically Impact 3.9-4 and the City's determination of a less than significant impact on existing or planned stormwater systems and on sources of polluted runoff; and

WHEREAS, Solano County did not submit any written or oral comments during the prescribed 45-day public review period of the Draft EIR, which was the appropriate time to comment on the adequacy of the Draft EIR; and

WHEREAS, the City has reviewed Solano County's comment letter and has provided a written response directly to Solano County. The City has also included its response to Solano County in the Final EIR as a clarifying update, even though Solano County submitted the comment outside of the Draft EIR public review period. The City refutes Solano County's allegations of inadequate evaluation of potential impacts to stormwater drainage systems and to sources of polluted runoff; and

WHEREAS, the Planning Commission reviewed the Final EIR (incorporated hereto as **Exhibit A**), the CEQA Findings and the Statement of Overriding Considerations (attached hereto as **Exhibit B**), and the MMRP (attached hereto as **Exhibit C**); and

WHEREAS, the Planning Commission, based on its independent review and judgement, unanimously voted to adopt Resolution No. 2021-004 recommending that the Dixon City Council: (1) Certify the Final EIR, (2) Adopt CEQA Findings and a Statement of Overriding Considerations, and (3) Adopt the MMRP; and

WHEREAS, following notice duly provided as required by law, the Dixon City Council held a public hearing on May 18, 2021 at which all interested parties were given an opportunity to comment on the Final EIR, CEQA Findings, Statement of Overriding Considerations, and MMRP prior to the City Council's action on these documents.

NOW, THEREFORE BE IT RESOLVED, the City of Dixon City Council finds that additional modifications to the DEIR revision (1st bullet, on page 3-2 of the Final EIR) is necessary as identified by a May 14, 2021 letter from Kelly Huff of the Dixon Resource Conservation District. Therefore, the Dixon City Council hereby directs staff to amend the 1st bullet on page 3-2 of Final EIR (which identifies revisions to the third bullet on page 3.9-8 of the Draft EIR) as follows:

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- “Northeast Quadrant (NEQ) Detention Pond – In the DRWJPA, this detention pond was sized to allow for the development of the City’s NEQ (583 acres) by constructing 478 acre-feet of detention storage. It was envisioned that The release from this pond would be 140 cfs, and when there is no downstream flooding, the release could be increased to 214 cfs. The release from this pond would flow into the Tremont 3 channel, and consequently the Tremont 3 channel capacity would also need to be increased by 214 cfs to account for the flow. The channel expansion is the Eastside Drain Project (below). T; however, the NEQ Detention Pond has not been constructed yet. However, the location, size, configuration and discharge rate from this detention pond are currently being re-evaluated to help minimize downstream environmental impacts associated with the Eastside Drainage Project. The design and the location of detention basin(s) and associated flow limits for releases from individual basins are yet to be determined and will continue to be negotiated through work that is ongoing with the Dixon Regional Joint Powers Authority and the Solano County Water Agency. It has been assumed that this pond will be funded and constructed by development in and near the NEQ. However, this pond is a large regional facility, and it may be difficult for a single developer to successfully implement the NEQ Detention Pond.”

The entire 1st bullet shall be replaced with new text as noted above.

BE IT FURTHER RESOLVED, upon its review of all documents and exhibits contained herein, and after due deliberation and based on its independent judgment, the City of Dixon City Council resolves as follows:

1. **Final Environmental Impact Report.** The City Council finds that the Draft EIR and Final EIR were prepared in compliance with CEQA. The City Council hereby certifies the Final EIR, as amended above. The Final EIR, which includes the Draft EIR, is incorporated hereto as Exhibit A.
2. **CEQA Findings Regarding Significant Environmental Impacts & Statement of Overriding Considerations.** The Dixon City Council hereby adopts the CEQA Findings for the Dixon 2040 General Plan. The City Council hereby also adopts the Statement of Overriding Considerations finding that certain economic, legal, social, and technological considerations outweigh remaining significant environmental impacts. The CEQA Findings and Statement of Overriding Considerations are attached hereto as Exhibit B.
3. **Mitigation Monitoring and Reporting Program.** The City Council hereby adopts the MMRP describing the mitigation measures imposed that avoid or lessen the extent of remaining significant environmental impacts. The MMRP is attached hereto as Exhibit C.
4. **Location and Custodian of Documents.** The record of the 2040 Dixon General Plan project approval and Final EIR shall be kept at Dixon City Hall, 600 East A Street, Dixon, CA 95620.

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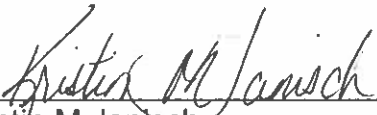
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PASSED AND ADOPTED AT A REGULAR MEETING OF THE CITY COUNCIL OF THE CITY OF DIXON ON THE 18th DAY OF MAY 2021, BY THE FOLLOWING VOTE:

AYES: Ernest, Hendershot, Johnson, Pederson, Bird
NOES: None
ABSENT: None

ATTEST



Kristyn M Janisch
Interim Elected City Clerk



Steven C. Bird
Mayor

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EXHIBIT A

FINAL AND DRAFT ENVIRONMENTAL IMPACT REPORT (SCH No. 2018112035)
FOR THE 2040 DIXON GENERAL PLAN

The Final EIR and Draft EIR (*SCH No. 2018112035*) for the Dixon 2040 General Plan are incorporated by reference to this City Council Resolution and shall be kept at Dixon City Hall, 600 East A Street, Dixon, CA 95620.

