



**CITY OF LODI
COUNCIL COMMUNICATION**

AGENDA TITLE: Conduct a Public Hearing to consider:

- a) Approval of an Initial Study/Negative Declaration for the City-initiated General Plan and Sphere of Influence Amendments to establish an Agriculture/Greenbelt area between Lodi and the City of Stockton.
- b) Approval of a City-initiated General Plan Amendment to establish a new Agriculture/Greenbelt General Plan designation, identify the 3½ square mile Agriculture/Greenbelt area on the General Plan Diagram, amend and establish goals, policies, and implementation programs to preserve the agriculture/greenbelt between Lodi and the City of Stockton; and
- c) Request that LAFCO amend Lodi's Sphere of Influence to include the Agriculture/Greenbelt area within the City's Sphere of Influence.

MEETING DATE: November 29, 2006

PREPARED BY: Lynette Dias and Jennifer Craven, Contract Planners, LSA Associates, Inc.
Randy Hatch, Community Development Director

RECOMMENDED ACTION: Conduct a Public Hearing to consider the following actions:

- a) Adopt the Initial Study/Negative Declaration as adequate CEQA analysis for City-initiated General Plan and Sphere of Influence Amendments to establish an Agriculture/Greenbelt plan area between Lodi and the City of Stockton; and
- b) Approve the City-initiated General Plan Amendment to establish a new Agriculture/Greenbelt General Plan designation, identify the 3½ square mile Agriculture/Greenbelt plan area as Agriculture/Greenbelt on the General Plan Land Use Diagram, establish Implementation Program LU-19, and amend 18 existing General Plan goals, policies, and implementation programs to clarify the City's intent to preserve the plan area as an agriculture/greenbelt community separator between Lodi and the City of Stockton; and
- c) Request that LAFCO amend Lodi's Sphere of Influence to include the 3½ square mile Agriculture/Greenbelt plan area within the City of Lodi Sphere of Influence.

BACKGROUND AND DISCUSSION: On March 29, 2006, Council directed staff to initiate General Plan and Sphere of Influence amendments to establish a greenbelt area on the General Plan Land Use Diagram directly south of the City's existing SOI boundary to be consistent with the underlying San Joaquin County General Agriculture designation for the area.

APPROVED: 
Blair King, City Manager

Plan Area Characteristics. The entire 3½ square mile plan area (equivalent to 2,280 acres) is currently located outside of Lodi's existing Sphere of Influence (SOI) (Attachment 1), as well as Stockton's existing and proposed SOI boundaries (Attachment 2). Only the area located north of Armstrong Road is currently included within the General Plan's planning area, designated as Planned Residential Reserve on the Land Use Diagram (Attachment 3). The majority of the plan area is designated General Agriculture (A/G) on the San Joaquin County General Plan Land Use Map (Attachment 4) and is zoned General Agriculture (AG-40; 40 acre minimum parcel size) on the San Joaquin County Zoning Districts Map (Attachment 5).

Agriculture/viticulture and related uses, livestock keeping/grazing, and rural residences are the dominate land uses in the plan area (Attachment 6). Other uses in the plan area include a portion of the Lodi Airstrip (west of Lower Sacramento Road), a mobile home park (adjacent to the S-curve in North West Lane), and the 258-acre Micke Grove Regional Park. The Woodbridge Irrigation District (WID) main canal transects the central portion of the plan area generally in a north-south direction, and Pixley Slough transects the southeast portion of the area generally in an east-west direction.

Description of Amendments. The City-initiated General Plan and Sphere of Influence (SOI) amendments would establish a 3½ square mile agriculture/greenbelt community separator area ("plan area") in unincorporated San Joaquin County between Lodi and the City of Stockton. The 3½ square mile (i.e., 2,280 acres) plan area is located south of Lodi's existing corporate boundary, extends ½ mile north of Armstrong Road to approximately ½ to ¾ mile south of Armstrong Road, approximately ¼ mile west of Lower Sacramento Road, and east to State Route 99 (Attachment 2).

The amendments include the following components:

- 1) New General Plan designation for the plan area, referred to as Agriculture/Greenbelt (Attachment 7);
- 2) New implementation program for the Agriculture/Greenbelt plan area (Attachment 7; Implementation Program LU-19);
- 3) Text revisions to 18 existing General Plan policies to clarify the City's intent to preserve the plan area as a community separator between Lodi and Stockton (Attachment 7);
- 4) Redesignation of an approximately 1½ square mile area north of Armstrong Road from Planned Residential Reserve (PRR) to Agriculture/Greenbelt on the General Plan Land Use Diagram (Attachment 8);
- 5) Designation of an approximately 2 square mile area located south of Armstrong Road as Agriculture/Greenbelt on the General Plan Land Use Diagram (Attachment 8); and
- 6) Request LAFCO to amend the City's SOI boundaries to add the 3½ square mile plan area clarifying the City's interest in long-range planning for the area (Attachments 2 and 9).

The proposed amendments would not result in any physical development. Instead, the City-initiated GPA and SOI amendment were formulated to ensure that preservation of existing commercial agriculture/viticulture crop production and operation, which establishes and provides the "agriculture/greenbelt" character and community separator of the plan area, is achieved. New and amended policies for the plan area (Attachment 7) are consistent with the existing agricultural/rural uses on large parcels with a minimum size of 40 acres, and allowed by the underlying San Joaquin County General Plan General Agricultural (A/G) land use designation for the area.

The City is not pursuing annexation of the plan area as a part of this project. As such, no change in existing service providers (ie. Sheriff, Woodbridge Fire District, individual wells, and septic systems) would result and, correspondingly, no analysis is provided speculating which services may eventually be provided by the City in the future if annexation of the plan area occurred.

Lodi 1991 General Plan. The foundation for the City-initiated amendments is provided by 21 existing General Plan goals, policies and implementation measures. These existing policies establish the

community's vision to retain the agricultural/rural area surrounding the City as a greenbelt. The following provides this policy framework by listing the General Plan Land Use and Growth Management (LU), Conservation (CON), and Parks, Recreation, and Open Space (PRO) Element greenbelt-related policies:

- *Policy LU-A.1:* The City shall seek to preserve Lodi's small-town and rural qualities.
- *Goal LU-B:* To preserve agricultural land surrounding Lodi and to discourage premature development of agricultural land with nonagricultural uses, while providing for urban needs.
- *Policy LU-B.1:* The City shall encourage the preservation of agricultural land surrounding the City.
- *Policy LU-B.2:* The City should designate a continuous open space greenbelt around the urbanized area of Lodi to maintain and enhance the agricultural economy.
- *Policy LU-B.3:* The City should cooperate with San Joaquin County and the San Joaquin County Local Agency Formation Commission (LAFCO) to ensure that the greenbelt is maintained.
- *Policy LU-B.4:* The City shall support the continuation of agricultural uses on lands designated for urban uses until urban development is imminent.
- *Policy LU-B.5:* The City shall promote land use decisions within the designated urbanized area that allow and encourage the continuation of viable agricultural activity around the City.
- *Policy LU-B.6:* The City shall encourage San Joaquin County to retain agricultural uses on lands adjacent to the City.
- *Policy LU-C.8:* The City shall identify a planned residential reserve designation for development of residential uses beyond the time frame of the GP. Until these areas are redesignated with a nonreserve GP designation, allowed uses and development standards shall be the same as those of the agricultural designation.
- *Implementation Program LU-1:* The City shall request the San Joaquin County LAFCO to adopt a sphere of influence for Lodi based on the long-term growth plans of the City as reflected in the GP goals and policies and proposed land uses.
- *Implementation Program LU-10:* The City shall coordinate with San Joaquin County and the City of Stockton to identify and designate an agricultural and open space greenbelt around the urbanized area of the City.
- *Implementation Program LU-11:* The City shall establish an ongoing process by which it will coordinate its planning with San Joaquin County and the City of Stockton to ensure consistency with their plans.
- *Goal CON-C:* To promote the economic viability of agriculture in and surrounding Lodi and to discourage the premature conversion of agricultural lands to nonagricultural uses, while providing for urban needs.
- *Policy CON-C.1:* The City shall ensure, in approving urban development near existing agricultural lands, that such development will not constrain agricultural practices or adversely affect the economic viability of adjacent agricultural practices.
- *Policy CON-C.2:* The City shall require new development to establish buffers between urban development and productive agricultural uses consistent with the recommendations of the San Joaquin County Department of Agriculture.
- *Policy CON-C.3:* The City shall adopt a "right-to-farm" ordinance for the purpose of protecting agricultural land from nuisance suits brought by surrounding landowners.
- *Policy CON-C.4:* The City shall support economic programs established by San Joaquin County for farm preservation.
- *Goal PRO-D:* To provide adequate land for open space as a framework for urban development and to meet the active and passive recreational needs of the community.
- *Policy PRO-D.1:* The City shall discourage the premature conversion of agricultural lands to urban uses.
- *Policy PRO-D.2:* The City shall protect lands designated agriculture on the GP Land Use Diagram from urban development.
- *Policy PRO-D.3:* The City should designate a continuous open space greenbelt around the urbanized area of Lodi to protect open space resources and preventing urban sprawl.

2x2x2 Greenbelt Committee. With a strong General Plan foundation, the City actively began the process to establish a greenbelt separator between Lodi and Stockton in the late 1990's. The process began with the creation of the Lower Lodi Agricultural Land Conservation Program with a grant from the Department of Conservation and Great Valley Center. Through this program, the 2x2x2 Greenbelt Committee was formed with two council member representatives from Lodi and Stockton, and two San Joaquin County Board of Supervisors. Regular 2x2x2 meetings ended in 2001, however the Committee reconvened for one meeting on October 24, 2005. At this meeting, representatives from all three agencies orally agreed that the area between Lodi and Stockton should remain in agriculture.

Community Separator/Greenbelt Task Force. Finding it prudent to keep Lodi's greenbelt effort moving forward, Council established the 19-member Lodi Community Separator/Greenbelt Task Force (Task Force) in December 2003 to:

"Explore and investigate the variety of models available, and as utilized in various cities, to accomplish the community separation/open space goal, and make a recommendation to the City Council for the option that works best for Lodi."

Persons selected to participate on the Task Force are representative of the local community, including residents, businesses, area landowners, the wine industry, agricultural/farming industry, and building industry.

The Task Force has worked diligently over the past few years to accomplish its goal, meeting over 20 times since December 2003. After receiving a number of presentations about greenbelt programs in other communities, the Task Force is now working on developing a Community Separator/Greenbelt Program for City Council consideration.

Preliminary Draft Program. A preliminary draft program was presented to the Task Force in 2004, and is outlined below.

Target Area – Program targets preservation of the area located east-to-west between Highway 99 and Interstate 5, and ½-mile north and south of Armstrong Road.

Continuation of Agricultural Uses – Provide for a program that allows a continuation of agricultural uses as currently provided in the San Joaquin County Zoning Ordinance. Additionally, allow the development of a limited number of houses, as follows:

- One credit (i.e., unit) per 10 acres of ownership pro-rated to actual parcel size upon program adoption;
- One credit, as above, in 20 years;
- Credits must be used within the target area;
- Maximum size of a new housing unit parcel is 1 acre or ½ acre (consensus on minimum size not yet reached);
- Revise the City's Right-to-Farm Ordinance as recommended by the farming community;
- Provide for limited public improvements that promote the rural setting;
- Annex the entire target area, and provide sewer and water service along Armstrong Road. Other services could be provided, as well;
- Property owners vote on the program.

To date, the Task Force has not reached consensus on any of the elements of this Draft Program.

Property Owners Proposal. In late-2004, owners of property within the Task Force's study area voiced their opposition to the preliminary draft program. In response, the Task Force requested that the property owners organize and develop a program that would be acceptable to them, as well as achieving the City's objective of establishing a greenbelt/community separator in the target area. In August 2006, the property owners presented the Task Force with a proposal to remain unincorporated, but to rezone the

area to Limited Agriculture (AL-5), which would allow limited agriculture uses on parcels that are as small as five acres.

Task Force Comments on City-initiated Amendments. On October 10, 2006, a community workshop was held with the Task Force to discuss the City-initiated amendments. Of the 19 Task Force members, seven attended and participated in the workshop along with 22 private citizens (the majority of which were property owners in the plan area).

Of the seven Task Force members in attendance, four stated the amendments were premature and should be folded into the comprehensive Citywide General Plan Update process. Two other Task Force members stated preservation of the south Lodi area as a community separator between Lodi and Stockton was important, but were unsure if the proposed General Plan language was appropriate. The remaining Task Force member in attendance was in favor of the proposed amendments. Similarly, the majority of the audience in attendance spoke unfavorably of the City-initiated SOI amendments, generally stating the timing was poor given the property owners willingness to work with the Task Force to develop a plan for the area that would achieve the City's community separator goal while allowing them the flexibility to subdivide their large parcels into five acre lots.

Public Comments on City-initiated Amendments. As described, at the October 10 Task Force community workshop, the majority of Task Force members and general public in attendance raised issues related to the merits of the amendments. A number of comment letters were also received on the proposed project opposing it for these same reasons (see Attachment 13, Exhibits A and B).

The majority of these comments focused on:

Amendments moving forward prematurely given the recent initiation of the Citywide General Plan update);

Property owners proposal to work with the Task Force to develop a plan for the area that evolved out of consensus building; and

Sentiment that the City was not responding to the property owners' desires who reside or own property within the plan area.

Planning Commission Comments on City-initiated Amendments: On November 8, 2006, the Planning Commission held a public hearing on the City-initiated amendments to consider their recommendation to Council on the following:

- 1) Proposed Initial Study/Negative Declaration (IS/ND);
- 2) General Plan text and map amendments to: establish the Agriculture/Greenbelt designation and Implementation Program LU-19; amend 18 existing goals, policies and implementation programs; and add the Agriculture/Greenbelt area to the General Plan Land Use Diagram; and
- 3) Request San Joaquin County LAFCO to amend the City's SOI to include the 3½ square mile plan area.

At this meeting the Commission heard: a staff report on these items; asked questions of staff; heard public testimony from 20 speakers, the majority of which opposed these items; closed the public hearing; deliberated on these items; and then a majority of the Commission recommended that Council approve all three items.

The Commission posed several questions to staff related to the following:

- Clarification of which agency has jurisdictional control over parcels within a SOI;
- City's ability to amend the SOI but retain the PRR designation north of Armstrong Road;

- Clarification of how Williamson Act Contracts are cancelled;
- Clarification of how the Task Force's efforts are affected by Implementation Program LU-19;
- Belief that the amendments are unjust because the landowners in the plan area are not represented by the Lodi Council;
- Need to preserve the agricultural area between Lodi and Stockton to keep the two communities separated and prevent urban sprawl;
- Need to see an "outline" of the property owners plan for the area before recommending on amendments;
- Need for landowner consensus before recommendation of amendments; and
- Sentiment that City-initiated amendments are good for Lodi.

Following its deliberation on the City-initiated amendments, the Commission did pass motions recommending that Council: (1) adopt the IS/ND (5:2 vote); and (2) approve the GPA, as well as request that LAFCO amend the City's SOI (4:3 vote). The Commission did not recommend any changes to the proposed IS/ND, General Plan text language or map changes, or SOI boundary change.

Stockton General Plan Update. During this same period, the City of Stockton initiated an update to its General Plan. In February 2005, Stockton released a draft Land Use Map depicting areas of future growth and land use change through year 2035. Of particular interest to Lodi was that Stockton's 2035 General Plan would allow urban development north of Eight Mile Road up to ½ mile south of Armstrong Road (depicted in light blue on Attachment 2).

Stockton's draft Land Use Map identifies the majority of the area north of Eight Mile Road up to ½ to ¾ miles south of Armstrong Road as "Village," which would allow residential development up to 29 units per acre with the approval of a specific plan. This Village area would be the northern limit of Stockton's urban service area and, therefore, would be included within its future Sphere of Influence (SOI). North of the Village area, up to Armstrong Road, the Stockton draft 2035 General Plan Land Use Map identifies the area as Open Space/Agriculture (OSA). The draft OSA designation would allow agricultural uses with a minimum parcel size of 40 acres, consistent with the underlying San Joaquin County General Agriculture designation and Lodi's proposed Agriculture/Greenbelt designation for the same area, and would keep the area under County jurisdiction.

