

Resolution No.

STOCKTON CITY COUNCIL

RESOLUTION APPROVING A TENTATIVE CANCELLATION OF A WILLIAMSON ACT CONTRACT FOR A 43.66-ACRE PROPERTY LOCATED AT 4849 CAROLYN WESTON BOULEVARD ASSESSOR'S PARCEL NUMBERS 166-030-05

In 2021, TTLA Stockton-Asano LLC (hereafter "Applicant") applied to develop 211 single-family homes on a 43.66-acre property (APN 166-030-05) located at 4849 Carolyn Weston Boulevard within the Weston Ranch subdivision (P21-0999). As the site is currently under a Williamson Act (WA) contract, the Applicant requested to initiate the contract cancellation process to allow the subdivision to be approved and constructed; and

The proposed Project site is designated for Low-Density Residential and zoned for single-family housing. The General Plan Environmental Impact Report (EIR) anticipated the cancellation of the contract at the site to permit site development consistent with the envisioned residential land use. Removal of the WA contract would allow site development consistent with the General Plan and Housing Element; and

In 2022, the Applicant filed a Notice of Nonrenewal and Cancellation request concurrent with the subdivision application with the City; and

On January 25, 2024, project P21-0999 was approved by the City of Stockton Planning Commission with the WA contract cancellation as a condition of approval; and

On January 22, 2025, the San Joaquin County Assessor notified the Applicant the Williamson Act Cancellation Value of the subject property is \$6,555,854.00, and the cancellation fee is \$819,481.75; and

On March 21, 2025, a public notice for the subject application was published in the local newspaper in accordance with Stockton Municipal Code (SMC) Section 16.88.030; and

On April 1, 2025, the City Council conducted a public hearing on the application, in compliance with SMC Section 16.88.050(C)(3)(b), at which point all persons wishing to be heard were provided such opportunity; now, therefore,

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF STOCKTON, AS FOLLOW:

1. The foregoing recitals are true and correct and incorporated here by reference; and

2. Find no further environmental review is required per California Environmental Quality Act (CEQA) Guidelines section 15183 (consistency with the General Plan); and

3. Based on its review of the entire record herein, the City Council makes the following findings and approves a Certification of Tentative Approval of Cancellation of Land Conservation Contract No. 69-01-1098 (Exhibit 1).

Findings for Williamson Act Contract Cancellation (California Government Code Section 51282)

The cancellation is consistent with the purposes of the Williamson Act.

- 1) The cancellation is for land on which a Notice of Nonrenewal has been served pursuant to section 51245 of the Government Code.

Evidence: The landowner has served a Notice of Nonrenewal pursuant to section 51245 of the Government Code. The Notice of Nonrenewal was recorded on July 8, 2022, as Document Number 2022-085712 in San Joaquin County.

- 2) The cancellation is not likely to result in the removal of adjacent lands from agricultural use.

Evidence: The subject property is not adjacent to agricultural use, as it is bounded by existing single-family homes to the north and south, an elementary school site to the north, the San Joaquin River to the west, and a green space trail corridor to the east.

- 3) The cancellation is for an alternative use, which is consistent with the applicable provisions of the City of Stockton's General Plan.

Evidence: The cancellation is to facilitate an approved Tentative Subdivision Map to permit the construction of 212 single-family detached homes consistent with the General Plan land use designation of Low-Density Residential (LDR) and the zoning designation of Residential Low-Density (RL). The Williamson Action Cancellation was also anticipated in the City's General Plan Environmental Impact Report (EIR) to permit residential development of the site.

- 4) The cancellation will not result in disadvantageous patterns of urban development.

Evidence: The underlying infill project is in an area designated by the City for single-family development and surrounded by existing single-family homes and services that support those homes (i.e., schools, and trails).

- 5) There is no proximate non-contracted land that is both available and suitable for the use which is proposed the contracted land be put, or, development of the contracted land would provide more contiguous patterns of urban development of proximate non-contracted land.