Public review copies of the Final EIR and Draft EIR were also made available during the Planning Commission and City Council public hearing process at the City's web page for the Dixon 2040 General Plan, *available at* <https://www.cityofdixon.us/General-Plan-Update>.

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EXHIBIT B

CEQA FINDINGS & STATEMENT OF OVERRIDING CONSIDERATIONS FOR THE DIXON 2040 GENERAL PLAN

I. INTRODUCTION

The Final EIR for the 2040 General Plan evaluates the potentially significant adverse environmental impacts that could result from adoption and implementation of the 2040 General Plan. The Final EIR determined that adoption and implementation of the 2040 General Plan could result in certain significant environmental impacts. Therefore, the City is required under CEQA to make findings with respect to remaining significant environmental impacts. (CEQA Guidelines, § 15091.) CEQA allows a lead agency to approve a project with significant unavoidable impacts if the lead agency identifies in writing, based on substantial evidence in the record, specific economic, legal, social, technological, or other benefits that outweigh the significant unavoidable impacts. (CEQA Guidelines, § 15093.)

The 2040 General Plan is a long-term planning document. The Final EIR for the 2040 General Plan provides a programmatic analysis of the environmental impacts associated with implementation of the goals, policies, actions, and projected buildout of the 2040 General Plan. The following CEQA Findings address significant environmental impacts that will directly or indirectly result from adoption and implementation of the 2040 General Plan. The City is adopting a Statement of Overriding Considerations for significant impacts that could not be reduced to levels below significance. The City is also adopting a Mitigation Monitoring & Reporting Program ("MMRP") that describes the Mitigation Measures (or "MM") imposed to avoid or reduce significant impacts to the extent feasible.

II. PROJECT DESCRIPTION

A general plan is the primary policy document that guides growth and development in California cities and counties over a long-range time horizon. The 2040 General Plan provides a long-term framework for the City of Dixon's ("City") growth and development through its policies and implementing actions. Together with the City's Specific Plans, Zoning Ordinance, and related sections of the Municipal Code, the 2040 General Plan would serve as the basis for planning-related decisions made by City staff, the Planning Commission, and the City Council. Specific plans, zoning changes, and land use applications shall be consistent with and advance the goals and policies of the 2040 General Plan.

The City of Dixon is located in northeastern Solano County. City limits cover an area of approximately 7.25 square miles. The 2040 General Plan also applies to the City's Planning Area, which includes certain lands outside City limits bearing relation to the City's land use decisions and future growth. The City's Planning Area comprises a total of 8.6 square miles of both incorporated and unincorporated lands.

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The 2040 General Plan would replace the existing general plan and all its elements, which was last comprehensively updated in 1993. The 2040 General Plan makes changes to the City's land use designations and buildout projections, and establishes new goals, policies, and actions for its various elements. Three (3) new mixed-use land use designations are included in the 2040 General Plan and the prior agricultural land use designation has been removed. The 2040 General Plan prioritizes certain types of growth in the City's Planning Area, and therefore increases the percentage of lands designated for residential, mixed-use, commercial, and industrial uses. Regarding buildout, the 2040 General Plan has planned for a population of approximately 28,890 residents, compared to the existing 20,130 residents. The City has also prioritized economic development, projecting approximately 6,640 jobs at buildout compared to the existing 5,360 jobs.

The 2040 General Plan contains five (5) chapters: (1) *Natural Environment*, (2) *Land Use & Community Character*, (3) *Economic Development*, (4) *Public Facilities & Services*, (5) *Mobility and Transportation*. These five chapters integrate seven (7) of the eight (8) State-mandated elements for a General Plan: Land Use, Circulation, Conservation, Open Space, Safety, Noise, and Environmental Justice (a newly-required element as of 2018). The Housing Element, the 8th mandated element, was recently updated in 2015 and has a life span until 2023. Therefore, the Housing Element was not included in the 2040 General Plan, but remains in full force and effect and addresses the City's housing obligations and policies.

Guiding objectives under the 2040 General Plan include:

- *Preserving and enhancing Dixon's small-town character;*
- *Fostering economic development and building a strong, diverse economy with quality jobs for local residents;*
- *Ensuring a sustainable, measured rate of growth and efficient delivery of public services;*
- *Promoting high-quality development that respects and complements Dixon's historic context and natural environment;*
- *Preserving and protecting surrounding agricultural and open space lands;*
- *Encouraging careful stewardship of water, energy, and other environmental resources.*

Due to impacts of projected buildout and the goals, policies, and actions contained in the 2040 General Plan, the Final EIR determined that certain significant environmental impacts cannot be mitigated to a level below significance. The CEQA Findings below discuss the significant environmental impacts resulting from the 2040 General Plan and mitigation measures that avoid or serve to lessen the extent of those impacts.