Parcels Under Farmland Preservation Contracts. Approximately 24 parcels within the plan area are currently under Williamson Act or Farmland Security Zone contracts, as depicted in Attachment 11. These farmland preservation contracts were enacted by the State legislature to enable local governments to enter into contractual agreements with landowners to restrict their parcel to agricultural or open space uses in return for reduced property tax assessments.

The City-initiated amendments would ensure that these parcels could continue to operate as agricultural or open uses, thereby preventing urban development encroachment or the extension of public facilities and services intended to serve non-agricultural (that is, urban) uses.

ENVIRONMENTAL ANALYSIS: Staff prepared an Initial Study/Negative Declaration (IS/ND) for the proposed General Plan and SOI amendments in accordance with *CEQA Guidelines* Sections 15063 through 15073.

The IS/ND was circulated for a 22-day public review period beginning on October 9, 2006 and ending on October 30, 2006. The Notice of Intent to adopt a Negative Declaration and availability to review the Initial Study for this project was published in the Lodi-News Sentinel and Stockton Record, posted at City Hall and the Library, mailed to all public agencies and private organizations/persons effected by the proposed amendments, and mailed to property owners within the plan area and those within 300 feet of the plan area. Copies of the IS/ND were made available and forwarded to the Planning Commission and

City Council, as well as made available for public review at City Hall and at the Library, and was posted on the City's website.

Comments received on the Initial Study/Negative Declaration are provided and responded to in Attachment 13. None of the comments received on the Initial Study/Negative Declaration raised new environmental issues that would require the recirculation of the Initial Study/Negative Declaration. Attachment 13 also provides comment letters received expressing opposition to the City-initiated amendments that do not raise any environmental issues. The Planning Commission recommended Council adopt the IS/ND as adequate environmental analysis for the proposed amendments on November 8, 2006.

PUBLIC HEARING NOTICE: Public hearing notices were sent to all property owners of record within the plan area and within a 300-foot radius of the plan area, and persons who have expressed interest in the proposed project. Additionally, a newspaper notice of this hearing was published in the Lodi-News Sentinel on November 18, 2006 and was posted at all City posting sites on November 17, 2006.

FISCAL IMPACT: Council directed and authorized staff to use up to \$50,000 from the General Fund to process the City-initiated amendments.

FUNDING: Not applicable.

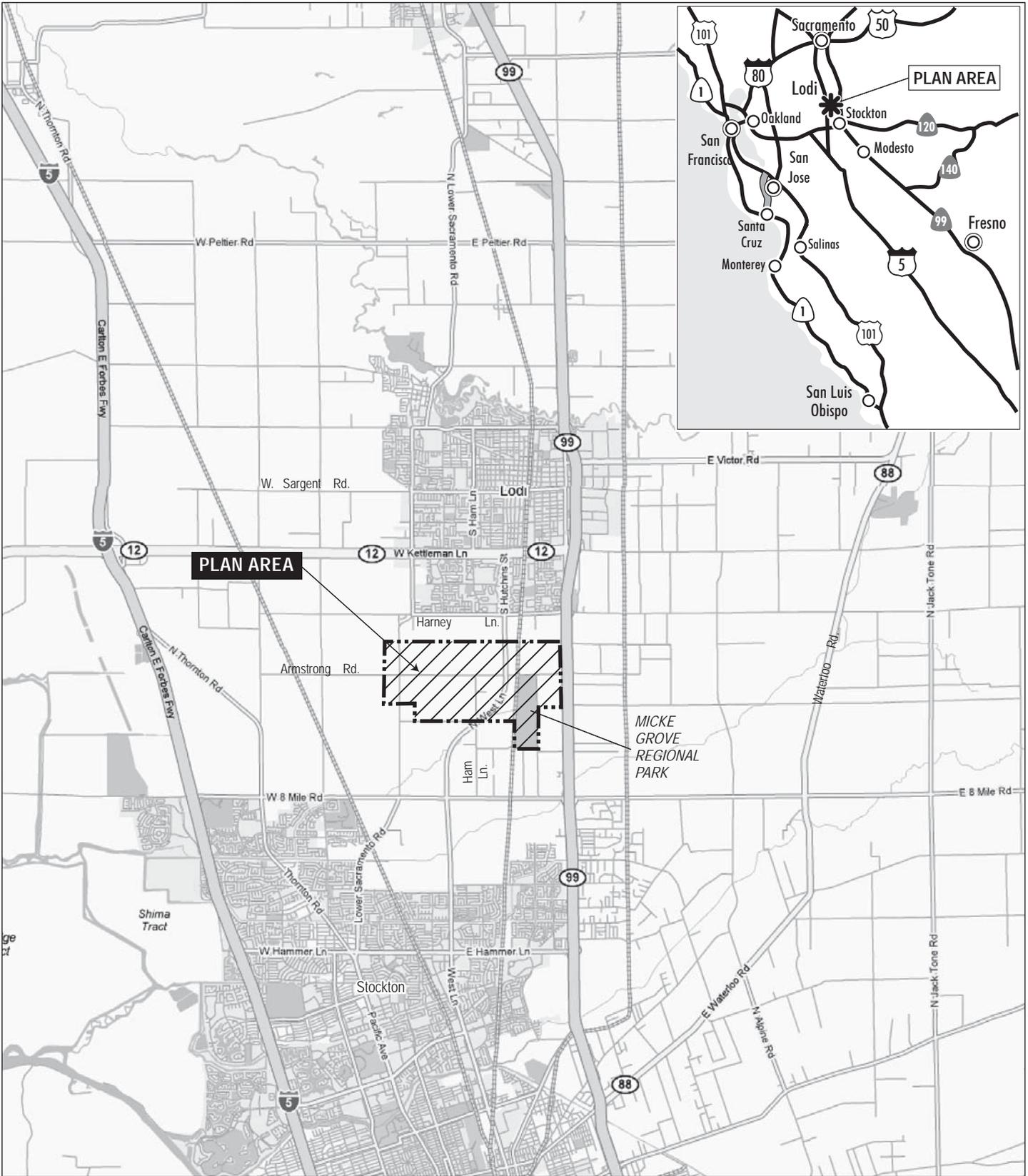

Randy Hatch
Community Development Director

RH/LSA/kjc

- Attachments:
1. Plan Area Vicinity and Regional Map Locations
 2. Proposed Amendments Map
 3. City of Lodi General Plan Designations and SOI Boundaries in Relation to Plan Area
 4. County of San Joaquin General Plan Land Use Designations in Plan Area
 5. County of San Joaquin Zoning Districts in Plan Area
 6. Aerial Photo of Plan Area
 7. Draft Agriculture/Greenbelt General Plan Text Amendments
 8. Proposed Lodi General Plan Agriculture/Greenbelt Plan Area and SOI Boundary Amendment
 9. Proposed SOI Amendment Plan Area
 10. Parcels Within and Around Plan Area Under Williamson Act and Farmland Securing Zone Contracts
 11. City Council Minutes from March 29, 2006 (see Item D-4, pages 7 and 8)
 12. Approved Planning Commission Resolutions No. PC 06-50 – PC 06-52
 13. Draft Negative Declaration Resolution No. CC 06-_____
 14. Draft General Plan Amendment Resolution No. CC 06-_____
 15. Draft Sphere of Influence Amendment Resolution No. PC 06-_____

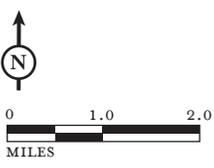
Attachments 1 -11

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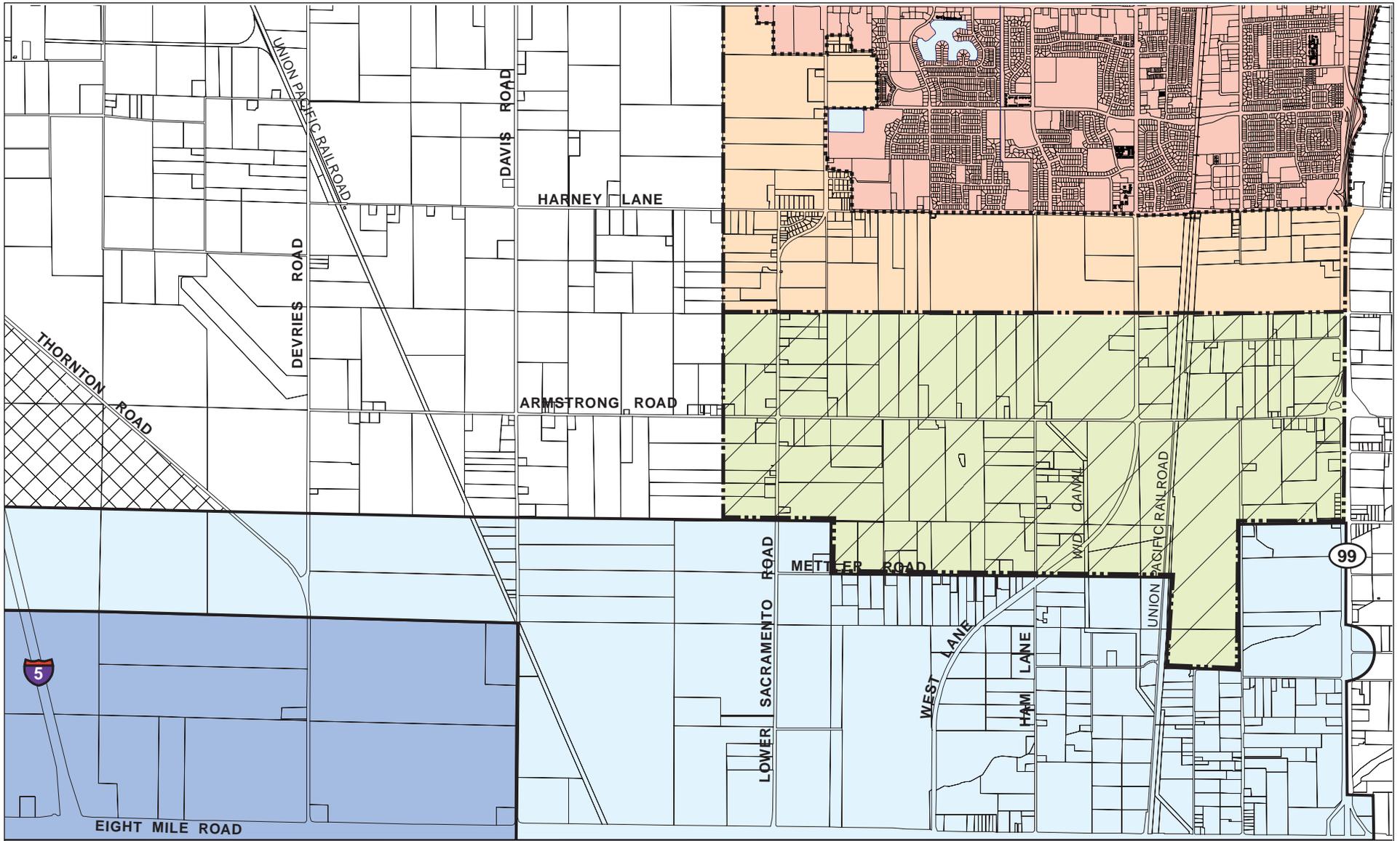
SOURCE: GOOGLE.COM; LSA ASSOCIATES, INC., 2006

ATTACHMENT 1



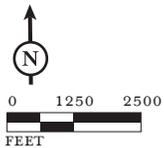
LEGEND
 PLAN AREA

*Lodi Ag/Greenbelt General Plan
 and Sphere of Influence Amendments
 Plan Area Vicinity and
 Regional Map Locations*



SOURCE: CITY OF LODI, 2006; SAN JOAQUIN COUNTY LAFCO, 2005

ATTACHMENT 2

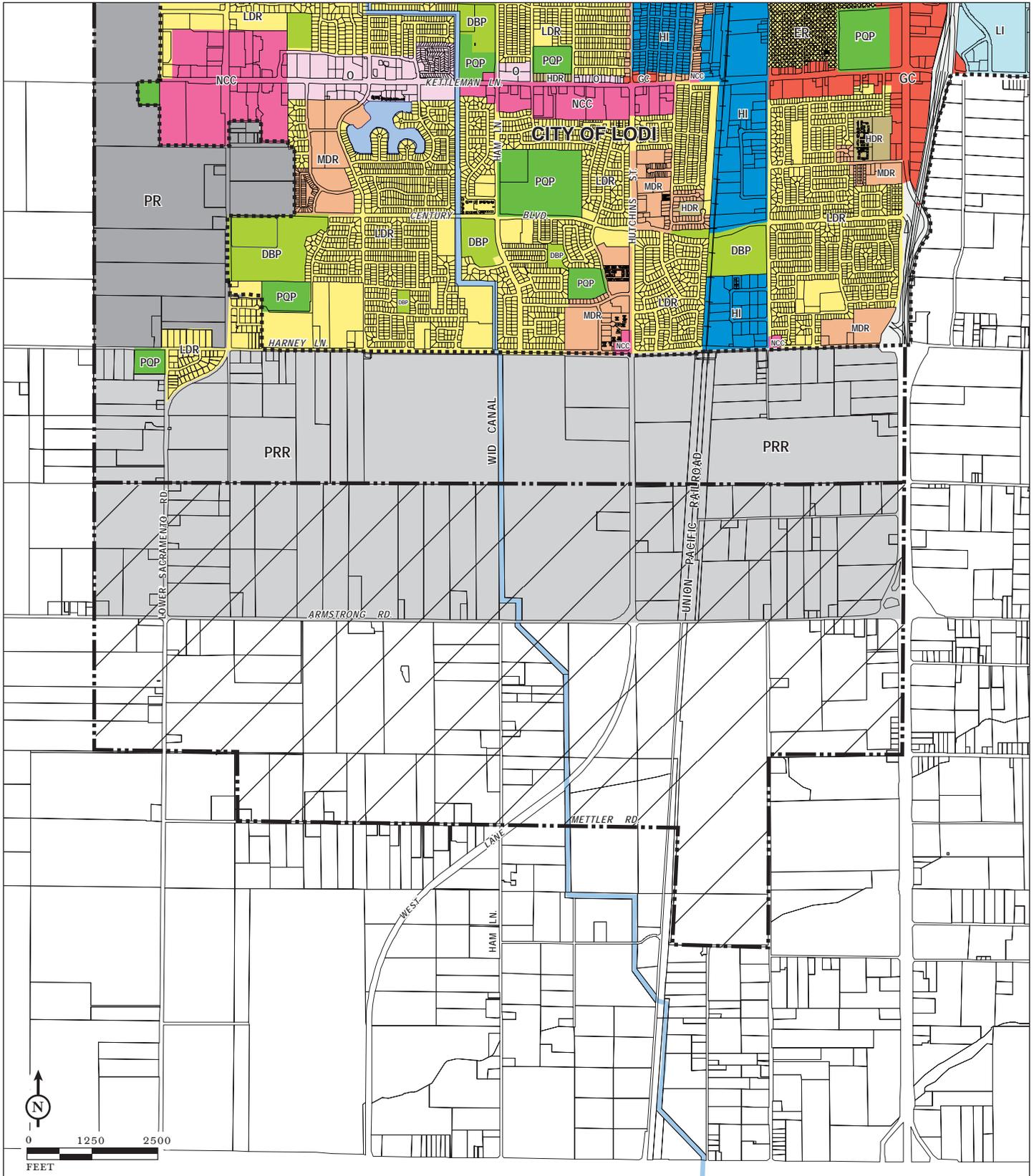


LEGEND

-  CITY OF LODI CORPORATE BOUNDARIES
-  EXISTING CITY OF LODI SPHERE OF INFLUENCE
-  CITY OF LODI WHITE SLOUGH WATER POLLUTION CONTROL FACILITY

-  CITY OF STOCKTON CURRENT SPHERE OF INFLUENCE
-  PROPOSED EXTENSION OF CITY OF STOCKTON SPHERE OF INFLUENCE
-  PROPOSED LODI GENERAL PLAN AG/GREENBELT DESIGNATION
-  PROPOSED AMENDMENT TO LODI SPHERE OF INFLUENCE

*Lodi Ag/Greenbelt General Plan
and Sphere of Influence Amendments
Proposed Amendments Map*