Evidence: The proposed project is for a parcel of land that is surrounded by other existing single-family uses. There is no other proximate non-contracted land that is the required size of this parcel (±40-acres) and no other land that would provide a more contiguous pattern of urban development given that this is an infill residential project.

In addition, Stockton Municipal Code (SMC) 16.236.030.B.3 Cancellation of Williamson Act contract. Findings.

The Council grants the cancellation of the contract based on the findings identified in SMC subsection (B)(3)(a)(i) or (ii) and as described below:

- 1) For property on which a Notice of Nonrenewal has been served in compliance with State law (Government Code § 51245) and SMC Section 16.236.020 (Nonrenewal of Williamson Act contract);

Evidence: The landowner has served a Notice of Nonrenewal pursuant to section 51245 of the Government Code. The Notice of Nonrenewal was recorded on July 8, 20220, as Document Number 2022-085712 in San Joaquin County.

- 2) Not likely to result in the removal of adjoining lands from agricultural use;

Evidence: The project site and surrounding areas are designated for low density residential uses and non-agricultural businesses surround the project site. The nearest viable agricultural lands are approximately 0.75-miles from the proposed project site. The proposed project site is surrounded by existing single-family homes and services that support those homes (i.e., schools, and trails).

- 3) For an alternative use of land which is consistent with the general land uses, objectives, policies, and programs of the General Plan and any applicable specific plan;

Evidence: The cancellation has been applied for to facilitate a proposed Tentative Subdivision Map to intend to develop 212-units housing units consistent with the General Plan. Residential uses are a permitted use within the City of Stockton RL zone and will be consistent with the General Plan. The proposed project site is surrounded by existing single-family homes and services that support those homes (i.e., schools, and trails). The owner has indicated that agricultural uses are no longer viable at the site due to the surrounding non-agricultural uses that abut the project site.

- 4) Intended to ensure/maintain a contiguous pattern of urban development;

Evidence: The project site and surrounding areas are designated for residential uses and non-agricultural businesses surround the project site. The nearest viable agricultural lands are approximately 0.75-miles from the proposed project site. The proposed project site is surrounded by existing single-family homes and services that support those homes (i.e., schools, and trails).

- 5) In an area which has no noncontracted land available and suitable for the proposed use which is intended for the subject property, or development of the contracted land would provide for a more contiguous pattern of urban development than would development of the available noncontracted land; and

Evidence: The project site and surrounding areas are designated for residential uses and non-agricultural businesses surround the project site. The nearest viable agricultural lands are approximately 0.75-miles from the proposed project site. The proposed project site is surrounded by existing single-family homes and services that support those homes (i.e., schools, and trails).

- 6) In compliance with the provisions of this chapter.

Evidence: The proposed cancellation request is consistent with the provision of Title 16 (Development Code) of the City of Stockton's Municipal Code. Per SMC Section 16.236.020, the notice of nonrenewal was filed and the department of conservation and San Joaquin County have been notified. The City intends on bringing the cancellation before the Stockton City Council (Tentative and Final) before the end of the 2022 calendar year.

The cancellation is in the public interest. This finding can only be made if:

- 1) Other public considerations substantially outweigh the objectives of the Williamson Act; and

Evidence: The proposed residential use is consistent with the envisioned residential land uses for the area. These uses are intended to complement the City's growing residential areas, specifically the buildout of the Weston Ranch residential community that surrounds the project site.

- 2) There is no proximate noncontracted land in the area which is available and suitable for the proposed use which is intended for the subject property, or development of the contracted land would provide for a more contiguous pattern of urban development than would development of any proximate noncontracted land.

Evidence: The project site and surrounding areas are designated for residential uses and non-agricultural businesses surround the project site. The nearest viable agricultural lands are approximately 0.75-miles from the proposed project site. The proposed project site is surrounded by existing single-family homes and services that support those homes (i.e., schools, and trails).

PASSED, APPROVED, and ADOPTED April 1, 2025.

CHRISTINA FUGAZI
Mayor of the City of Stockton

ATTEST:

KATHERINE ROLAND, CMC, CPMC
City Clerk of the City of Stockton