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III. FINDINGS FOR SIGNIFICANT ENVIRONMENTAL IMPACTS

The following section addresses significant impacts that are unavoidable, as well as significant impacts that can be mitigated below levels of significance with mitigation measures:

1. Agricultural Resources (Impact 3.2-1): Implementation of the Proposed Plan would convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance. **(Significant and Unavoidable)**

Conversion of prime and unique farmland would occur under the 2040 General Plan. Under the 2040 General Plan, urban development can occur on 98 acres of farmlands designated by the Farmland Mapping and Monitoring Program ("FMMP"). The 2040 General Plan does not leave any land with an agricultural land use designation in the City's Planning Area. Numerous policies in the 2040 General Plan would help reduce the impact, for example, ensuring that Dixon remains a community ringed by open space and agricultural land. Even with the implementation of such policies, however, the impact is expected to remain significant and unavoidable.

Mitigation Measure (or "MM") AG-1 establishes the City's agricultural land mitigation policies that involve acquisition of off-site prime farmland, conservation easements, or participation in the City's Agricultural Mitigation Program. Still, implementation of the 2040 General Plan would redesignate the existing agricultural land use to a non-agricultural land use. The 2040 General Plan reflects a policy determination to allow a certain amount of growth to occur within the City's Planning Area, which necessitates conversion of farmland to urban uses. The City has determined that other benefits of the 2040 General Plan override remaining significant impacts, as more fully described in the Statement of Overriding Considerations in Section V.

2. Air Quality (Impact 3.3-2): Development under the Proposed Plan would violate air quality standards or contribute substantially to an existing or projected air quality violation. **(Significant and Unavoidable)**

Construction of individual projects associated with implementation of the 2040 General Plan could temporarily emit criteria air pollutants through the use of heavy-duty construction equipment, vehicle trips generated from workers and haul trucks, and demolition and various soil-handling activities. Operation of projects envisioned under the 2040 General Plan would generate criteria air pollutant emissions from plan-generated vehicle trips traveling within the City, energy sources such as natural gas combustion, and area sources such as landscaping equipment and consumer products usage. A quantitative analysis found that operational emissions for the 2040 General Plan would exceed project-level regulatory thresholds for certain pollutants.

Mitigation Measures AQ-1, AQ-2, and AQ-3 are required to ensure that future development projects incorporate measures to reduce emissions from construction activities, and also serve to reduce operational emissions on a project-by-project basis. Even with the above Mitigation Measures, the total criteria air pollutant emissions from

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the construction and operation of future development under the 2040 General Plan could increase concentrations of air pollutants that violate clean air standards. Therefore, the Final EIR determined that impacts to air quality would remain significant. The City has determined that other benefits of the 2040 General Plan override remaining significant impacts, as more fully described in the Statement of Overriding Considerations in Section V.

3. Air Quality (Impact 3.3-3): Development under the Proposed Plan would expose sensitive receptors to substantial pollutant concentrations. **(Significant and Unavoidable)**

Areas of vehicle congestion have the potential to create pockets of Carbon Monoxide (“CO”) called hotspots. Hotspots are typically produced at intersections where traffic congestion is highest because vehicles queue for longer periods and are subject to reduced speeds. Level of service impacts at three intersections under the 2040 General Plan meet or exceed the screening criteria utilized by Yolo-Solano Air Quality Management District, and therefore potentially expose sensitive receptors to significant pollutant concentrations.

Mitigation Measures AQ-4, AQ-5, and AQ-6 are required in order to reduce potential impacts from particular air contaminants to sensitive receptors. While implementation of applicable 2040 General Plan policies and the foregoing Mitigation Measures would reduce potential health risks from such emissions, there is no feasible mitigation that can prevent significant and unavoidable impacts resulting from CO hotspots. Furthermore, some of the impacts to air quality are regionally generated and outside the control of the City of Dixon, given the presence of a State highway and a rail line through the center of the City, and also an Interstate Highway along the northern border. The City has determined that other benefits of the 2040 General Plan override remaining significant impacts, as more fully described in the Statement of Overriding Considerations in Section V below.

4. Energy, Greenhouse Gases, and Climate Change (Impact 3.6-1): Development under the Proposed Plan would generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment. **(Significant and Unavoidable)**

Construction activities associated with future individual development projects under the 2040 General Plan would generate greenhouse gas (“GHG”) emissions during the construction period. The operation of the land uses introduced by the 2040 General Plan would also generate direct and indirect GHG emissions. Sources of direct emissions would include mobile vehicle trips, natural gas combustion, and landscaping activities. Indirect emissions would be generated by electricity consumption, waste and wastewater generation, and water use. The 2040 General Plan contains multiple policies promoting infill development, multi-modal and efficient transportation, and energy conservation. However, it is unlikely that the City can reduce GHG impacts below levels of significance due to planned development activities.

Mitigation Measure GHG-1 requires the adoption of a Climate Action Plan within 36 months of adopting the 2040 General Plan. The Climate Action Plan will lay out a series of goals, policies, and actions to reduce GHG emissions to a level that is consistent with State GHG reduction goals. Policies within the Climate Action Plan must set specific targets for GHG reductions where possible. The City has determined that other benefits of the 2040 General Plan override remaining significant impacts, as more fully described in the Statement of Overriding Considerations in Section V.

5. Energy, Greenhouse Gases, and Climate Change (Impact 3.6-2): Development under the Proposed Plan would conflict with an applicable plan, policy, or regulation adopted for the purpose of reducing the emissions of greenhouse gases. **(Significant and Unavoidable)**

Development under the 2040 General Plan has the potential to conflict with multiple applicable plans of other agencies regarding reduction of GHG emissions. Development within the City's Sphere of Influence has the potential to conflict with reduction goals established under the Solano County Climate Action Plan. Buildout of the 2040 General Plan has the potential to be inconsistent with overarching goals of Plan Bay Area and SB 375, although the 2040 General Plan contains policies promoting sustainability and multi-modal transportation. Buildout of the 2014 General Plan also is unlikely to meet the GHG thresholds established in the 2017 CARB Scoping Plan, AB 32, and Executive Order S-03-05.