SOURCE: CITY OF LODI, 2006; SAN JOAQUIN LAFCO, 2005

ATTACHMENT 3

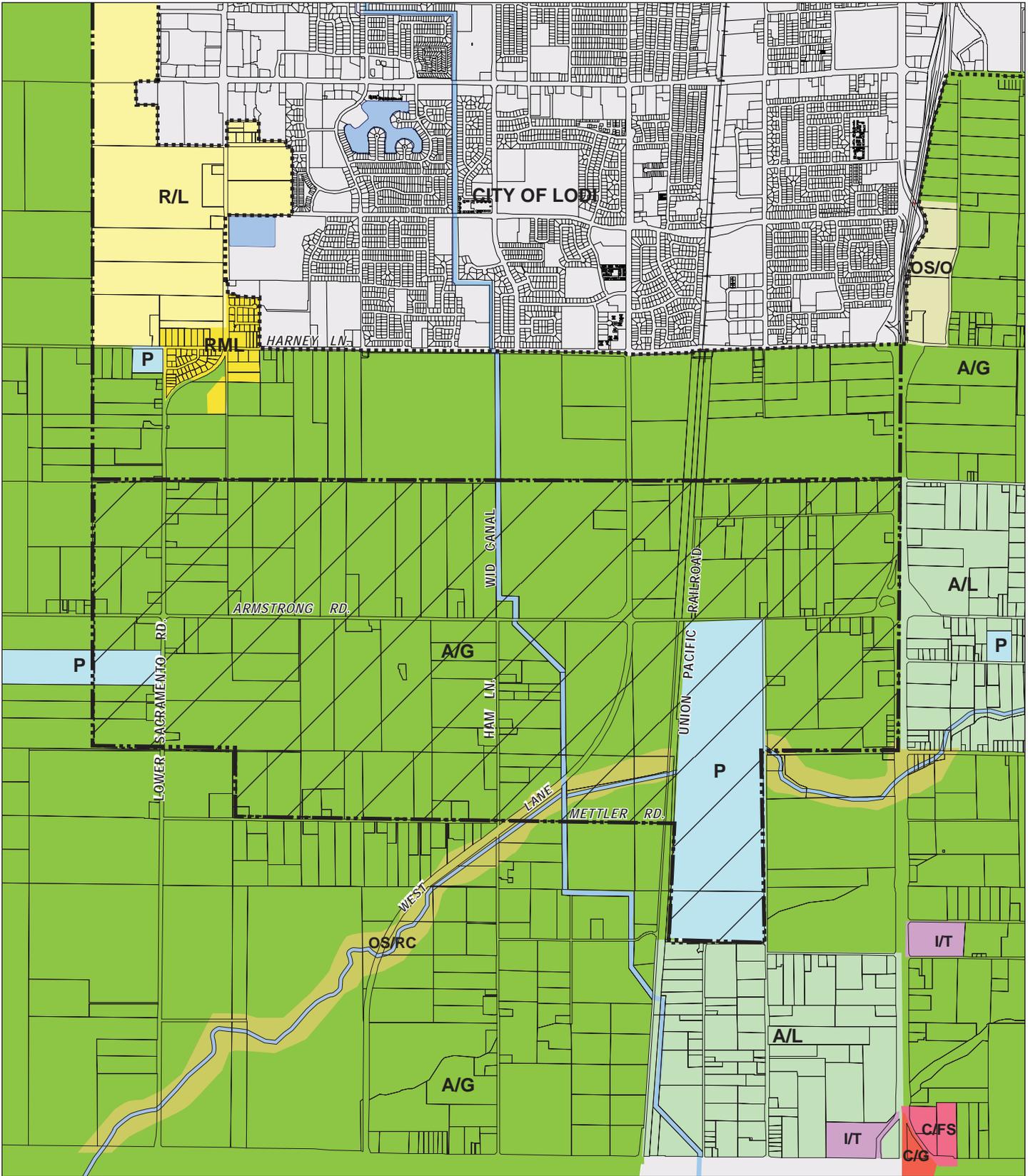
LEGEND

- LODI CITY LIMITS
- EXISTING LODI SPHERE OF INFLUENCE (SOI)
- AG/GREENBELT PLAN AREA AND PROPOSED SOI AMENDMENT

- EASTSIDE RESIDENTIAL (ER)
- LOW-DENSITY RESIDENTIAL (LDR)
- MEDIUM-DENSITY RESIDENTIAL (MDR)
- HIGH-DENSITY RESIDENTIAL (HDR)
- GENERAL COMMERCIAL (GC)
- NEIGHBORHOOD COMMUNITY COMMERCIAL (NCC)

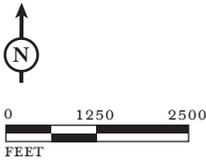
- OFFICE (O)
- HEAVY INDUSTRIAL (HI)
- LIGHT INDUSTRIAL (LI)
- PUBLIC-QUASI PUBLIC (PQP)
- DRAINAGE BASIN (DBP)
- PLANNED RESIDENTIAL (PR)
- PLANNED RESIDENTIAL RESERVE (PRR)
- WATER FEATURE/BODY

*Lodi Ag/Greenbelt General Plan
and Sphere of Influence Amendments*
City of Lodi General Plan
Designations and SOI Boundaries
In Relation to Plan Area



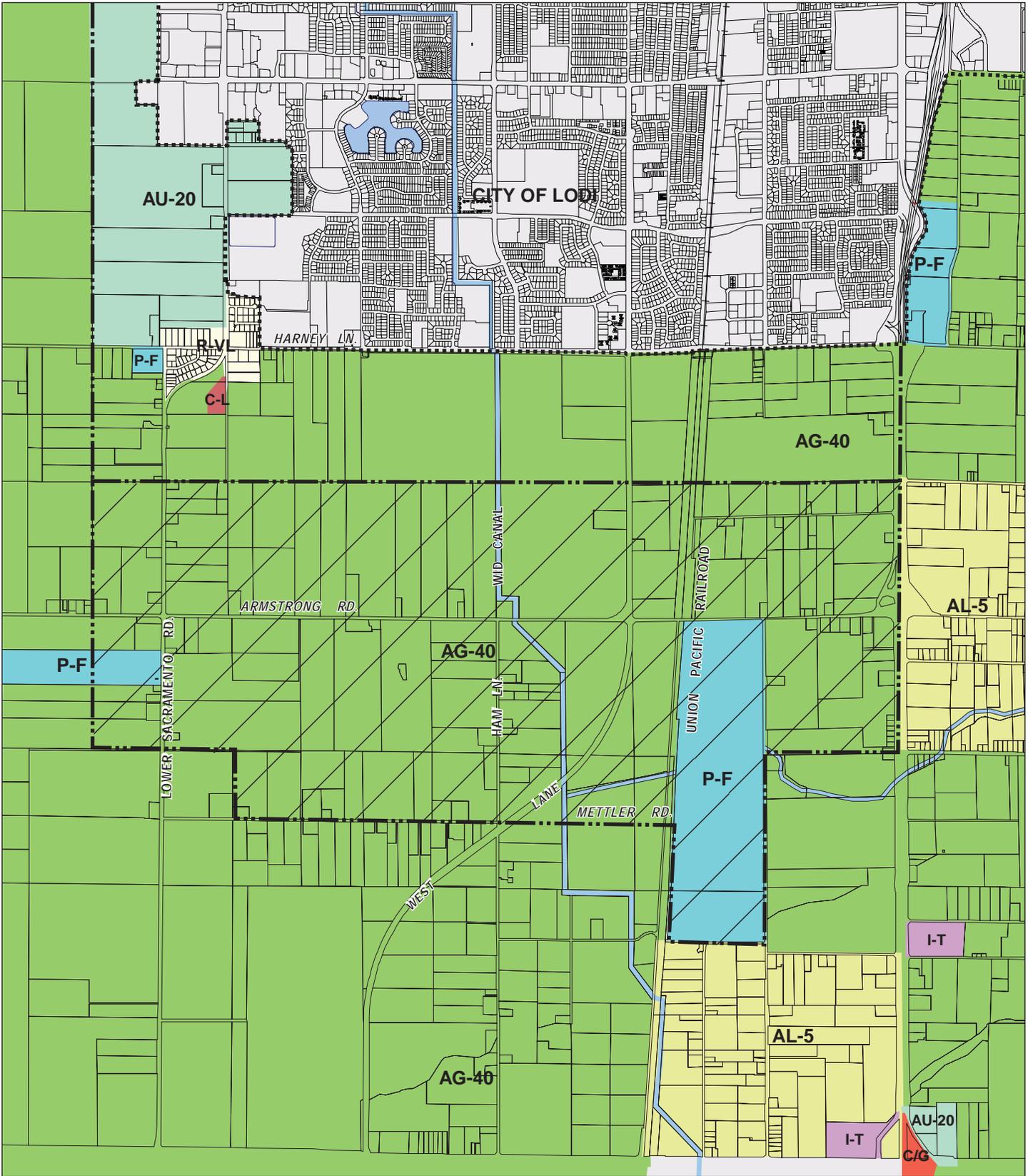
SOURCE: CITY OF LODI, 2006; SAN JOAQUIN LAFCO, 2005

ATTACHMENT 4



- LEGEND**
- LODI CITY LIMITS
 - EXISTING LODI SPHERE OF INFLUENCE (SOI)
 - AG/GREENBELT PLAN AREA AND PROPOSED SOI AMENDMENT
 - MEDIUM LOW-DENSITY RESIDENTIAL (RML)
 - LOW-DENSITY RESIDENTIAL (R/L)
 - GENERAL AGRICULTURE (AG)
 - PUBLIC (P)
 - RESOURCE CONSERVATION (OS/RC)
 - OPEN SPACE (OS/O)
 - LIMITED AGRICULTURE (A/L)
 - TRUCK TERMINAL (I/T)
 - GENERAL COMMERCIAL (C/G)
 - FREEWAY SERVICE (C/FS)
 - WATER FEATURE/BODY

Lodi Ag/Greenbelt General Plan and Sphere of Influence Amendments
 County of San Joaquin
 General Plan Land Use Designations in Plan Area

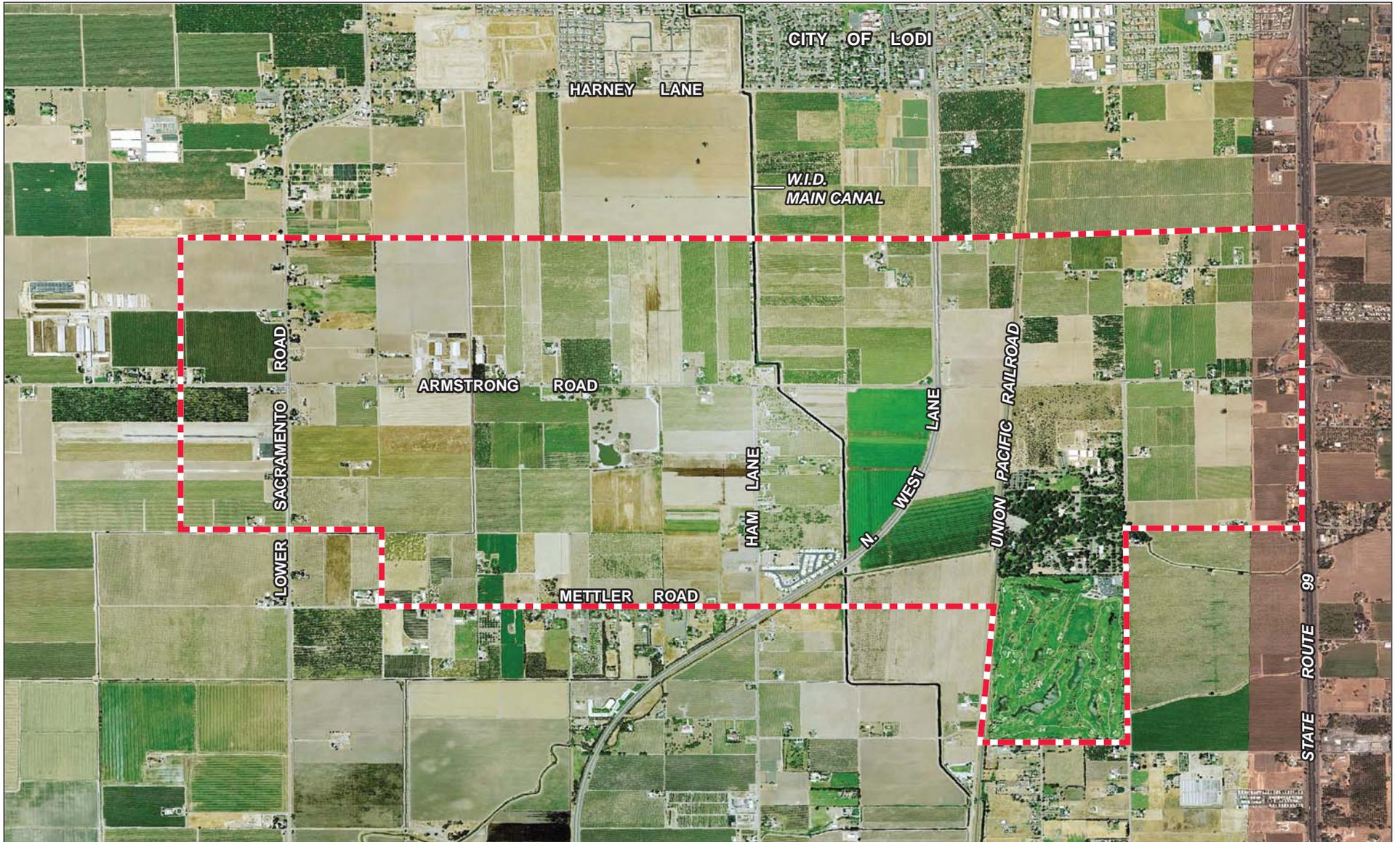


SOURCE: CITY OF LODI, 2006; SAN JOAQUIN LAFCO, 2005

ATTACHMENT 5

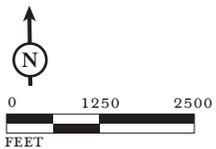
 	LEGEND	
	<ul style="list-style-type: none"> LODI CITY LIMITS EXISTING LODI SPHERE OF INFLUENCE (SOI) AG/GREENBELT PLAN AREA AND PROPOSED SOI AMENDMENT AGRICULTURAL URBAN RESERVE (A-U-20) VERY LOW-DENSITY RESIDENTIAL (R-VL) 	<ul style="list-style-type: none"> PUBLIC FACILITIES (P-F) LIMITED COMMERCIAL (C-L) GENERAL AGRICULTURE (AG-40) LIMITED AGRICULTURE (AL-5) TRUCK TERMINAL (I-T) GENERAL COMMERCIAL (C/G) WATER FEATURE/BODY

Lodi Ag/Greenbelt General Plan and Sphere of Influence Amendments
 County of San Joaquin
 Zoning Districts in Plan Area



SOURCE: GLOBEXPLORER; LSA ASSOCIATES, INC., 2006

ATTACHMENT 6



LEGEND



*Lodi Ag/Greenbelt General Plan
and Sphere of Influence Amendments
Aerial Photo of Plan Area*

The following provides General Plan text amendments by chapter and page number. Underlined text represents “new” General Plan language; text that is ~~struck-out~~ represents “removed” General Plan language; and no change is proposed for text that is neither underlined nor ~~struck-out~~.

General Plan Section 2: Land Use/Circulation Diagrams and Standards

Page 2-4

Agriculture/Greenbelt: This designation provides for the conservation and continued productive use of valuable agricultural (“ag”) lands surrounding Lodi’s urbanized area, ensures for a rural community separator between Lodi and the City of Stockton, and to serve as a visual amenity around urban development. In addition to agricultural and agricultural-related uses, single-family homes, parks, and open space uses could be located within the agriculture/greenbelt area. Because the City has established this area to retain low-intensity rural uses, the extension of municipal services (e.g., sewer, water, storm water) may not be provided. The minimum parcel size for the creation of new lots in this area is 40 acres, and only one residential unit per parcel is allowed. Comprised of approximately 2,280 acres, the ag/greenbelt area is located south of Lodi’s existing City limits and extends ½-mile north of Armstrong Road, approximately ½- to ¾-mile south of Armstrong Road, approximately ¼-mile west of Lower Sacramento Road to the west, and is bounded by State Route 99 to the east, as depicted on the Land Use Diagram. Residential uses in this designation are assumed to have an average of 2.75 persons per household.

