



**CITY OF LODI
COUNCIL COMMUNICATION**

AGENDA TITLE: Set a Public Hearing to adopt a Resolution amending the San Joaquin County Multi-Species Habitat Conservation and Open Space Plan Development Fees.

MEETING DATE: January 23, 2007

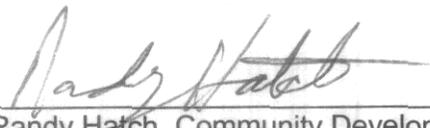
PREPARED BY: Community Development Department

RECOMMENDED ACTION: Set a Public Hearing for February 7, 2007 to adopt a Resolution amending the San Joaquin County Multi-Species Habitat conservation and Open Space Plan Development Fees.

BACKGROUND INFORMATION: On February 21, 2001 the City of Lodi adopted the San Joaquin County Multi-Species Habitat Conservation and Open Space Plan (SJMSCP). The Plan included a schedule of fees to be paid by land-owner who propose to develop their property with non-agricultural uses. These fees are used to mitigate the cumulative impacts of new development on habitat lands within Lodi and San Joaquin County. According to the San Joaquin Council of Governments (SJCOG), it is necessary for all jurisdictions covered by the Plan to approve the increase in Habitat Conservation Plan (HCP) fees in order for those jurisdictions to continue to participate in the Plan. SJCOG has prepared a SJMSCP fee study that provides the basis for the fee increase. The fee study and other related fiscal analysis material are available for the Council's review. SJCOG has determined that based on the fee study, a significant increase in the fee structure is necessary in order for the SJMSCP to fulfill it's obligation to purchase permanent habitat land to mitigate for the loss of existing habitat land to urban development. On November 30, 2006 the SJCOG Board unanimously approved the HCP fee increase. All local jurisdictions must now approve the new fee schedule that will take effect on April 1, 2007. Given that this development fee increase will not be effective until 60 days after adoption time is of the essence to set this public hearing and present the increase to the Council for adoption.

FISCAL IMPACT: With the adoption of this fee increase the fee per acre will be \$6,511.00 for Multi-Purpose Open Space land, \$13,022 for Natural and Agriculture land and between \$34,958.00 and \$69,858 for Vernal Pool land. The fees will be paid by those who develop property that is subject to the fees. No fiscal impact on the City.

FUNDING AVAILABLE: None required.


Randy Hatch, Community Development Director

RH/dm/kjc

APPROVED: 
Blair King, City Manager

PROOF OF PUBLICATION

(2015.5 C.C.C.P.)

STATE OF CALIFORNIA

County of San Joaquin

I am a citizen of the United States and a resident of the County aforesaid: I am over the age of eighteen years and not a party to or interested in the above entitled matter. I am the principal clerk of the printer of the Lodi News-Sentinel, a newspaper of general circulation, printed and published daily except Sundays and holidays, in the City of Lodi, California, County of San Joaquin and which newspaper had been adjudicated a newspaper of general circulation by the Superior Court, Department 3, of the County of San Joaquin, State of California, under the date of May 26th, 1953. Case Number 65990; that the notice of which the annexed is a printed copy (set in type not smaller than non-pareil) has been published in each regular and entire issue of said newspaper and not in any supplement thereto on the following dates to-wit:

January 27th,

all in the year 2007.

I certify (or declare) under the penalty of perjury that the foregoing is true and correct.

Dated at Lodi, California, this 27th day of January 2007.

Dave Rosales
Signature

This space is for the County Clerk's Filing Stamp

Proof of Publication

Notice of Public Hearing to Consider Adopting a Resolution Amending the San Joaquin County Multi-Species Habitat Conservation and Open Space Plan Development Fees

NOTICE OF PUBLIC HEARING

NOTICE IS HEREBY GIVEN that on Wednesday, February 7, 2007, at the hour of 7:00 p.m., or as soon thereafter as the matter may be heard, the City Council will conduct a public hearing at the Carnegie Forum, 305 West Pine Street, Lodi, to consider the following matter:

a) adopting a resolution amending the San Joaquin County Multi-Species Habitat Conservation and Open Space Plan development fees

Information regarding this item may be obtained in the Community Development Department, 221 West Pine Street, Lodi, (209) 333-6711. All interested persons are invited to present their views and comments on this matter. Written statements may be filed with the City Clerk, City Hall, 221 W. Pine Street, 2nd Floor, Lodi, 95240, at any time prior to the hearing scheduled herein, and oral statements may be made at said hearing.