Mitigation Measure GHG-1 requires the adoption of a Climate Action Plan for the City. Implementation of MM-GHG-1 would help to reduce conflict with the GHG reduction trajectories articulated in the foregoing plans and regulations to the extent practicable. However, even with MM-GHG-1, the 2040 General Plan would likely remain in conflict with other plans, policies, or regulations adopted for the purpose of reducing GHG emissions. The City has determined that other benefits of the 2040 General Plan override remaining significant impacts, as more fully described in the Statement of Overriding Considerations in Section V.

6. Energy, Greenhouse Gases, and Climate Change (Impact 3.6-4): The Proposed Plan would not conflict with the CBC Energy Efficiency Standards, the CARB passenger vehicle GHG emission reduction targets for 2020 and 2040, or any other applicable energy conservation regulations. **(Less Than Significant with Mitigation)**

All future development under the 2040 General Plan would be required to comply with the latest California Building Code ("CBC") requirements, including CBC Energy Efficiency Standards, as well as all federal, State, and local rules and regulations pertaining to energy consumption and conservation. The 2040 General Plan potentially conflicts with California Air Resources Board ("CARB") passenger vehicle GHG emission reduction targets. The 2040 General Plan includes policies that emphasize vehicle trip reduction strategies and does not contain policies that would conflict with existing energy conservation regulations. Despite implementation of policies aimed at reducing VMT and

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GHG emissions, implementation of the 2040 General Plan would likely conflict with CARB passenger vehicle GHG emissions reduction targets and thus be significant and unavoidable without mitigation.

Mitigation Measure GHG-1 would require the City to develop a Climate Action Plan that specifies a goal in line with State GHG reduction targets, which establish CARB passenger vehicle GHG reduction targets. By explicitly requiring that this target be included in the Climate Action Plan, the 2040 General Plan would become consistent with the CARB passenger vehicle GHG emission reduction targets. Therefore, this impact would be less than significant with mitigation.

7. Geology, Soils, and Seismicity (Impact 3.7-5): Implementation of the Proposed Plan would not directly or indirectly destroy a unique paleontological resource or site or unique geologic feature. **(Less Than Significant with Mitigation)**

Future development and redevelopment allowed under the 2040 General Plan could result in direct or indirect impacts on paleontological resources. Construction activities such as grading, excavation, and ground-disturbing activities may result in the accidental destruction or disturbance of paleontological resources. Although development on public lands would be subject to various regulations requiring paleontological studies and preservation, there are no existing or proposed policies that would protect paleontological resources that may be destroyed through development on privately-owned land. No paleontological resources have been discovered within the Planning Area to-date, but there is potential for discovery of paleontological resources in the City's Planning Area. This impact has the potential to be significant without mitigation.

Mitigation Measure GEO-1 establishes a procedure for the management of paleontological materials found onsite during development activities. Discovered paleontological materials would have to be prepared, catalogued, and archived at the applicant's expense and retained within Solano County if feasible. Therefore, MM-GEO-1 shall be imposed to ensure that impacts remain less than significant.

8. Transportation (Impact 3.13-1): Implementation of the Proposed Project would conflict with a program, plan, ordinance, or policy addressing the circulation system, including transit, roadway, bicycle, and pedestrian facilities. **(Significant and Unavoidable)**

Implementation of the 2040 General Plan would cause several local intersections to perform below level of service ("LOS") standards established by the City. Ten intersections were studied as part of the analysis under the 2040 General Plan Buildout. It was found that the intersections of First Street & B Street and First Street & West Cherry Street become LOS deficient under the 2040 General Plan resulting in a potentially significant impact.

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The 2040 General Plan includes multiple policies and actions that seek to minimize congestion on the transportation network through a series of efforts to reduce single occupancy vehicle trips, improve circulation, and promote walking, bicycling and transit trips as viable transportation options. The 2040 General Plan also contains multiple actions that identify possible funding mechanisms designed to alleviate such transportation impacts. The City evaluated possible mitigation measures, such as signalization at these two intersections, but found that such measures were infeasible. Due to the infeasibility of mitigation measures, impacts of deficient LOS at particular intersections would remain significant. The City has determined that other benefits of the 2040 General Plan override remaining significant impacts, as more fully described in the Statement of Overriding Considerations in Section V.

9. Transportation (Impact 3.13-2): Implementation of the Proposed Plan would conflict or be inconsistent with CEQA Guidelines section 15064.3, subdivision (b). (**Significant and Unavoidable**)

Vehicle Miles Travelled ("VMT") is expected to increase under implementation of the 2040 General Plan. While the 2040 General Plan will reduce the VMT per service population to 30.4, an almost 12 percent reduction over existing conditions, it does not achieve 15 percent reduction required to avoid a potentially significant impact. Numerous proposed policies in the 2040 General Plan would help reduce the impact, such as developing a multi-modal transportation network, implementation of the City's complete streets policy, and land uses and development encouraging live/work proximity.