General Plan Section 3: Land Use and Growth Management (LU) Element

Page 3-1

Agricultural Land: The agricultural land that surrounds Lodi is valuable not only because of its high quality and productivity, but also because of its scenic resource value to area residents. The City has long acknowledged the importance of retaining this valuable asset, ~~but also recognizes the need to balance the needs of urban growth with those of Lodi’s agriculturally based economy. This is a dilemma facing many Central Valley communities.~~

Page 3-4

Goal LU-A: To provide for orderly, well-planned, and balanced growth within the City’s established corporate boundaries and sphere of influence (SOI), consistent with the limits imposed by the City’s infrastructure and the City’s ability to assimilate new growth.

Policy LU-A.1: The City shall seek to preserve Lodi’s small-town and rural qualities, including the agricultural area surrounding Lodi that provides a community separator with adjacent communities.

Policy LU-A.3: The City shall ensure the maintenance of ample buffers between incompatible land uses, including urban and rural uses.

Goal LU-B: To preserve agricultural land surrounding Lodi, important to the City’s economy and small town character, and to ~~discourage premature development of~~ prevent conversion of valuable agricultural land with to nonagricultural, urban uses, while providing for some urban needs.

Page 3-5

- Policy LU-B.1: The City shall ~~encourage~~ ensure for the preservation of agricultural land surrounding the City.
- Policy LU-B.2: The City ~~should designate~~ shall establish a continuous ag/greenbelt around the urbanized area of Lodi to maintain and enhance the agricultural economy, as well as to provide a defined, physical edge between the community's urban and rural areas and with adjacent communities.
- Policy LU-B.3: The City should coordinate and cooperate with San Joaquin County, ~~and~~ the San Joaquin County Local Agency Formation Commission (LAFCO), and the City of Stockton to ensure that the agriculture/greenbelt community separator is established, maintained, and preserved.
- Policy LU-B.4: The City shall support the continuation of agricultural uses on lands designated for urban uses located within the City's corporate boundaries until urban development is imminent.

Page 3-10

- Implementation Program LU-1: The City shall request the San Joaquin County LAFCO to adopt a sphere of influence for Lodi based on the long-term growth plans of the City as reflected in the GP goals and policies and proposed land uses.
- Responsibility: City Council, Community Development Department
- Time Frame: ~~FY 1990-1994~~ Ongoing

Page 3-13

- Implementation Program LU-10: The City shall coordinate with San Joaquin County, San Joaquin County LAFCO, and the City of Stockton to identify and designate an agricultural ~~and open space~~ greenbelt around the urbanized area of the City. The priority area for establishment of the ag/greenbelt is the area located between Lodi and Stockton.
- Responsibility: City Council, Planning Commission, Community Development Department
- Time Frame: ~~FY 1991-1992~~ Ongoing

- Implementation Program LU-11: The City shall establish an agreement, such as a Memorandum of Understanding (MOU), with San Joaquin County to ensure that land use actions requiring discretionary approval proposed in unincorporated areas located within Lodi's sphere of influence would only be approved if found consistent with Lodi's vision for the area and would include City review and recommended action on the proposal. Discretionary land use actions proposed for the City's unincorporated SOI areas that are inconsistent with Lodi's vision for the area should be denied. As a part of this MOU, an ongoing process shall be established by which ~~the City and San Joaquin County~~ will cooperate and coordinate its land use planning processes with San Joaquin County and the City of Stockton to ensure consistency between each agency's with their plans for the area.
- Responsibility: City Council, Planning Commission, Community Development Department
- Time Frame: ~~FY 1991-1992~~ 2006-2007

Page 3-16

- Implementation Program LU-19: The City shall establish a program addressing the long-range preservation and development within agriculture/greenbelt areas. This program shall include, at a

minimum, a thorough planning process involving all interested stake-holders (including local farmers, residents and business owners within the City limits, study area, and surrounding community) that would result in the specific locations and intensities of land uses, circulation system, infrastructure, services, financing plan, as well as design guidelines and other implementation measures.

General Plan Section 7: Conservation (CON) Element

Page 7-4

Goal CON-C: To promote the economic viability of agriculture in and surrounding Lodi, and to ~~discourage the premature~~ prevent conversion of valuable agricultural lands located in and around the City's corporate boundaries to nonagricultural, urban uses, ~~while providing for urban needs.~~

Policy CON-C.1: The City shall ensure, in approving urban development near existing agricultural lands, that such urban development will not constrain agricultural practices or adversely affect the economic viability of adjacent agricultural practices.

General Plan Section 8: Parks, Recreation, and Open Space (PRO) Element

Page 8-3

Goal PRO-D: To provide adequate land for open space as a framework for urban development and to meet the active and passive recreational needs of the community, as well as to provide community separators between Lodi and adjacent communities.

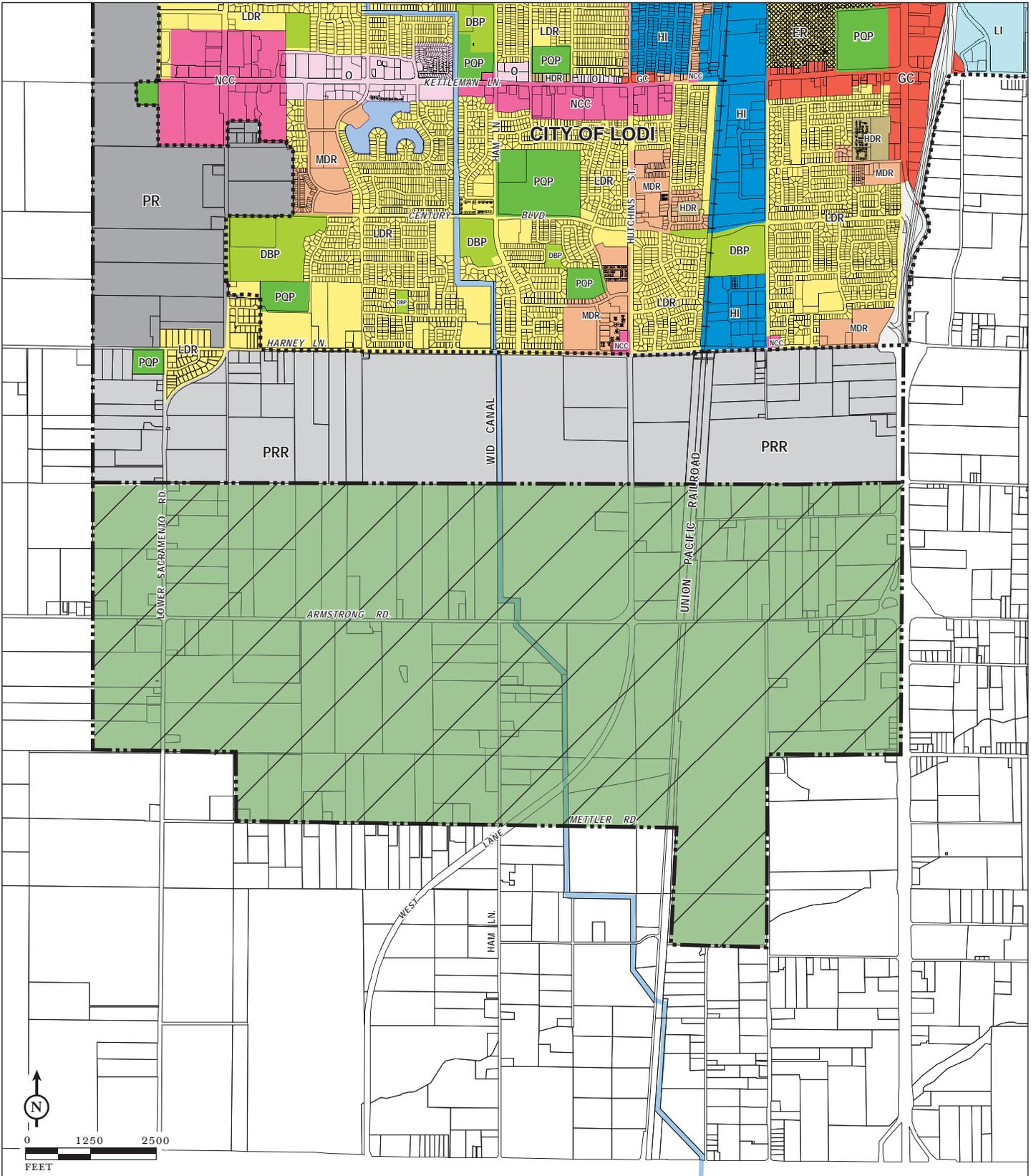
Policy PRO-D.1: The City shall ~~discourage the premature~~ prevent conversion of agricultural lands located outside the City's corporate boundaries and sphere of influence to urban uses.

Policy PRO-D.3: The City should designate a continuous ~~open space~~ agriculture/greenbelt around the urbanized area of Lodi to protect open space and agricultural resources, and ~~preventing~~ Lodi from contributing to urban sprawl across the rich agricultural soil of the San Joaquin Valley.

General Plan Section 10: Urban Design and Cultural Resources (UDC) Element

Page 10-2

Rural and Agricultural Lands: The City is surrounded on all sides by rural and agricultural lands and uses, forming agriculture/greenbelt areas that physically separate Lodi from adjacent communities, such as Stockton to the south. The character of the edges between rural and urban environments is important to the City's identity and provides residents on either side of the edge with a sense of place. These rural and agricultural lands surrounding Lodi constitute an important scenic resource that helps to visually define and enhance the City.



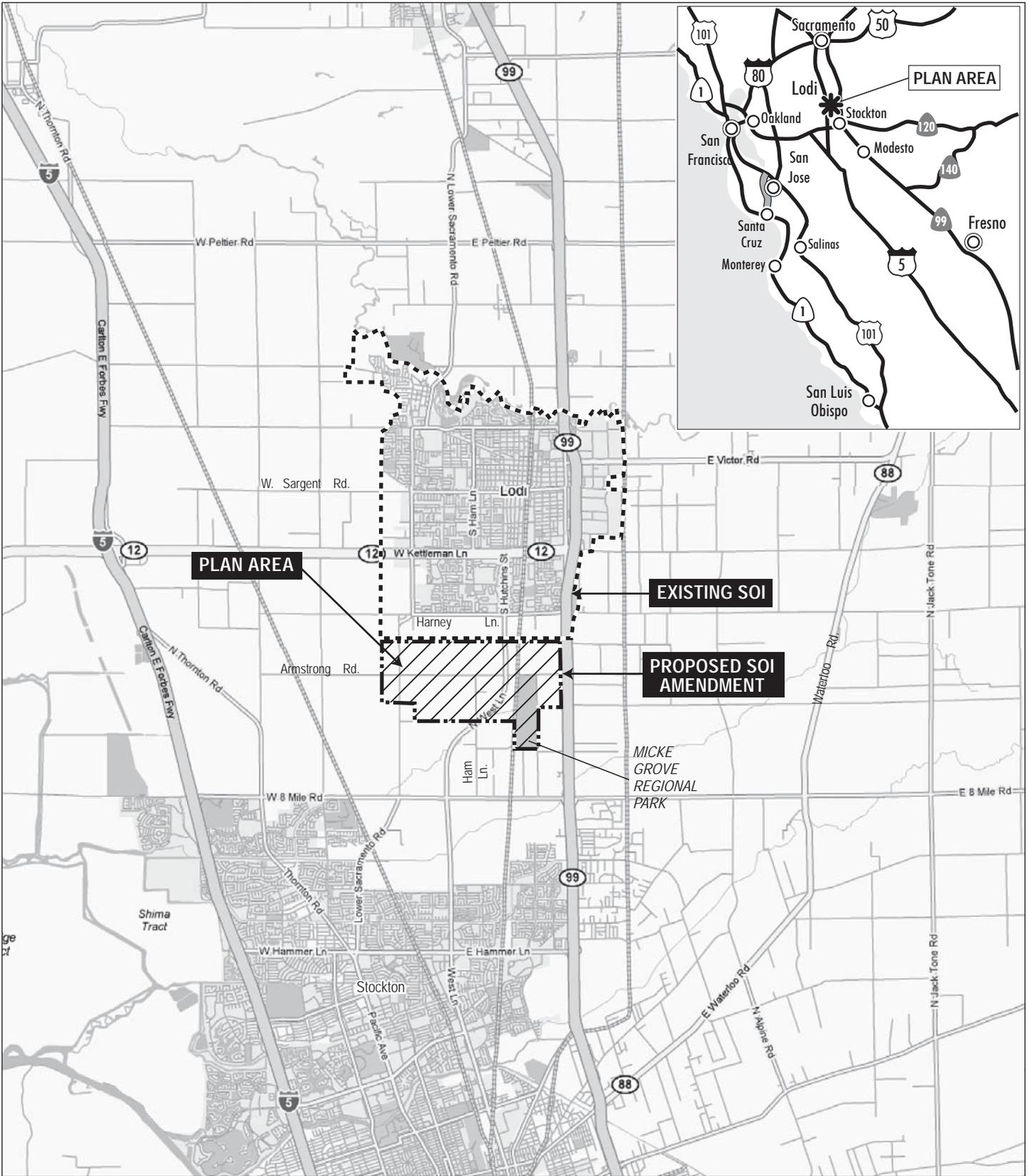
SOURCE: CITY OF LODI, 2006; SAN JOAQUIN LAFCO, 2005

ATTACHMENT 8

LEGEND

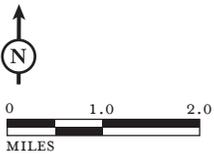
- LODI CITY LIMITS
- EXISTING LODI SPHERE OF INFLUENCE (SOI)
- PROPOSED AG/GREENBELT GENERAL PLAN DESIGNATION PLAN AREA AND SOI AMENDMENT
- OFFICE (O)
- HEAVY INDUSTRIAL (HI)
- LIGHT INDUSTRIAL (LI)
- PUBLIC-QUASI PUBLIC (PQP)
- DRAINAGE BASIN (DBP)
- PLANNED RESIDENTIAL (PR)
- PLANNED RESIDENTIAL RESERVE (PRR)
- WATER FEATURE/BODY
- EASTSIDE RESIDENTIAL (ER)
- LOW-DENSITY RESIDENTIAL (LDR)
- MEDIUM-DENSITY RESIDENTIAL (MDR)
- HIGH-DENSITY RESIDENTIAL (HDR)
- GENERAL COMMERCIAL (GC)
- NEIGHBORHOOD COMMUNITY COMMERCIAL (NCC)

*Lodi Ag/Greenbelt General Plan
 and Sphere of Influence Amendments*
**Proposed Lodi General Plan
 Agricultural Greenbelt
 Designation Plan Area and
 SOI Boundary Amendment**