If you challenge the subject matter in court, you may be limited to raising only those issues you or someone else raised at the public hearing described in this notice or in written correspondence delivered to the City Clerk, 221 West Pine Street, at or prior to the close of the public hearing.

By Order of the Lodi City Council:

Randi Johl
City Clerk
Dated: January 23, 2007
Approved as to form:

D. Stephen Schwabauer
City Attorney
January 27, 2007 - 05514236

5514236



*Please immediately confirm receipt
of this fax by calling 333-6702*

CITY OF LODI
P. O. BOX 3006
LODI, CALIFORNIA 95241-1910

ADVERTISING INSTRUCTIONS

SUBJECT: NOTICE OF PUBLIC HEARING TO CONSIDER ADOPTING A RESOLUTION
AMENDING THE SAN JOAQUIN COUNTY MULTI-SPECIES HABITAT
CONSERVATION AND OPEN SPACE PLAN DEVELOPMENT FEES

LEGAL AD

PUBLISH DATE: SATURDAY, JANUARY 27, 2007

TEAR SHEETS WANTED: Three (3) please

SEND AFFIDAVIT AND BILL TO: RANDI JOHL, CITY CLERK
City of Lodi
P.O. Box 3006
Lodi, CA 95241-1910

DATED: TUESDAY, JANUARY 23, 2007

ORDERED BY: RANDI JOHL
CITY CLERK

Jennifer M. Perrin
JENNIFER M. PERRIN, CMC
DEPUTY CITY CLERK

DANA R. CHAPMAN
ADMINISTRATIVE CLERK

Verify Appearance of this Legal in the Newspaper – Copy to File

LNS Faxed to the Sentinel at 369-1084 at 3:45p (time) on 1/23/07 (date) 2 (pages)
Phoned to confirm receipt of all pages at _____ (time) _____ JLT _____ DRC _____ JMP (initials)



DECLARATION OF POSTING

NOTICE OF PUBLIC HEARING TO CONSIDER ADOPTING A RESOLUTION AMENDING THE SAN JOAQUIN COUNTY MULTI-SPECIES HABITAT CONSERVATION AND OPEN SPACE PLAN DEVELOPMENT FEES

On Wednesday, January 24, 2007, in the City of Lodi, San Joaquin County, California, a Notice of Public Hearing to consider adopting a resolution amending the San Joaquin County Multi-Species Habitat Conservation and Open Space Plan Development Fees (attached and marked as Exhibit A) was posted at the following locations:

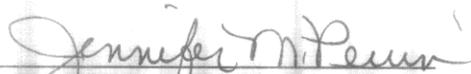
Lodi Public Library
Lodi City Clerk's Office
Lodi City Hall Lobby
Lodi Carnegie Forum

I declare under penalty of perjury that the foregoing is true and correct.

Executed on January 24, 2007, at Lodi, California.

ORDERED BY:

**RANDI JOHL
CITY CLERK**


JENNIFER M. PERRIN, CMC
DEPUTY CITY CLERK

DANA R. CHAPMAN
ADMINISTRATIVE CLERK



CITY OF LODI

Carnegie Forum
305 West Pine Street, Lodi

NOTICE OF PUBLIC HEARING

Date: February 7, 2007

Time: 7:00 p.m.

For information regarding this notice please contact:

Randi Johl

City Clerk

Telephone: (209) 333-6702

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Randi Johl
City Clerk

Dated: **January 23, 2007**

Approved as to form:

D. Stephen Schwabauer
City Attorney