Mitigation Measures TRANS-1 and TRANS-2 impose the implementation of fixed-route transit service serving school sites and a commute travel demand management program, respectively. Such Mitigation Measures serve to reduce vehicular trips and peak period congestion. However, even with implementation of the above Mitigation Measures in addition to the other mobility-related policies, this impact likely remains significant and unavoidable. The City has determined that other benefits of the 2040 General Plan override remaining significant impacts, as more fully described in the Statement of Overriding Considerations in Section V.

IV. FINDINGS REGARDING PROJECT ALTERNATIVES

CEQA requires an analysis of project alternatives that could reduce or avoid the significant impacts of the 2040 General Plan as proposed. The Final EIR considered three alternatives that could potentially avoid or substantially reduce significant impacts: (1) a Transit-Oriented Development Alternative; (2) a Compact-Growth Alternative; and (3) a Balanced Jobs-Housing Ratio Alternative. The City also evaluated the No Project alternative. These alternatives were developed to avoid the conversion of prime farmland and to substantially reduce daily VMT per service population. However, the VMT analysis for these alternatives determined that none of them would avoid or substantially reduce 2040 per service population VMT as compared to the 2040 General Plan as proposed. While the No Project Alternative could feasibly address the significant and unavoidable impact related to conversion of prime farmland that would result from the 2040 General Plan as proposed, this alternative would not further the project objectives.

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The City finds that the 2040 General Plan as proposed would ultimately be more successful in achieving the objectives of the General Plan update process including fostering economic growth, encouraging careful stewardship of resources like water and energy, promoting high-quality development, and allowing convenient and safe travel. Given that the 2040 General Plan would be more successful in achieving these objectives and was also found to be environmentally superior in most cases, the 2040 General Plan as proposed was determined to be the preferred and environmentally superior alternative.

V. STATEMENT OF OVERRIDING CONSIDERATIONS

As set forth in the preceding sections, adoption and implementation of the 2040 General Plan will result in significant environmental impacts relating to certain aspects of the following topic areas, as noted in Section III above: *Agricultural Resources, Air Quality, Greenhouse Gas Emissions, and Transportation*. Pursuant to CEQA Guidelines section 15093, the City may approve a project where it finds that specific economic, legal, social, technological, or other benefits outweigh unavoidable significant environmental impacts. The City has imposed all feasible mitigation measures and recognized all significant unavoidable impacts. In the City's judgment, the benefits of the 2040 General Plan outweigh its unavoidable significant impacts for the following reasons:

1. The 2040 General Plan Prioritizes Economic Development.

A key objective of the 2040 General Plan is promoting high-quality jobs and diversifying the local economy, while also retaining and supporting local businesses. The 2040 General Plan projects approximately 6,640 jobs at buildout compared to the existing 5,360. The City is focused on building its primary job base and expanding opportunity for Dixon residents. By expanding jobs, more local residents can work in Dixon and support an increased jobs/housing balance and reduction of VMT. By attracting new businesses and maintaining existing businesses, the City seeks to foster new employment opportunities, increase its human capital, and continue to grow its sales and property tax revenues. The City has identified potential opportunities for increasing its retail, manufacturing and logistics, and agricultural technology presence. The City plans to ensure development readiness by maintaining a mix of commercial and industrial land uses to implement its economic development goals. With an advantageous location along Interstate 80 and a major rail corridor in a region experiencing economic growth, the City finds itself in a position to advance its economic development goals. The City has prioritized economic development in its 2040 General Plan, and finds that it can do so while maintaining its community character and conserving environmental resources.

2. The 2040 General Plan Facilitates Planned Population Growth by Increasing and Diversifying the City's Housing Stock.

Regarding buildout, the 2040 General Plan has planned for a population of approximately 28,890 residents compared to the existing 20,130 residents. The City anticipates continued population growth consistent with prior trends, and therefore seeks to plan for

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manageable growth through the 2040 time horizon and meet its regional housing needs. The City seeks to increase and diversify its housing stock to preserve affordable cost-of-living for residents and to complement the City's planned economic development efforts. Most of the City's housing stock is single-family homes. The 2040 General Plan identifies new types of development to diversify the housing stock to accommodate anticipated population and economic growth. The City has created three (3) new mixed-use land use designations. These mixed-use designations serve to create a range of retail, employment, residential, and entertainment uses. Despite no longer having a land use designated for agriculture, the City finds that further residential and economic development outweighs accompanying significant environmental impacts, and that other policies and mitigation measures adequately offset the removal of the agricultural land use designation.

3. The 2040 General Plan Identifies Focus Areas for Further Development.

The 2040 General Plan seeks to continue developing four (4) key focus areas: Downtown, the SR-113/1st Street Corridor, the Northeast Quadrant, and the Southwest Quadrant.

- Downtown is envisioned to continue its traditional role as the heart of the City, with actions to revitalize and enhance the area. There are opportunities for existing vacant and underutilized land to provide new uses and amenities.
- The Corridor Mixed-Use land use designation is intended to foster a mix of retail, commercial, and residential uses along the SR-113/1st Street Corridor. This serves to create a vibrant land-use mix to fill out development in the area and also invite visitors into the City.
- The Northeast Quadrant will be an important mixed-use employment area and gateway to the City. Regional commercial, industrial, and mixed-use land use designations will foster a range of employment and housing uses that produce tax revenue and provide convenient access to the regional transportation network.
- In the Southwest Quadrant, growth will continue to be primarily residential, but will be supported by nearby commercial and mixed land uses along Interstate 80 and West A St that can also serve as a gateway to the City.