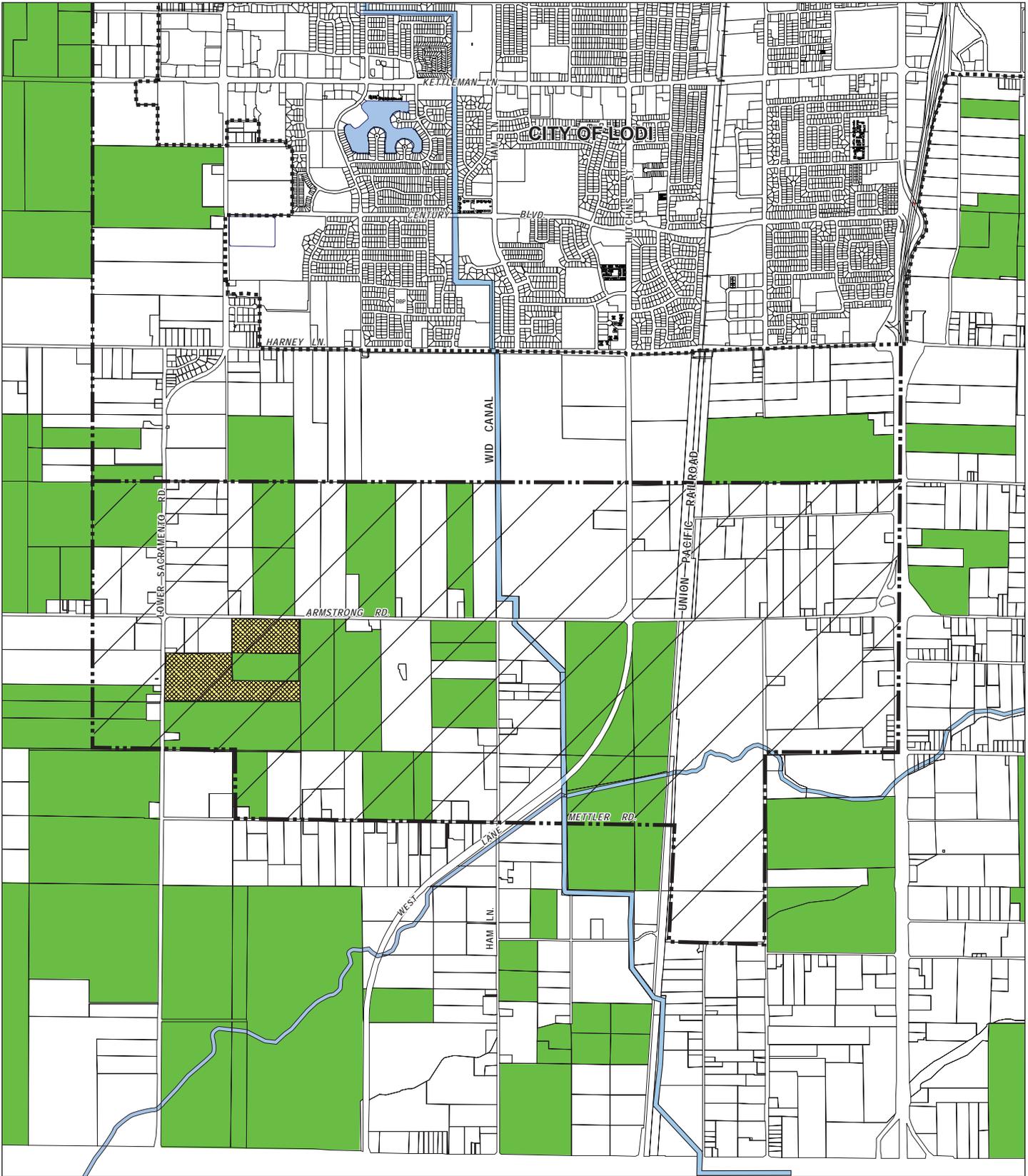
SOURCE: GOOGLE.COM; LSA ASSOCIATES, INC., 2006

ATTACHMENT 9



- LEGEND**
-  EXISTING SPHERE OF INFLUENCE (SOI) BOUNDARY
 -  PLAN AREA AND PROPOSED SOI AMENDMENT AREA

*Lodi Ag/Greenbelt General Plan
and Sphere of Influence Amendments*
Proposed SOI Amendment Plan Area



SOURCE: SAN JOAQUIN COUNTY, 2006

ATTACHMENT 10



- LEGEND**
- LODI CITY LIMITS
 - EXISTING LODI SPHERE OF INFLUENCE (SOI)
 - AG-GREENBELT PLAN AREA AND PROPOSED SOI AMENDMENT
 - FARMLAND SECURITY PARCELS ALSO UNDER WILLIAMSON ACT CONTRACT
 - WILLIAMSON ACT
 - WATER FEATURE, CANAL OR SLOUGH

Lodi Ag/Greenbelt General Plan and Sphere of Influence Amendments
 Parcels Within and Around Plan Area Under Williamson Act and Farmland Security Zone Contracts

LODI CITY COUNCIL
SPECIAL CITY COUNCIL MEETING
CARNEGIE FORUM, 305 WEST PINE STREET
WEDNESDAY, MARCH 29, 2006

A. CALL TO ORDER / ROLL CALL

The Special City Council meeting of March 29, 2006, was called to order by Mayor Hitchcock at 6:04 p.m.

Present: Council Members – Beckman, Hansen, Johnson, Mounce, and Mayor Hitchcock

Absent: Council Members – None

Also Present: City Manager King, City Attorney Schwabauer, and City Clerk Blackston

B. PUBLIC HEARINGS

B-1 Notice thereof having been published according to law, an affidavit of which publication is on file in the office of the City Clerk, Mayor Hitchcock called for the public hearing to consider adoption of resolution levying annual (2006) assessment for the Lodi Tourism and Business Improvement District (LTBID) and confirming the LTBID 2006 Annual Report (as approved by Council March 15, 2006).

NOTE: Due to a potential conflict of interest related to his spouse's employment with the Lodi Conference and Visitors Bureau, Council Member Beckman abstained from discussion and voting on this matter and vacated his seat at the dais at 6:05 p.m.

City Manager King recalled that Council heard on March 15 a presentation from Nancy Beckman representing the Lodi Tourism Business Improvement District on its proposed work plan and use of proceeds. Pursuant to the Streets and Highways Code, the Council had set a public hearing to receive comments on the proposed work plan and consider protests to the assessment.

In reply to Mayor Pro Tempore Johnson, Mr. King stated that the Lodi Conference and Visitors Bureau's proposal to gradually decrease reliance on City funding would be considered during upcoming budget discussions. He mentioned that there is also consideration being made about reinstating the economic development position in the City Manager's Office.

In answer to questions posed by Council Member Hansen, Nancy Beckman, Executive Director of the Lodi Conference and Visitors Bureau, reported that it has three full-time personnel: one director, one sales manager, and one assistant. Under the category of promotions are expenses related to press trips.

In response to Council Member Mounce, Ms. Beckman stated that to lose all City funding would mean laying off staff, promotions would be negatively effected, and tourism levels would decrease.

Hearing Opened to the Public

None.

Public Portion of Hearing Closed

City Clerk Blackston reported that no written protests to the assessment for the Lodi Tourism and Business Improvement District had been received.

MOTION / VOTE:

The City Council, on motion of Council Member Hansen, Johnson second, adopted Resolution No. 2006-46 confirming the 2006 Annual Report for the Lodi Tourism Business Improvement District and levy of assessment. The motion carried by the following vote:

Ayes: Council Members – Hansen, Johnson, Mounce, and Mayor Hitchcock

Noes: Council Members – None

Absent: Council Members – None

Abstain: Council Members – Beckman

NOTE: Mayor Beckman returned to the Council dais at 6:23 p.m.

NOTE: The following item was discussed and acted upon out of order.

D. REGULAR CALENDAR

D-8 "Authorize the City Manager to execute a lease agreement between the County of San Joaquin and the City of Lodi to relocate Lodi Superior Courtroom No. 1 to the new police building and an assignment agreement between the State of California Administrative Office of Courts (AOC), the County of San Joaquin, and the City of Lodi assigning the lease to the AOC after completion of construction"

City Manager King reported that the proposed lease agreement with the County of San Joaquin regarding Lodi Superior Courtroom No. 1 was for 15 years, plus one additional year. The County would continue to pay the operational provisions of the agreement of the current court space for a period of time to allow them to construct tenant improvements in the new court space at the new police building. It has been offered that the County could contract with the City for project management services; however, they would be charged the full cost. Upon completion of the tenant improvements, or a specific time, whichever occurred first, lease payments would begin at \$1.35 per square foot. In addition, there would be a triple net component where the City would also be paid for utilities, maintenance, and other services. The lease rate would increase 2.50% per year until it reached \$1.50 per square foot. In year six, an appraisal would be conducted and the market rate would be charged for the remainder of the lease period. The lease agreement would create a revenue stream over the first five years that would exceed \$619,000. Mr. King noted that the City is spending \$220,000 a year leasing space for the Finance Department. The relocation of the court would mean that the City would have the option of moving the Finance Department into City-owned property.

MOTION:

Mayor Pro Tempore Johnson made a motion, Beckman second, to authorize the City Manager to execute a lease agreement between the County of San Joaquin and the City of Lodi to relocate Lodi Superior Courtroom No. 1 to the new police building and an assignment agreement between the State of California Administrative Office of Courts (AOC), the County of San Joaquin, and the City of Lodi assigning the lease to the AOC after completion of construction.

DISCUSSION:

In reply to Council Member Hansen, Mr. King explained that during negotiations the State asked if the City would provide maintenance services. It was agreed that maintenance costs would be capped if the level of services could be reduced. The fee for maintenance included a cost of living adjustment factor. Mr. King stated that the agreement was structured in such a way that the State would pay for any maintenance increases that occur.

VOTE:

The above motion carried by a unanimous vote.

C. ADJOURN TO SPECIAL JOINT MEETING OF THE LODI CITY COUNCIL AND REDEVELOPMENT AGENCY

At 6:35 p.m., Mayor Hitchcock adjourned the special meeting of the City Council to a Special Joint meeting with the Redevelopment Agency (NOTE: Refer to the Special Joint meeting with the Redevelopment Agency minutes of March 29, 2006).

The Special City Council meeting reconvened at 7:14 p.m.

D. REGULAR CALENDAR

- D-1 "Provide direction with regard to a request from Council Member Mounce to declare 'Livable, Lovable Lodi' the official City motto"

Council Member Mounce mentioned that the Lodi News-Sentinel recently reported that the slogan "Livable, Lovable Lodi" was known to have been used as far back as the 1950s. She felt that with 2006 being the City's Centennial year it would be an appropriate time to adopt "Livable, Lovable Lodi" as the City's official motto.

Council Member Beckman suggested that the City, State, and National mottos all be displayed on the wall behind the Council dais.

Mayor Pro Tempore Johnson was opposed to the proposal as he felt the City had changed over the years and would continue to. Rather than reflect on the past, he suggested that consideration be made to the City's future. He recommended that the Arts Commission conduct a citywide contest to create an appropriate City slogan.

Council Member Hansen expressed support for Ms. Mounce's proposal.

Mayor Hitchcock also supported the proposal and felt it would be a good challenge and responsibility to maintain the City as "Livable, Loveable Lodi."

PUBLIC COMMENTS:

- Sara Heberle commented that she had lived in Lodi for 50 years and she encouraged Council to approve "Livable, Loveable Lodi" as the official City motto.

MOTION / VOTE:

The City Council, on motion of Council Member Mounce, Beckman second, adopted Resolution No. 2006-47 adopting "Livable, Lovable Lodi" as the official motto of the City of Lodi and directed the City Clerk to create a way to incorporate it into Lodi's Centennial celebration. The motion carried by the following vote:

Ayes: Council Members – Beckman, Hansen, Mounce, and Mayor Hitchcock

Noes: Council Members – Johnson

Absent: Council Members – None

RECESS

At 7:28 p.m., Mayor Hitchcock called for a recess, and the City Council meeting reconvened at 7:38 p.m.

D. REGULAR CALENDAR (Continued)

- D-2 "Provide direction with regard to a request from Council Member Mounce on whether to return with legal analysis of the proposal to display the National motto, 'In God We Trust,' in the Council Chamber"

City Attorney Schwabauer reported that the most recent Supreme Court ruling on the Establishment Clause involved the State of Texas's display of the Ten Commandments on its capitol grounds. The Court found that the display was constitutional; however, it drew seven different opinions.

Council Member Beckman recommended that the City Attorney conduct a legal analysis on a display that would include the City, State, and National mottos.

Council Member Mounce explained that Jacquie Sullivan, a Bakersfield Council Member, formed a nonprofit organization called "In God We Trust – America" whose mission is to encourage every city in California and across the United States to display the National motto in their Council Chambers. Ms. Mounce noted that 2006 is the 50th anniversary of the National Motto, which was adopted by Congress on July 30, 1956. Ms. Mounce asked that a plaque similar to the example in the staff report (filed) be displayed in the Carnegie Forum lobby and incorporated into the City's Centennial celebration.

PUBLIC COMMENTS:

- Robin Rushing pointed out that the United States was hunting for communists in the 1950s and adopted the National Motto, "In God We Trust," as a way to separate Americans from communists. He read California Constitution, Article 1, Section 4, "*Free exercise and enjoyment of religion without discrimination or preference are guaranteed. This liberty of conscience does not excuse acts that are licentious or inconsistent with the peace or safety of the State. The Legislature shall make no law respecting an establishment of religion.*" Mr. Rushing stated that in 2000 there were 2,467 hate crimes committed in California and 17% were religiously motivated. The proposal to display "In God We Trust" shows a preference to Christian religion. He contended that the liberty of conscience is an individual matter.
- Reuven Epstein stated that there are different versions of God and this fact should be taken into account during consideration of this matter.
- Ken Owen, Director of Christian Community Concerns, submitted a written statement (filed) and asked Council to help put a stop to the "erosion of citizen's national history and godly heritage" by adopting the proposal as presented by Ms. Mounce.
- Norman Walker stated that when references to God have been put into community documents it was during times of stress. Among the founding fathers there were men who did not believe in God. He asked how it was the City Council's right (because of each Member's personal belief) that all citizens must subscribe to their position. He asserted that this was not equal protection under the law. He admonished Council Member Mounce for believing in the "tyranny of the majority". He contended that the early writers of the Constitution wanted the separation of church and state.
- Sara Heberle mentioned that, for the past 50 years, the American Legion Auxiliary has had an Americanism essay contest and this year nearly 300 essays were submitted. She spoke in support of displaying the National motto.
- Arthur Price commented that "a person is known by the company he keeps." He asserted that religion in the United States is under attack.
- Timothy Kruppe voiced support for the proposal. He stated that the world is increasing in lawlessness and needs to get back on the right track.
- Reverend Dale Edwards questioned why the National motto is being debated. He reported that there were over 80 churches in Lodi and the overwhelming majority of the community believes "In God We Trust" and varying forms of it such as the Islamic and Buddhist communities and the multi-theistic concept of Hinduism. He stated that the concept of separation of church and state was an amended statement in a letter to a private citizen by Thomas Jefferson and was not a part of the foundation of the nation. Values and the moral basis of the country and communities have been eroded away. Prayer has been taken out of schools. He noted that it is not freedom "from" religion; it is freedom "of" religion.

- Pastor Tim Pollock emphasized that symbols have a far reaching effect. The point of the National motto, "In God We Trust," is to remember the historical centrality of God in the formation and future of the republic. He encouraged Council to display the National motto in every public building.
- William Harper stated that Lodians want to encourage people to look to their roots and to historical values.
- Scott Parr believed that if good people did not speak up, then evil would triumph. He felt that a minority has ruled the nation for too long and reported that there were 1% atheists and 96% of people who believed in God. He stated that the founding fathers left Europe to come to America so they would not have a state run church. They did not want to keep religion or God out of government; they wanted to keep government from regulating religion.
- Eunice Friederich thanked Council Member Mounce for bringing forward this request and encouraged Council to support it. She stated that while Thomas Jefferson was President he was also the head of the bible society and insisted that bibles be in public schools.
- Roger Gillstrom asked Council to consider the scientific proof that God exists today.
- Kathleen Decker Jones spoke in support of the proposal.
- John Whitted stated that the question to consider is not who is "God," but who is "we." Council is being asked to accept a statement with a "we" in it, which is the division that separation of church and state was set up to avoid. Council's job is not to "stop the erosion of our godly heritage"; it is to make laws and govern. This proposal puts Council in the position of supporting the good people against the bad people. He believed it was a disservice to God to tell him he is trusted; it is up to God to decide whether he is trusted or not.
- Ely Schofield, a student from Century Assembly Church, spoke in support of the proposal and pointed out that the National motto is not forcing anyone to believe; it asks if the followers want to trust.
- Bill Manley commented that the proposal is merely to honor what the National motto is.
- Bob Waline noted that, legally, it has already been proven that the National motto can be displayed.

City Attorney Schwabauer pointed out that the title to the item under consideration is whether or not to give the City Attorney direction to return with a legal analysis.

Council Member Mounce had hoped that the matter could be voted on tonight.

Council Member Beckman reported that the fourth verse of the national anthem written in 1814 includes the words "...and this be our motto, in God is our trust..."

MOTION #1:

Council Member Beckman made a motion, second by Mounce, directing staff to research the matter and return with a plan for a display of the City, State, and National mottos to be displayed above the Council dais.

DISCUSSION:

Mayor Hitchcock was comfortable with the concept of displaying the National motto in a government building. She did not see it as a religious issue and noted that there was a historical precedence. She was opposed to having a large display of all three mottos on the wall above the Council dais as described by Council Member Beckman.

Mayor Pro Tempore Johnson stated that he supported the National motto, though he was uncertain about the appropriateness of its placement in the Council Chamber.