The City finds that these focus areas of growth advance the objectives of the 2040 General Plan, and therefore outweigh the accompanying significant environmental impacts.

4. Goals, Policies, and Actions of the 2040 General Plan Protect Against Adverse Environmental Impacts While Accomplishing the City's Long-Term Goals.

Alongside the City's economic development, community development, and housing efforts are a number of policies relating to sustainable growth, preserving the City's small-

town character, conserving agriculture and natural resources, and maintaining an efficient transportation network. Examples of such goals and policies in the 2040 General Plan include:

- Preserve, protect, and enhance natural resources, habitats, and watersheds in Dixon and the surrounding area, promoting responsible management practices. (Goal NE-1)
- Minimize air, soil, noise, and water pollution as well as community exposure to hazardous conditions. (Goal NE-5).
- Recognize and maintain Dixon as a community surrounded by productive agricultural land and greenbelts. (Policy LCC-1.1)
- Encourage compatible new development that respects and complements Dixon's historic context and natural environment. (Policy LCC-2.2)
- Maintain a transportation network that is efficient and safe, that removes barriers, and that optimizes travel by all modes. (Policy M-1.1)
- Manage the City's transportation system to minimize congestion, improve flow and improve air quality. (Goal M-2)
- Continue to coordinate with State and regional agencies on the planning and implementation of the regional transportation system. (Policy M-6.2)
- Plan and provide utilities and infrastructure to deliver safe, reliable and adequate services for current and future residents and businesses. (Goal PSF-2)
- Expand the network of parks and public spaces and ensure they are equitably distributed throughout the City so that every Dixon resident can access a neighborhood park within one half mile of their home. (Policy PSF-4.1)

In accordance with CEQA Guidelines section 15093, the City hereby finds that the benefits of the 2040 General Plan outweigh its significant and unavoidable environmental impacts and that such impacts may be considered "acceptable."

EXHIBIT C

MITIGATION MONITORING AND REPORTING PROGRAM
FOR THE 2040 DIXON GENERAL PLAN

Mitigation Monitoring & Reporting Program

for the

Dixon 2040 General Plan

SCH No. 2018112035

City of Dixon

RESOLUTION NO.: 21 - 098

DATE: MAY 18 2021

1 Purpose

California Public Resources Code section 21081.6(a)(1) requires a lead or responsible agency that approves or carries out a project subject to the California Environmental Quality Act ("CEQA") to adopt a reporting or monitoring program for the changes made to the project or conditions of project approval, adopted in order to mitigate or avoid significant effects on the environment. The City of Dixon (the "City") is the lead agency for the Environmental Impact Report ("EIR") prepared for the General Plan 2040 (SCH No. 2018112035), hereafter referred to as "Proposed Plan," and therefore is responsible for the adoption and implementation of the required mitigation monitoring and reporting program. An EIR has been prepared for the Proposed Plan that addresses potential environmental impacts and, where appropriate, recommends measures to mitigate these impacts.

The Mitigation Monitoring and Reporting Program ("MMRP") has been prepared in conformance with Public Resources Code section 21081.6(a)(1). It is the intent of this program to:

1. Verify satisfaction of the required mitigation measures of the EIR;
2. Provide a methodology to document implementation of the required mitigation;
3. Provide a record of the monitoring program;
4. Identify monitoring responsibility;
5. Establish administrative procedures for the clearance of mitigation measures;
6. Establish the frequency and duration of monitoring; and
7. Utilize existing review processes wherever feasible.

The MMRP describes the procedures that will be used to implement the mitigation measures adopted in connection with the approval of the Proposed Plan and the methods of monitoring such actions. A monitoring program is necessary only for impacts which would be significant if not mitigated.

If, during the course of project implementation, any of the mitigation measures identified cannot be successfully implemented, the City shall immediately inform any affected responsible agencies. The City, in conjunction with any affected responsible agencies, will then determine if modification to the project is required, and/or whether alternative mitigation is appropriate.

The following consists of a monitoring program table noting the responsible entity for mitigation monitoring, the timing, and a list of all project-related mitigation measures.

II. Mitigation Monitoring and Reporting Plan

Impact	Mitigation Measure	Method of Verification	Timing of Verification	Responsibility for Verification	Verification Complete Date / Initial
Agricultural Resources	<p>3.2-1: Implementation of the Proposed Plan AG-1: Any developer seeking to develop parcels designated as agricultural by the 1993 General Plan that contain FMMP-designated Prime farmland must acquire off-site Prime farmland or a conservation easement on such land within the Planning Area or within a ten-mile radius of the City, or each developer will participate in the City's Agricultural Mitigation Program. Each developer will pay the fee established for this program at the time of the City's approval of the tentative subdivision map or as otherwise specified in a development agreement. If the developer opts to purchase land, the developer can re-sell the land to an agricultural operator or other party so long as a conservation agreement acceptable to the City is granted to the City or an agency or organization acceptable to the City. Alternatively, the developer can purchase a conservation easement which is acceptable to the City and grant this conservation easement to</p>	Submittal of documentation.	Prior to project approval.	City of Dixon Department of Community Development	

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Mitigation Monitoring and Reporting Program for the City of Dixon General Plan 2040

Impact	Mitigation Measure	Method of Verification	Timing of Verification	Responsibility for Verification	Verification Complete Date / Initial
Air Quality	<p>the City or an agency or organization acceptable to the City. The parcels this mitigation measure applies to include: APN #s 0108040050, 0110140060, 0110140080, 0111020060, 0111020100, 0111020130, 0114020010, 0114031090, 0116030090, 0143010040, 0143020080, and 0143060060.</p>				
<p>3.3-2 Development under the Proposed Plan would violate air quality standards or contribute substantially to an existing or projected air quality violation.</p>	<p>AQ-1: Implement construction dust control mitigation measures described in Yolo-Solano's AQMD's CEQA Handbook. The following construction dust and control equipment exhaust control measures will be implemented, when feasible, to reduce the amount of dust emissions from construction activities in the Planning Area</p>	<p>Submittal of documentation demonstrating inclusion of requirements in construction contractor specifications.</p>	<p>Prior to issuance of a construction permit.</p>	<p>City of Dixon Department of Community Development</p>	
<p>Dust Control Measures</p> <ul style="list-style-type: none"> o Water all active construction sites at least twice daily. Frequency should be based on the type of operation, soil, and wind exposure. o Haul trucks hauling dirt, sand, or loose materials shall maintain at least 2 feet of freeboard or shall be 					

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Impact	Mitigation Measure	Method of Verification	Timing of Verification	Responsibility for Verification	Verification Complete Date / Initial
	<p>covered. Apply non-toxic binders (e.g., latex acrylic copolymer) to exposed areas after cut and fill operations and hydroseed area.</p> <ul style="list-style-type: none"> • Apply chemical soil stabilizers on inactive construction areas (disturbed lands within construction projects that are unused for at least four consecutive days). • Plant tree windbreaks on the windward perimeter of construction projects if adjacent to open land. • Plant vegetative ground cover in disturbed areas as soon as possible. • Cover inactive storage piles. • Sweep streets if visible soil material is carried out from the construction site. • Treat accesses to a distance of 100 feet from the paved road with a 6 to 12 inch layer of wood chips, mulch or gravel. • Construction Equipment Emissions Control Measures: • Restrict unnecessary vehicle idling to 5 minutes. • Incorporate catalyst and filtration technologies. 				

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Impact	Mitigation Measure	Method of Verification	Timing of Verification	Responsibility for Verification	Verification Complete Date / Initial
	<ul style="list-style-type: none"> Modernize the equipment fleet with cleaner repower and newer engines 				
<p>3.3-2 Development under the Proposed Plan would violate air quality standards or contribute substantially to an existing or projected air quality violation.</p>	<p>AQ-2: Require that applicants proposing development of projects within the City of Dixon require contractors, as a condition of contract, to reduce construction related fugitive ROG emissions by ensuring that low-VOC coatings that have a VOC content of 10 grams/liter (g/L) or less be used during construction. All project applicants shall submit evidence of the use of low-VOC coatings to Yolo-Solano AQMD prior to the start of construction.</p>	<p>Submittal of documentation demonstrating inclusion of requirements in construction contractor specifications.</p>	<p>Prior to issuance of a construction permit.</p>	<p>City of Dixon Department of Community Development</p>	
<p>3.3-2 Development under the Proposed Plan would violate air quality standards or contribute substantially to an existing or projected air quality violation.</p>	<p>AQ-3: Require all development applications with the potential to create point-source air quality impacts be referred to the Yolo-Solano Air Quality Management District (Yolo-Solano AQMD) for review and comment to ensure compliance with Yolo-Solano AQMD requirements prior to approval of the project.</p>	<p>Submittal of documentation to Yolo-Solano AQMD.</p>	<p>Prior to project approval.</p>	<p>City of Dixon Department of Community Development</p>	

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Impact	Mitigation Measure	Method of Verification	Timing of Verification	Responsibility for Verification	Verification Complete Date / Initial
3.3-3 Development under the Proposed Plan would expose sensitive receptors to substantial pollutant concentrations.	AQ-4: Require development projects to meet CARB setback recommendations from air contaminant sources for sensitive uses, or conduct specific air quality and health risk impact analyses and identify project specific mitigation measures.	Plan check.	Prior to project approval.	City of Dixon Department of Community Development	
3.3-3 Development under the Proposed Plan would expose sensitive receptors to substantial pollutant concentrations.	AQ-5: To protect sensitive receptors require discretionary projects in proximity to SR-113 and I-80 to include an analysis of mobile source toxic air contaminant health risks. The analysis, if necessary, shall identify feasible mitigation measures to reduce health risks to acceptable levels.	Submittal of documentation.	Prior to project approval.	City of Dixon Department of Community Development	
3.3-3 Development under the Proposed Plan would expose sensitive receptors to substantial pollutant concentrations.	AQ-6: All applicants proposing development of projects that may include sensitive receptors within 1,000 feet of existing stationary sources of substantial TACs shall prepare a site-specific construction health risk assessment (HRA) taking into account both project-level and cumulative health risks (including existing TAC sources). If the HRA demonstrates, to the satisfaction of the City, that the health risk exposures for potential receptors will be less than Yolo-	Submittal of documentation.	Prior to project approval.	City of Dixon Department of Community Development	

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Solano AQMD project-level and cumulative thresholds (as appropriate), then additional mitigation would be unnecessary. However, if the HRA demonstrates that health risks would exceed Yolo-Solano AQMD project-level and/or cumulative thresholds (as appropriate), additional feasible on-site and offsite mitigation shall be analyzed by the applicant to help reduce risks to the greatest extent practicable.