Council Member Mounce explained that she had meant for this proposal to be in celebration of patriotism and the country's heritage. She preferred that a plaque similar to the example in the staff report (filed) be placed in the lobby of the Carnegie Forum with the statement, "On July 30, 1956, President Dwight D. Eisenhower signed a law declaring "In God We Trust" the official motto of the United States. Fifty years later, the City of Lodi officially recognizes the historical significance of our national motto in our country's affairs."

MOTION WITHDRAWN:

Council Member Mounce withdrew her second, and the motion **died** for lack of a second.

MOTION #2 / VOTE:

Council Member Mounce made a motion, Hitchcock second, to direct the City Attorney to return with legal analysis on the proposal to place the National motto, "In God We Trust," in the lobby of the Carnegie Forum.

DISCUSSION:

Council Member Hansen mentioned that if Lodi were to vote against the proposal, it would be the only city to do so. He pointed out that Lodi is in violation of a court decision about invocations at City Council meetings. Mr. Hansen recalled that when Council Member Beckman nominated the faith community to receive the 2006 Community Service Award, Mr. Hansen had mentioned to those in attendance at the awards ceremony that he listened to and appreciated the invocations. Mr. Hansen stated that he had struggled with the proposal under consideration, because it led him to further evaluate what the role of government was. He stated that it is not the role of government to tell people what to think, read, or view. As a celebration of history, he would support the proposal to display the National motto. It has been stated that if it is "reduced to a patriotic and historical reference" it makes it defensible, in all probability, in the courts of law. Mr. Hansen did not want the National motto displayed behind the Council dais, however, and stated that as a Council Member he had a responsibility to be open to all who wish to address the Council.

VOTE:

The above motion carried by the following vote:

Ayes: Council Members – Beckman, Hansen, Mounce, and Mayor Hitchcock

Noes: Council Members – Johnson

Absent: Council Members – None

RECESS

At 9:40 p.m., Mayor Hitchcock called for a recess, and the City Council meeting reconvened at 9:52 p.m.

D. REGULAR CALENDAR (Continued)

- D-3 "Provide direction with regard to a request by Council Member Beckman to schedule a town hall meeting to receive public comments concerning alternatives to pay for PCE/TCE remediation"

Council Member Beckman stated that the proponents of the water rate reduction initiative had originally requested a town hall meeting to discuss options to pay for the groundwater contamination cleanup. Mr. Beckman suggested that doing so might prevent the matter from proceeding to an election. Proponents indicated they would like the town hall meeting held at the Loel Center with a representative from the Chamber of Commerce to moderate and their concerns be documented and addressed during the meeting.

Mayor Pro Tempore Johnson did not believe that a town hall meeting would avoid a ballot initiative and that having a meeting now on the topic would accomplish nothing.

Council Member Hansen recalled that many public meetings on the topic were held and agreed with Mr. Johnson that another one would not stop the initiative process. He believed that the majority of the people in Lodi recognize that Council made the best of a "horrible" situation and that the water rate increase was not unreasonable and that is why the September 21, 2005 Proposition 218 written protest opportunity was not successful.

Mayor Hitchcock noted that when public meetings were held citizens were asked to offer other solutions; however, none were brought forward.

Council Member Mounce stated that if the initiative does qualify for the ballot, the City needs to educate its citizens so that they can make a decision based on correct information.

Mayor Pro Tempore Johnson agreed with Ms. Mounce and suggested that a coordinated effort be made to inform the public of the facts related to the matter.

MOTION / VOTE:

No Council action was taken on this matter.

D-4 "Provide direction with regard to a request by Council Member Beckman regarding amending the General Plan to include a greenbelt area"

Community Development Director Hatch reported that Stockton's general plan designates a green area as agriculture open space, not to be included with any development proposal. Stockton does not propose to go into the "green area" with its sphere of influence.

Council Member Beckman recommended that Lodi designate a half mile south of Harney Lane to a half mile north of Armstrong Road as agriculture open space and amend the general plan to include a half mile south of Harney Lane as the extent of the City's sphere of influence.

Mayor Hitchcock felt that, in an effort to maintain control over the area, it would be wiser to put the area in Lodi's sphere of influence and designate it as a greenbelt area with the City's general plan.

Mr. Hatch concurred with Ms. Hitchcock and suggested that this would be an opportune time for Lodi to look south of its current general plan. He recommended Council consider putting the area in the City's sphere of influence as agriculture, not for development purposes. Mr. Hatch reported that he had spoken to the Executive Director of the Local Area Formation Commission (LAFCO) who was supportive that Lodi include in its sphere of influence, land that the City had no intention of developing to support the existing uses in the area.

In reply to Council Member Hansen, Mr. Hatch confirmed that the City cannot annex land without the consent/vote of the property owners. He reiterated his proposal to designate land currently shown as residential reserve and designate it as agriculture open

space/greenbelt. This would change the current holding designation and go further south to incorporate additional land as part of Lodi's general plan. Staff is not proposing any changes to the land use that presently exists.

Council Member Hansen asked if this proposal would prohibit development south of Harney Lane, to which Mr. Hatch replied that there would be full opportunities for development from a half mile south of Harney Lane. The change proposed would be the following half mile to Armstrong Road.

City Manager King mentioned that this proposal does not resolve the issue of transferable development rights.

Mayor Pro Tempore Johnson stated that he spoke with an individual who said that such a proposal could constitute an illegal taking of the property of the people in the new sphere of influence.

Mr. Hatch explained that it would not because the property owners have rights that exist under their current county zoning. He reiterated that there would be no change to their current zoning. The designation of a sphere of influence does not in any way remove any of the rights the property owners have.

PUBLIC COMMENTS:

- Burt Castelanelli stated that he owned property in the area under consideration. He was opposed to the proposal as he believed it would restrict his ability to sell for a developmental price and continued farming would be difficult because of nearby residential property. He felt Council should wait to receive the plan from the property owners associated with the Greenbelt Task Force.

Mr. Hatch explained that development of any current agricultural property is predicated upon the ability to get sewer, water, and other City services. That is the only time development rights are added to a property, i.e. when it is annexed and zoned for development.

- Pat Patrick, Executive Director of the Lodi Chamber of Commerce, urged Council to consider general plan amendment proposals from an economic point of view. The ideas the Chamber has brought forward have been a partnership between the Lodi agricultural community and Lodi urban interests. Mr. Patrick reported that LAFCO is interested in preserving agricultural space. The concept of merging Lodi urban and agricultural together and being financially linked satisfies different parties of shared economic interest. Action needs to take place to preserve the orchards and vineyards around Lodi to insulate it from the "sameness" from the north and south. Mr. Patrick stated that in doing so it would make Lodi more attractive to tourists.

MOTION / VOTE:

The City Council, on motion of Mayor Pro Tempore Johnson, Mounce second, unanimously directed staff to bring back a proposal to Council that would amend Lodi's General Plan to expand its sphere of influence to include an area one half mile south of Harney Lane down to one half mile south of Armstrong Road (including the area adjacent to the Micke Grove property) and change the "Residential Urban Reserve" designation to "AG-40 Open Space/Greenbelt."

VOTE TO CONTINUE WITH THE REMAINDER OF THE MEETING

The City Council, on motion of Council Member Beckman, Mounce second, unanimously voted to continue with the remainder of the meeting following the 11:00 p.m. hour.

D. REGULAR CALENDAR (Continued)

- D-5 "Provide direction with regard to a request by Mayor Pro Tempore Johnson to discuss the future use of the maintenance shop at Hutchins Street Square and its possible use as a Hospice facility"

Mayor Pro Tempore Johnson had recently read in the Hutchins Street Square Foundation minutes that there was consideration being made to convert the maintenance shop into a Hospice facility. He felt it should be discussed by Council before proceeding further.

Council Member Beckman stated that the Foundation minutes are provided to Council as a courtesy. The Foundation is a separate entity apart from the City and it has the freedom to spend time and resources studying concepts as it wishes. When an idea develops to the point Council needs to be informed or take action, it would be scheduled on an agenda.

PUBLIC COMMENTS:

- Charlene Lange stated that several studies have been undertaken for various uses of the auto shop, as the Foundation would like to finish out the southwest corner of the Hutchins Street Square project. Money for the studies came from the Foundation. If a project appeared feasible, the Foundation would bring it to Council. She felt that the discussion tonight was premature, as it is only an idea at this point. No staff time is being utilized on the project idea.

Mayor Hitchcock saw the Foundation as a fundraising Board that supported the Director in promoting and developing the Square. She felt that a close link should be in place between the Board and the Director.

City Attorney Schwabauer confirmed that the Hutchins Street Square Foundation is an independent 501(c)(3) nonprofit group that can choose its own agenda.

Steve Baker, Interim Community Center Director, reported that the cost for a part-time City employee who assists the Board is reimbursed to the City by the Foundation.

- John Ledbetter, Chairman of the Foundation, stated that its commitment is to be helpful and the Foundation's history is that it has always worked with Council and staff. He agreed that this discussion was premature at this point and stated that when a plan is developed the Council would be informed.
- Dennis Bennett stated that the Foundation Board members are visionaries who have been able to promote the Square and raise millions of dollars. Its Board has run the Foundation impeccably for 25 years. He believed the Foundation was successful because it "kept City Hall out of Hutchins Street Square." The Foundation has never spent money without prior approval from Council, nor does it have the authority to obligate money.

MOTION / VOTE:

There was no Council action taken on this matter.

- D-6 "Provide direction with regard to a request from Mayor Pro Tempore Johnson for a Council-sponsored quarter-cent sales tax increase to pay for public safety and/or open space acquisition"

Mayor Pro Tempore Johnson stated that a significant portion of the City's general fund is spent on public safety and he suggested that Council consider a sales tax increase to maintain the current funding toward Police and Fire services, which would free up money for other departments.

Council Member Hansen was opposed to a Council sponsored sales tax measure for the November 2006 election because Measure K (half-cent sales tax dedicated to transportation) and the citizens Fire & Facilities Sales Tax initiative would be on the ballot. When there are multiple tax increase requests on ballots, the tendency is for people to vote no on all of them. He suggested that the 2008 election be targeted for Mr. Johnson's proposal, which would allow time to develop a good plan to promote it.

Council Member Mounce agreed with Mr. Hansen's comments. She preferred that the sales tax increase also be for the purpose of preserving open space.

Council Member Beckman also agreed the proposal would be worth considering, but not for the November 2006 election.

Mayor Hitchcock stated that if she were ever to support a sales tax increase it would have to be for something very important that would have a far reaching, generational type impact, such as a greenbelt. She felt the discussion was premature at this point because the Greenbelt Task Force had not yet formulated its plan for the greenbelt.

City Manager King stated that he would inform Council of when the next League of California Cities workshop is held on the topic of city participation in ballot measure campaigns.

MOTION / VOTE:

There was no Council action taken on this matter.

- D-7 "Provide direction with regard to a request from Mayor Hitchcock regarding coordination of requests by Council Members to place items on the agenda"

Mayor Hitchcock favored conducting special meetings in months with five Wednesdays to consider special requests of Council Members, as was done tonight.

Council Member Beckman voiced support for option one as provided on the blue sheet (filed), i.e. reviewing the "Pending Council Requests" report that is prepared by the City Clerk at Shirtsleeve Sessions and deciding on the disposition of each matter at that time. Items could then be scheduled for regular meetings as time permits. He also favored speaker time limits as a way of making meetings more efficient.

Council Member Mounce preferred that Council requests to place items on the agenda be scheduled for regular meetings. She felt it was important that citizens be allowed a full opportunity to speak and be heard.

Mayor Pro Tempore Johnson felt that Council meetings should be expedited and that Council Members, public, and staff could speak more succinctly. He favored speaker time limits of three minutes, and felt that if the public was aware of the limitation in advance they would compose their thoughts accordingly and be prepared. He felt that any Member of Council should be able to place an item on the agenda. He complained of routine equipment problems causing delays and lack of knowledge by staff in using computer software. He suggested that the number of, and comments, under the heading of presentations/proclamations be limited.

Council Member Hansen defended the right of any Council Member to request an item be agendaized and discussed.

Mayor Hitchcock summarized that Council Members should be judicious about adding items to the agenda, that the Pending Council Requests reports be reviewed during Shirtsleeve Sessions, and that Council requested items be scheduled on regular meeting agendas if possible, otherwise a special meeting on fifth Wednesdays of the month would be held.

MOTION / VOTE:

There was no Council action taken on this matter.

Continued March 29, 2006

E. ADJOURNMENT

There being no further business to come before the City Council, the meeting was adjourned at 12:18 a.m., Thursday, March 30, 2006.

ATTEST:

Susan J. Blackston
City Clerk

Attachment 12

Planning Commission Resolutions

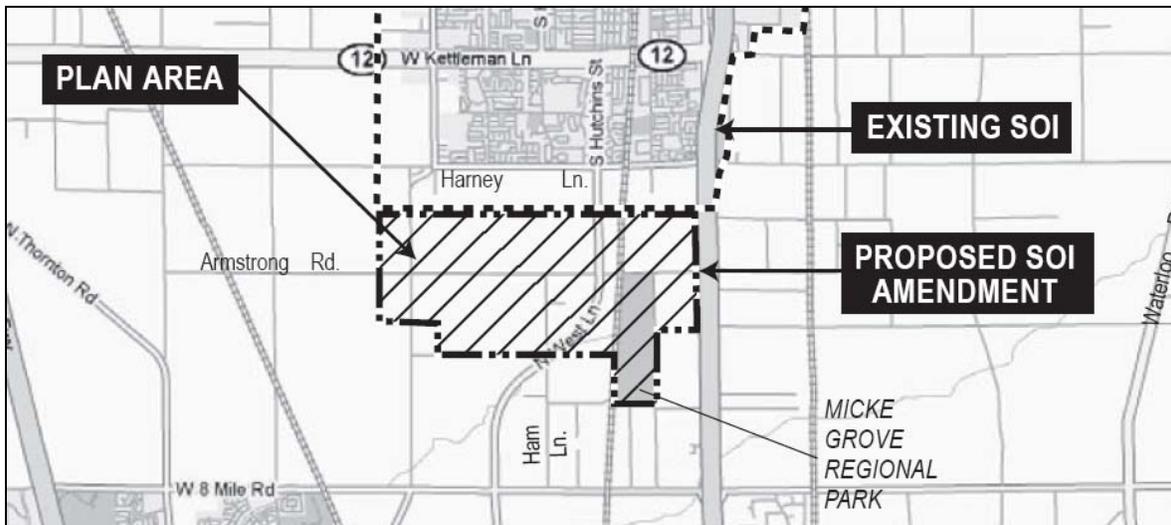
PLANNING COMMISSION RESOLUTION NO. PC 06-50

**A RESOLUTION OF THE LODI PLANNING COMMISSION RECOMMENDING THE
LODI CITY COUNCIL ADOPT A NEGATIVE DECLARATION FOR
CITY-INITIATED PROJECT FILE NO. 06-GPA-LU-03
(AGRICULTURE/GREENBELT PLAN AREA).**

WHEREAS, the Lodi City Council initiated General Plan and Sphere of Influence (SOI) amendments on March 29, 2006 to establish an Agriculture/Greenbelt land use designation, amend the Land Use Diagram to identify an approximately 3.5 square mile area located south of the City’s corporate boundary as agriculture/greenbelt (plan area), make amendments to existing City General Plan policy related to preservation of the area south of Lodi (plan area) as a community separator between Lodi and the City of Stockton, and increase the Sphere of Influence (SOI) to include the 3.5 square mile plan area within the City’s future planning area; and

WHEREAS, the approximately 3.5 square mile Agriculture/Greenbelt plan area is generally located south of Lodi’s existing City limits and extends one-half mile north of Armstrong Road, approximately one-half to three-quarter mile south of Armstrong Road, approximately one-quarter mile west of Lower Sacramento Road to the west, and is bounded by State Route 99 to the east, as depicted in Figure 1; and

Figure 1: Proposed Sphere of Influence Amendment of Agriculture/Greenbelt Plan Area



WHEREAS, the Community Development Department prepared an Initial Study for the City-initiated General Plan and SOI amendments, consistent with the California Environmental Quality Act (CEQA), as amended; and

WHEREAS, the Initial Study and Negative Declaration (ND-06-02) were circulated for a 22-day period between October 9, 2006 through October 30, 2006, and the following 11 comment letters were received addressing the Initial Study/Negative Declaration (IS/ND), which have been responded to in writing in Exhibit A. An additional 14 comment letters were received that did not address the IS/ND, but express opposition to the City-initiated project (provided in Exhibit B); and

- Letter from San Joaquin County Community Development Department, dated October 31, 2006;
- Letter from City of Stockton, dated October 30, 2006;
- Letter from San Joaquin Valley Air Pollution Control District, dated October 30, 2006;

- Letter from Woodbridge Rural Fire Protection District, dated October 30, 2006;
- Letter from Pacific Gas and Electric Company, dated October 27, 2006;
- Letter from Agnes Tsutsumi, dated October 10, 2006;
- Letter from Dr. Robert E. and Mari J. Carloni, dated October 27, 2006;
- Letter from Gary Daniel, dated October 27, 2006;
- Letter from Margaret and Jeryl R. Fry, Jr., dated October 28, 2006;
- Letter from Carol Lauchland, dated October 22, 2006; and
- Letter from Rick Castelanelli, dated October 25, 2006.