Biological Resources

3.4-1 Implementation of the Proposed Plan would have a substantial adverse effect, either directly or through habitat modifications, on species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service.

The following policies from the Dixon General Plan serve as mitigation:

NE-1.12 In areas where development (including trails or other improvements) has the potential for adverse effects on special-status species, require project proponents to submit a study conducted by a qualified professional that identifies the presence or absence of special-status species at the proposed development site. If special-status species are determined by the City to be present, require incorporation of appropriate mitigation measures

Prior to project approval.

Submittal of documentation.

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as part of the proposed development prior to final approval.

NE-1.13 Protect the nests of raptors and other birds when in active use, as required by State and federal regulations. In new development, avoid disturbance to and loss of bird nests in active use by scheduling vegetation removal and new construction during the non-nesting season or by conducting a pre-construction survey by a qualified biologist to confirm nests are absent or to define appropriate buffers until any young have successfully fledged the nest.

Energy, Greenhouse Gases, and Climate Change

3.6-1 Development under the Proposed Plan would generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment.

GHG-1: The City of Dixon shall adopt and begin to implement a Climate Action Plan within a goal of 18 months, but no later than 36 months, of adopting the Proposed Plan update to address the GHG reduction goals of Executive Order B-30-15, Senate Bill 32, and Executive Order S-03-05 for GHG sectors that the City has direct or indirect jurisdictional control over. The Climate Action Plan shall include a community inventory of GHG emission sources, and

Adoption of a Climate Action Plan by the Dixon City Council.

No later than 36 months following adoption of the Proposed Plan.

City of Dixon Department of Community Development

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Mitigation Monitoring and Reporting Program for the City of Dixon General Plan 2040

Impact	Mitigation Measure	Method of Verification	Timing of Verification	Responsibility for Verification	Verification Complete Date / Initial
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quantifiable GHG emissions reduction targets for 2030 and 2050, and an interim target for the General Plan buildout year 2040, that are consistent with the statewide GHG reduction targets and SB 375 Regional Plan Climate Targets. The City shall monitor progress toward its GHG emissions reduction goals and prepare reports every five years detailing that progress.

3.6-2 Development under the Proposed Plan would conflict with an applicable plan, policy, or regulation adopted for the purpose of reducing the emissions of greenhouse gases.

Mitigation Measure GHG-1.

Adoption of a Climate Action Plan by the Dixon City Council.

No later than 36 months following adoption of the Proposed Plan.

City of Dixon
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3.6-4 The Proposed Plan would not conflict with the CBC Energy Efficiency Standards, the CARB passenger vehicle GHG emission reduction targets for 2020 and 2040, or any other applicable energy

Mitigation Measure GHG-1.

Adoption of a Climate Action Plan by the Dixon City Council.

No later than 36 months following adoption of the Proposed Plan.

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Mitigation Monitoring and Reporting Program for the City of Dixon General Plan 2040

<i>Impact</i>	<i>Mitigation Measure</i>	<i>Method of Verification</i>	<i>Timing of Verification</i>	<i>Responsibility for Verification</i>	<i>Verification Complete Date / Initial</i>
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conservation regulations.

Geology, Soils, and Seismicity

3.7-5 Implementation of the Proposed Plan would not directly or indirectly destroy a unique paleontological resource or site or unique geologic feature.

GEO-1: Establish a procedure for the management of paleontological materials found on-site during a development, including the following provisions:

- If materials are found on-site during grading, require that work be halted until a qualified professional evaluates the find to determine if it represents a significant paleontological resource.
- If the resource is determined to be significant, the paleontologist shall supervise removal of the material and determine the most appropriate archival storage of the material.

Submittal of documentation demonstrating inclusion of requirements in construction contractor specifications.

Prior to issuance of a construction permit.

City of Dixon
Department of Community Development

Appropriate materials shall be prepared, catalogued, and archived at the applicant's expense and shall be retained within Solano County if feasible.

Transportation

3.13-2 Implementation of the Proposed Plan would conflict or be

Implementation of City-run fixed route transit service via

Not less than 24 months from adoption

Dixon City Engineer / Public Works

21 - 098

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Mitigation Monitoring and Reporting Program for the City of Dixon General Plan 2040

Impact	Mitigation Measure	Method of Verification	Timing of Verification	Responsibility for Verification	Verification Complete Date / Initial
inconsistent with CEQA Guidelines section 15064.3, subdivision (b).	Readi-Ride to/from school sites.	of the Proposed Plan.			
3.13-2 Implementation of the Proposed Plan would conflict or be inconsistent with CEQA Guidelines section 15064.3, subdivision (b).	TRANS-2: Implementation of Commute Travel Demand Management (TDM) program.	Adoption of an ordinance requiring employers with more than 100 employees to offer trip reduction incentives such as parking cash-outs, guaranteed-ride-home, taxi vouchers, and message boards/marketing materials. The ordinance shall also specify mandatory reporting requirements for employers.	Not less than 24 months from adoption of the Proposed Plan.	City of Dixon Department of Community Development	

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