WHEREAS, the Lodi Planning Commission at the regular meeting of November 8, 2006, held a duly noticed public hearing, as required by law, on the City-initiated General Plan and Sphere of Influence amendments (Project File No. 06-GPA-LU-03) in accordance with the Government Code and Lodi Municipal Code Chapter 17.84, Amendments, received public testimony from the public on the proposed Negative Declaration (ND-06-02), and considered proposed General Plan text and Land Use Diagram amendments, as well as the amendment to the Sphere of Influence, written comments from the public, the written responses to the comments, and other pertinent information.

NOW, THEREFORE, BE IT FOUND that the Planning Commission of the City of Lodi incorporates the staff report and attachments, Initial Study/Negative Declaration (ND-06-02), and written comments to Initial Study/Negative Declaration, on this matter, and make the following findings:

1. The de minimus finding that the project does not have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory, because no evidence has been found to indicate that the City-initiated amendments have the potential to substantially degrade the existing environment. The Agriculture/Greenbelt plan area has not been identified as being habitat for any rare or endangered flora or fauna and, further, the establishment of the Agriculture/Greenbelt plan area does not increase development in this area.
2. No new impacts were identified in the public testimony that were not addressed in the Initial Study.
3. Implementation of the City-initiated amendments would not result in any physical development. Future discretionary agricultural buildings and facilities proposed in the Agriculture/Greenbelt plan area would undergo additional environmental analysis. As a result, the City-initiated amendments would not directly diminish a plant or animal population, including special-status species, or substantially impact associated habitat, nor would it significantly impact or eliminate important examples of major periods of California history or prehistory.
4. The City-initiated amendments will not have impacts that are individually limited but cumulatively considerable because the Agriculture/Greenbelt plan area will serve as a community separator and not increase the potential for development in this area.

("Cumulatively considerable" means that the incremental effects of past projects, the effects of other current projects, and the effects of probable future projects.) Based on the findings in the Initial Study, the City-initiated amendments would not result in significant cumulative environmental effects.

5. The City-initiated amendments will not have an environmental effect which will cause substantial adverse effects on human beings, either directly or indirectly based on changes made by the amendments as identified in the Initial Study/Negative Declaration (ND-06-02).

NOW, THEREFORE, BE IT DETERMINED, AND RESOLVED, that the Lodi Planning Commission hereby recommends to the Lodi City Council the adoption of a Negative Declaration (ND-06-02) for Project File No. 06-GPA-LU-03.

I hereby certify that Resolution No. 06-50 was passed and adopted by the Planning Commission of the City of Lodi at a regular meeting held on November 8, 2006, by the following vote:

AYES:	Commissioners:	Heinitz, Kiser, Mattheis, Moran, and Chair Kuehne
NOES:	Commissioners:	Cummins and White
ABSENT:	Commissioners:	None

ATTEST:

Secretary, Planning Commission

EXHIBIT A
COMMENTS RECEIVED ON INITIAL STUDY/NEGATIVE DECLARATION
(ND-06-03)

Please See Corresponding Council Resolution For Exhibit

EXHIBIT B
COMMENTS RECEIVED OPPOSING PROJECT BUT NOT ADDRESSING
INITIAL STUDY/NEGATIVE DECLARATION (ND-06-03)

Please See Corresponding Council Resolution For Exhibit

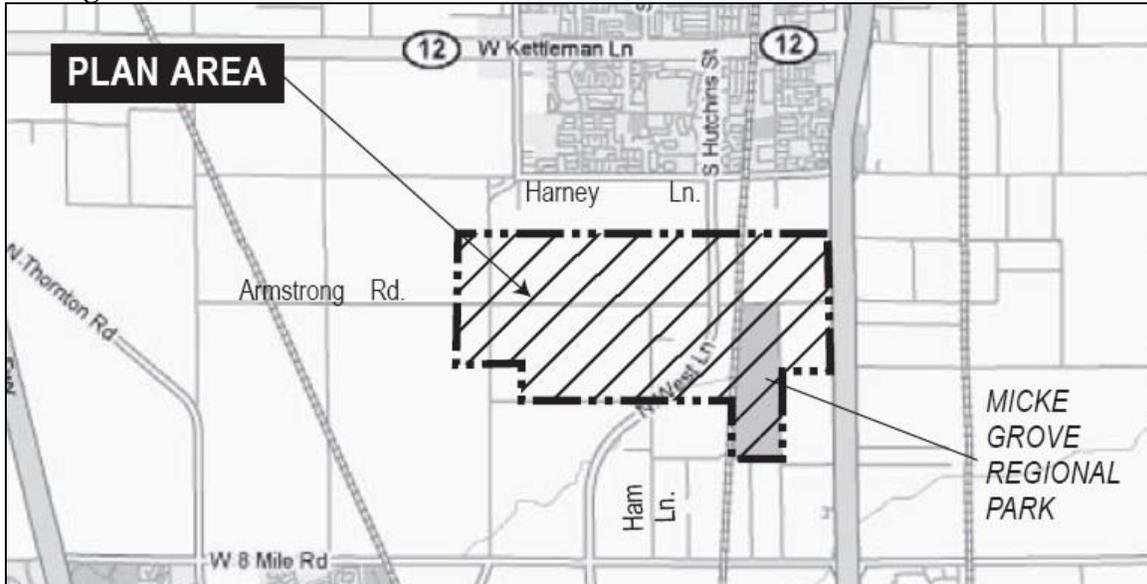
PLANNING COMMISSION RESOLUTION NO. PC 06-51

A RESOLUTION OF THE LODI PLANNING COMMISSION RECOMMENDING THAT THE LODI CITY COUNCIL APPROVE THE CITY-INITIATED GENERAL PLAN AMENDMENT TO ESTABLISH AN AGRICULTURE/GREENBELT LAND USE DESIGNATION, AMEND THE LAND USE DIAGRAM TO IDENTIFY AN APPROXIMATELY 3½ SQUARE MILE AREA LOCATED SOUTH OF THE CITY’S CORPORATE BOUNDARY AS AGRICULTURE/GREENBELT, AND MAKE AMENDMENTS TO GENERAL PLAN POLICY RELATED TO PRESERVATION OF THE AREA SOUTH OF LODI AS A COMMUNITY SEPARATOR BETWEEN LODI AND THE CITY OF STOCKTON (AGRICULTURE/GREENBELT PLAN AREA).

WHEREAS, the City Council initiated a General Plan Amendment (Project File No. 06-GPA-LU-03) on March 29, 2006 to establish an Agriculture/Greenbelt land use designation, amend the Land Use Diagram to identify an approximately 3.5 square mile area located south of the City’s corporate boundary as Agriculture/Greenbelt (plan area), and amend General Plan policy related to preservation of the area south of Lodi (plan area) as a community separator between Lodi and the City of Stockton; and

WHEREAS, the Agriculture/Greenbelt plan area is generally located south of Lodi’s existing City limits and extends one-half mile north of Armstrong Road, approximately one-half to three-quarter mile south of Armstrong Road, approximately one-quarter mile west of Lower Sacramento Road to the west, and is bounded by State Route 99 to the east, as depicted in Figure 1; and

Figure 1: Agriculture/Greenbelt Plan Area



WHEREAS, the City-initiated General Plan Amendment was processed in accordance with Government Code Sections 53350 through 55358; and

WHEREAS, the Lodi Planning Commission has heretofore held a duly noticed public hearing, as required by law, on the requested General Plan amendment, in accordance with the Government Code and Lodi Municipal Code Chapter 17.84, Amendments; and

WHEREAS, the Planning Commission considered an Initial Study/Negative Declaration (ND-06-02) prepared pursuant to the California Environmental Quality Act (CEQA); and

WHEREAS, the General Plan Land Use Diagram designates the portion of the plan area located one-half mile north of Armstrong Road as Planned Residential Reserve (PRR); and

WHEREAS, the remainder of the Agriculture/Greenbelt plan area located south of Armstrong Road is not designated on the General Plan Land Use Diagram; and

WHEREAS, the proposed General Plan text amendments clarify the City's intent to maintain a community separator between Lodi and Stockton, as well as its desire to preserve the open space and agriculture lands surrounding the City; and

WHEREAS, the proposed Agriculture/Greenbelt designation would be compatible with the underlying San Joaquin County General Plan General Agriculture (A/G) designation, which allows commercial agricultural and agricultural-related uses with a minimum parcel size of 40 acres, and Public (P) and Resource Conservation (OS/RC) designations which allow for institutional uses and facilities and the protection of significant resources, respectively; and

WHEREAS, all legal prerequisites to recommend the approval of this request have occurred.

NOW, THEREFORE, BE IT FOUND that, based upon the evidence within the staff report and project file, and public testimony, the Lodi Planning Commission makes the following findings:

1. The Lodi Planning Commission has recommended to the City Council the adoption of an Initial Study/Negative Declaration (ND-06-02) for this project by Planning Commission Resolution No. 06-50.
2. The required public hearing by the Planning Commission was duly advertised and noticed and held in a manner prescribed by law.
3. The City-initiated General Plan amendment does not conflict with adopted plans or General Plan policies and will serve sound Planning practice.
4. The size, shape and topography of the site are physically suitable for the continued agricultural and agricultural-related land uses.

NOW, THEREFORE, BE IT FURTHER DETERMINED, AND RESOLVED, that the Lodi Planning Commission hereby recommends approval of the General Plan amendments to the City Council of the City of Lodi shown below:

1. The text of the General Plan shall be amended as shown in Exhibit A hereto.
2. The General Plan Land Use Diagram shall be revised as shown on Exhibit B hereto.

I hereby certify that Resolution No. 06-51 was passed and adopted by the Planning Commission of the City of Lodi at a regular meeting held on November 8, 2006, by the following vote:

AYES: Commissioners: Heinitz, Kiser, Mattheis, and Moran

NOES: Commissioners: Cummins, White, and Chair Kuehne

ABSENT: Commissioners: None

ATTEST:

Secretary, Planning Commission

EXHIBIT A
GENERAL PLAN TEXT CHANGES

Please See Corresponding Council Resolution For Exhibit

EXHIBIT B
REVISED GENERAL PLAN LAND USE MAP

Please See Corresponding Council Resolution For Exhibit

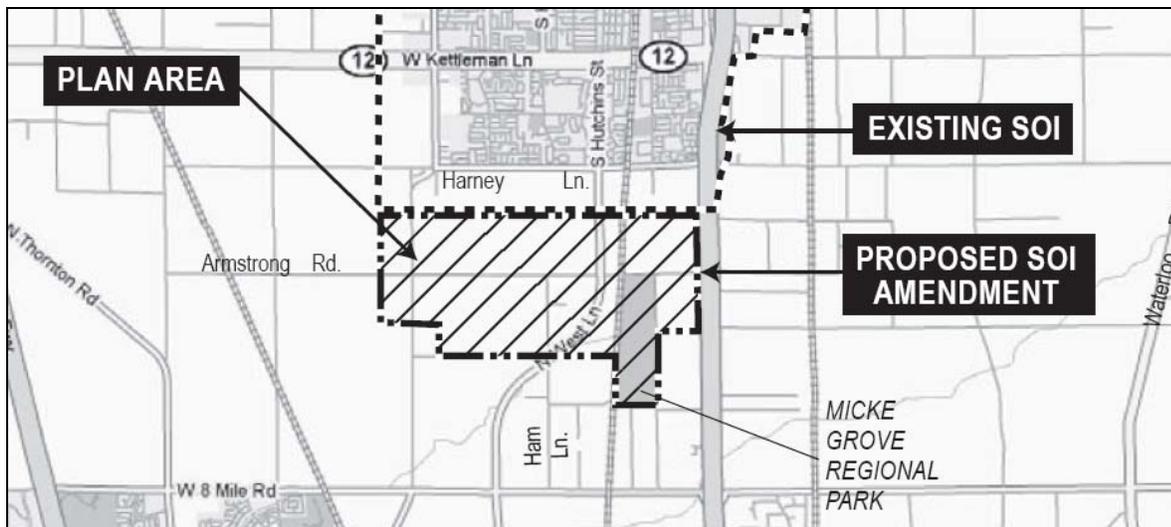
PLANNING COMMISSION RESOLUTION NO. PC 06-52

A RESOLUTION OF THE LODI PLANNING COMMISSION RECOMMENDING THE CITY COUNCIL REQUEST SAN JOAQUIN COUNTY LOCAL AGENCY FORMATION COMMISSION (LAFCO) AMEND THE CITY'S SPHERE OF INFLUENCE (SOI) TO ADD AN APPROXIMATELY 3.5 SQUARE MILE AREA TO THE CITY'S FUTURE PLANNING AREA LOCATED DIRECTLY SOUTH OF THE EXISTING SOUTHERN SOI BOUNDARY (AGRICULTURE/GREENBELT PLAN AREA).

WHEREAS, the Lodi City Council initiated a Sphere of Influence (SOI) amendment (Project File No. 06-GPA-LU-03) on March 29, 2006 to include the approximately 3.5 square mile Agriculture/Greenbelt plan area within the City's future planning area as a community separator between Lodi and the City of Stockton; and

WHEREAS, the Agriculture/Greenbelt plan area is generally located south of Lodi's existing City limits and extends one-half mile north of Armstrong Road, approximately one-half to three-quarter mile south of Armstrong Road, approximately one-quarter mile west of Lower Sacramento Road to the west, and is bounded by State Route 99 to the east, as depicted in Figure 1; and

Figure 1: Proposed Sphere of Influence Amendment of Agriculture/Greenbelt Plan Area



WHEREAS, the City of Lodi has long considered the Agriculture/Greenbelt plan area integral to its small town, rural character, evidenced by multiple Lodi General Plan goals, policies, and implementation programs aiming to preserve the plan area as a greenbelt, as described in the Planning Commission staff report for this matter; and

WHEREAS, the City of Stockton's Draft 2035 General Plan Land Use Map proposes to extend urban development north of Eight Mile Road, up to one-half to three-quarter mile south of Armstrong Road, directly abutting the southern edge of the Agriculture/Greenbelt plan area; and

WHEREAS, the City of Lodi does not desire to have the valuable agricultural lands between Lodi and Stockton converted to urban uses; and

WHEREAS, the City of Lodi desires to maintain an agricultural/greenbelt area around the Lodi as a separator from adjacent communities thereby ensuring preservation of Lodi's unique location in the San Joaquin Valley, agriculturally-based history, and long-founded high quality of life; and

WHEREAS, the City-initiated Sphere of Influence Amendment would ensure that parcels currently under Farmland Security Zone and Williamson Act contracts would be protected and preserved from urban encroachment.

WHEREAS, the Lodi Planning Commission has heretofore held a duly noticed public hearing, as required by law, on the City-initiated Sphere of Influence Amendment in accordance with the Government Code and Lodi Municipal Code Chapter 17.84, Amendments; and

WHEREAS, the Lodi Planning Commission considered and recommended that the City Council adopt a Negative Declaration (ND-06-02) for the City-initiated amendments pursuant to CEQA; and

WHEREAS, the Agriculture/Greenbelt plan area is consistent with the underlying San Joaquin County General Plan General Agriculture (A/G), Public (P), and Resource Conservation (OS/RC) designations; and

WHEREAS, all legal prerequisites to the approval of this request have occurred.

NOW, THEREFORE, BE IT FOUND that based upon the evidence within the staff report and project file, the Lodi Planning Commission makes the following findings:

1. An Initial Study/Negative Declaration (ND-06-02) for this project was recommended for adoption to the City Council by Planning Commission Resolution No. PC 06-50.
2. A duly advertised public hearing was held by the Lodi Planning Commission in a manner prescribed by law.
3. The plan area is located adjacent to the City's existing Sphere of Influence, thereby providing a contiguous extension of the City's existing planning area.
4. It is found that the proposed Sphere of Influence amendment does not conflict with adopted and proposed plans or policies of the Lodi General Plan and will serve sound planning practice.
5. It is found that the parcels in the plan area proposed to be included with the Sphere of Influence are of a size, shape, and topography that are physically suitable for the agricultural and agricultural-related uses.
6. The area being added to the Sphere of Influence is primarily in agricultural use.
7. The City's goal is to establish a new General Plan land use designation called *Agriculture/Greenbelt* which identifies areas to be retained as agriculture or greenbelt areas.
8. Viticulture and related winery operations are an important part of Lodi's community identity.
9. Preservation of the plan area and the continued existence of viticulture and wineries are directly related to the economy of the City because the viticulture and winery industries surrounding the City's urban area are essential to the urban economic functions of Lodi.
10. The City actively promotes viticulture and winery industries within its downtown via tasting rooms, community events, and public outreach.
11. The inclusion of the plan area as part of Lodi's SOI is critical to Lodi's ongoing economic health and vitality as a community.

NOW, THEREFORE, BE IT FURTHER, DETERMINED, AND RESOLVED, that the Lodi Planning Commission hereby recommends to the City Council to request the San Joaquin County LAFCO to amend the City's Sphere of Influence as depicted in Exhibit A.

I hereby certify that Resolution No. 06-52 was passed and adopted by the Lodi Planning Commission at a regular meeting held on November 8, 2006, by the following vote:

AYES: Commissioners: Heinitz, Kiser, Mattheis, and Moran

NOES: Commissioners: Cummins, White, and Chair Kuehne

ABSENT: Commissioners: None

ATTEST:

Secretary, Planning Commission

EXHIBIT A
PROPOSED SPHERE OF INFLUENCE AMENDMENT

Please See Corresponding Council Resolution For Exhibit

Attachment 13 - 15

City Council Draft Resolutions

13. Negative Declaration Resolution No. CC 06-__
14. General Plan Amendment Resolution No. CC 06-__
15. Sphere of Influence Amendment Resolution No. PC 06-__

DRAFT

RESOLUTION 2006-____

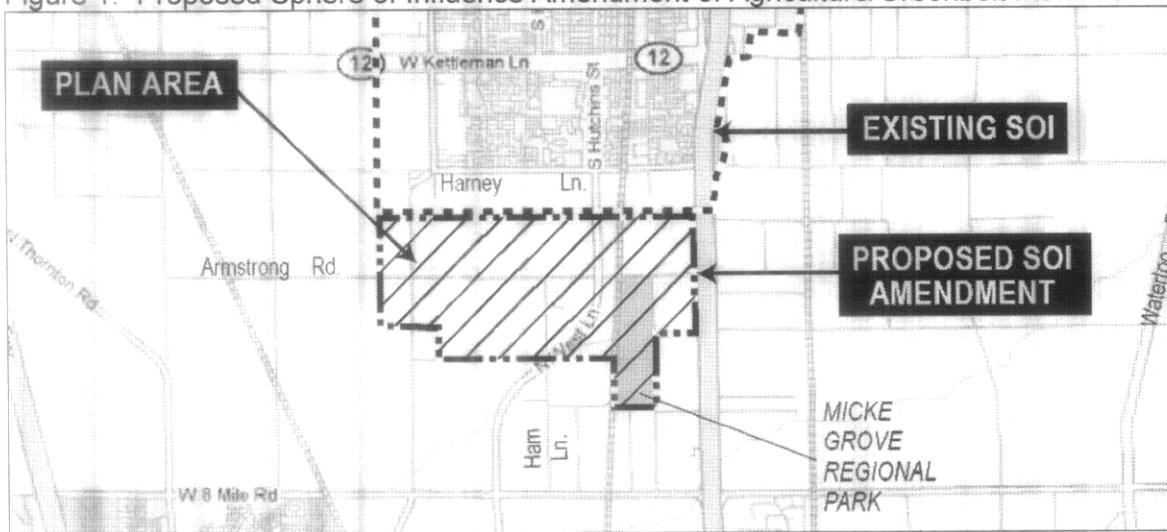
A RESOLUTION OF THE LODI CITY COUNCIL ADOPTING A NEGATIVE DECLARATION FOR CITY-INITIATED GENERAL PLAN AND SPHERE OF INFLUENCE AMENDMENTS TO ESTABLISH AN AGRICULTURE/GREENBELT PLAN AREA BETWEEN LODI AND THE CITY OF STOCKTON (PROJECT FILE NO. 06-GPA-LU-03).

=====

WHEREAS, the Lodi City Council initiated General Plan and Sphere of Influence (SOI) amendments on March 29, 2006 to establish an Agriculture/Greenbelt land use designation, amend the Land Use Diagram to identify an approximately 3.5 square mile area located south of the City's corporate boundary as agriculture/greenbelt (plan area), make amendments to existing City General Plan policy related to preservation of the area south of Lodi (plan area) as a community separator between Lodi and the City of Stockton, and increase the Sphere of Influence (SOI) to include the 3.5 square mile plan area within the City's future planning area; and

WHEREAS, the approximately 3.5 square mile Agriculture/Greenbelt plan area is generally located south of Lodi's existing City limits and extends one-half mile north of Armstrong Road, approximately one-half to three-quarter mile south of Armstrong Road, approximately one-quarter mile west of Lower Sacramento Road to the west, and is bounded by State Route 99 to the east, as depicted in Figure 1; and

Figure 1: Proposed Sphere of Influence Amendment of Agriculture/Greenbelt Plan Area



WHEREAS, the Community Development Department prepared an Initial Study for the City-initiated General Plan and SOI amendments, consistent with the California Environmental Quality Act (CEQA), as amended; and

WHEREAS, the Initial Study and Negative Declaration (ND-06-02) were circulated for a 22-day period between October 9, 2006 through October 30, 2006, and the following 11 comment letters were received addressing the Initial Study/Negative Declaration (IS/ND), which have been responded to in writing in Exhibit A. An additional 14 comment letters were received that did not address the IS/ND, but expressed opposition to the City-initiated project (provided in Exhibit B); and

- Letter from San Joaquin County Community Development Department, dated October 31, 2006;
- Letter from City of Stockton, dated October 30, 2006;
- Letter from San Joaquin Valley Air Pollution Control District, dated October 30, 2006;
- Letter from Woodbridge Rural Fire Protection District, dated October 30, 2006;
- Letter from Pacific Gas and Electric Company, dated October 27, 2006;
- Letter from Agnes Tsutsumi, dated October 10, 2006;
- Letter from Dr. Robert E. and Mari J. Carloni, dated October 27, 2006;
- Letter from Gary Daniel, dated October 27, 2006;
- Letter from Margaret and Jeryl R. Fry, Jr., dated October 28, 2006;
- Letter from Carol Lauchland, dated October 22, 2006; and
- Letter from Rick Castelanelli, dated October 25, 2006.

WHEREAS, the Lodi Planning Commission at the regular meeting of November 8, 2006, held a duly noticed public hearing, as required by law, on the City-initiated General Plan and Sphere of Influence amendments (Project File No. 06-GPA-LU-03) in accordance with the Government Code and Lodi Municipal Code Chapter 17.84, *Amendments*, received public testimony from the public on the proposed Negative Declaration (ND-06-02), and considered proposed General Plan text and Land Use Diagram amendments, as well as the amendment to the Sphere of Influence, written comments from the public, the written responses to the comments, and other pertinent information; and

WHEREAS, the Lodi City Council at the special meeting of November 29, 2006, held a duly noticed public hearing, as required by law, on the City-initiated General Plan and Sphere of Influence amendments (Project File No. 06-GPA-LU-03) in accordance with the Government Code and Lodi Municipal Code Chapter 17.84, *Amendments*, received public testimony from the public on the proposed Negative Declaration (ND-06-02), and considered proposed General Plan text and Land Use Diagram amendments, as well as the amendment to the Sphere of Influence, written comments from the public, the written responses to the comments, and other pertinent information.

NOW, THEREFORE, BE IT FOUND that the City Council of the City of Lodi incorporates by reference the staff report and attachments, Initial Study/Negative Declaration (ND-06-02), and written comments to Initial Study/Negative Declaration, on this matter, and make the following findings:

1. The de minimus finding that the project does not have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory, because no evidence has been found to indicate that the City-initiated amendments have the potential to substantially degrade the existing environment. The Agriculture/Greenbelt plan area has not been identified as being habitat for any rare or endangered flora or fauna and, further, the establishment of the Agriculture/Greenbelt plan area does not increase development in this area.
2. No new impacts were identified in the public testimony that were not addressed in the Initial Study.
3. Implementation of the City-initiated amendments would not result in any physical development. Future agricultural buildings and facilities proposed in the

Agriculture/Greenbelt plan area would undergo subsequent and separate additional environmental analysis as such may be required under San Joaquin County's zoning rules and regulations. As a result, the City-initiated amendments would not directly diminish a plant or animal population, including special-status species, or substantially impact associated habitat, nor would it significantly impact or eliminate important examples of major periods of California history or prehistory.

4. The City-initiated amendments will not have impacts that are individually limited but cumulatively considerable because the Agriculture/Greenbelt plan area will serve as a community separator and not increase the potential for development in this area, but rather continue existing development and the current development rights under existing county regulations. ("Cumulatively considerable" means that the incremental effects of past projects, the effects of other current projects, and the effects of probable future projects.) Based on the findings in the Initial Study, the City-initiated amendments would not result in significant cumulative environmental effects.

5. The City-initiated amendments will not have an environmental effect which will cause substantial adverse effects on human beings, either directly or indirectly based on changes made by the amendments as identified in the Initial Study/Negative Declaration (ND-06-02).

NOW, THEREFORE, BE IT DETERMINED, AND RESOLVED, that the Lodi City Council hereby adopts the Negative Declaration (ND-06-02) for Project File No. 06-GPA-LU-03.

Dated: November 29, 2006

=====

I hereby certify that Resolution No. 2006-____ was passed and adopted by the City Council of the City of Lodi in a special meeting held November 29, 2006, by the following vote:

AYES: COUNCIL MEMBERS –
NOES: COUNCIL MEMBERS –
ABSENT: COUNCIL MEMBERS –
ABSTAIN: COUNCIL MEMBERS –

RANDI JOHL
City Clerk

2006-____

EXHIBIT A
COMMENTS RECEIVED ON INITIAL STUDY/NEGATIVE DECLARATION
(ND-06-03)

MEMORANDUM

DATE: November 2, 2006

TO: Mayor Hitchcock and Members of the City Council
Chair Kuehne and Members of the Planning Commission

FROM: Randy Hatch, Community Development Director
Lynette Dias and Jennifer Craven, Contract Planners

SUBJECT: Comments Received on Initial Study/Negative Declaration (ND-06-02) for City-initiated Agriculture/Greenbelt General Plan and Sphere Of Influence Amendments

The Initial Study and Negative Declaration (ND-06-02) for the City-initiated General Plan and Sphere of Influence amendments to establish a 3½-square mile Agriculture/Greenbelt plan area south of the City's corporate boundary were circulated for a 22-day public review period between October 9, 2006 and October 30, 2006. At the close of the public review period, 11 letters were received that specifically addressed the adequacy of the Initial Study/Negative Declaration (IS/ND) (attached), none of which raise new issues requiring additional analysis and recirculation of the IS/ND. An additional 14 comment letters were received that related to the project merits and express opposition to this City-initiated project (not adequacy of the IS/ND). The 11 agencies and persons who commented on the IS/ND include:

- Letter from San Joaquin County Community Development Department, dated October 31, 2006;
- Letter from City of Stockton, dated October 30, 2006;
- Letter from San Joaquin Valley Air Pollution Control District, dated October 30, 2006;
- Letter from Woodbridge Rural Fire Protection District, dated October 30, 2006;
- Letter from Pacific Gas and Electric Company, dated October 27, 2006;
- Letter from Agnes Tsutsumi, dated October 10, 2006;
- Letter from Dr. Robert E. and Mari J. Carloni, dated October 27, 2006;
- Letter from Gary Daniel, dated October 27, 2006;
- Letter from Jeryl R. Fry, Jr., dated October 28, 2006;
- Letter from Carol Lauchland, dated October 22, 2006; and
- Letter from Rick Castelanelli, dated October 25, 2006

The following provides brief responses to each of the 11 letters listed above.

San Joaquin County Community Development Department (dated October 31, 2006). This letter clarifies that proposed General Plan Implementation Program LU-11 is a policy decision that would be up to the Board of Supervisors and would require County Counsel review. No environmental issues are raised.

City of Stockton (dated October 30, 2006). Stockton's letter provides four comments addressing the IS/ND, each of which is responded to below.

- Stockton clarifies that when it released the NOPs for its 2050 and 2035 General Plan Update EIRs, respectively, Lodi did not indicate it would be amending its General Plan and Sphere of Influence to include the proposed Agriculture/Greenbelt plan area. This statement is correct. Stockton initiated its General Plan update process in June 2003; Lodi initiated the proposed General Plan and Sphere of Influence amendments in March 2006. This comment does not raise any issue related to the adequacy of the IS/ND.
- Stockton states Lodi's IS/ND should acknowledge Stockton's Draft 2035 General Plan Land Use Map indicates the area between Armstrong Road and Stockton's proposed Sphere of Influence/Urban Service Boundary is proposed to be designated Open Space and Agriculture. The comment further states Stockton has already proposed to include the area south of Armstrong Road on its Draft General Plan Land Use Map, it is inappropriate for Lodi to include it on Lodi's General Plan Land Use Diagram and, instead, it should not be included in any public agency SOI and should remain unincorporated. This comment does not raise any environmental issues; instead, it raises issues related to the appropriateness of Lodi planning and policy decisions in relationship to Stockton's decisions.

However, Lodi disagrees with Stockton's position about the area south of Armstrong Road. Lodi has witnessed Stockton's perpetual urban encroachment north into the agricultural area between Lodi and Stockton. Lodi believes that to preserve the area south of Armstrong Road as agricultural land it should include it within its General Plan planning area as an Agriculture/Greenbelt plan area, and within its SOI to ensure Stockton will not be able to annex it in the future, allowing urban uses to replace the agricultural, rural, and open space uses currently occurring in the area. As a result, Lodi's goal is to ensure that a community separator is preserved between it and the City of Stockton.

- Stockton cites Government Code Section 56425 stating "a SOI boundary is established for the purpose of 'promoting logical and orderly development.'" Stockton further states that the environmental document should address the specific mechanisms regarding future urbanization of the proposed SOI area. Lodi disagrees with Stockton's interpretation of Government Code Section 56425. Lodi believes that its proposed SOI amendment would ensure logical and orderly development within an agricultural/greenbelt plan area. Lodi does not believe that all "development" must be of an urban intensity. Further, proposed General Plan Implementation Program LU-19 when developed would plan for the long-range preservation of the Agriculture /Greenbelt plan area. When that the plan is developed in accordance with Implementation Program LU-19, specific land use densities and public improvements will be proposed. At that time, additional analysis will be conducted to evaluate the environmental implications of proposed plan for the Agriculture/Greenbelt plan area. At this time, no physical changes would result from the proposed amendments. As a result, no change in the existing environmental conditions would result due to the proposed amendments.
- Stockton states a greenbelt designation should not be used within the City's SOI and, instead, the City should designate the area as Urban Reserve if it intends to ultimately provide services and/or develop the SOI amendment area. No environmental issues are raised by this comment. Again, as stated above, Lodi disagrees with Stockton's understanding of the intent of a SOI.

San Joaquin Valley Air Pollution Control District (dated October 30, 2006). The Air District's letter concurs with the conclusions in the Initial Study/Negative Declaration (ND-06-02) that the City-initiated General Plan and Sphere of Influence amendments would result in a less-than-significant impact on air quality. No additional environmental comments are provided.

Woodbridge Rural Fire Protection District (dated October 30, 2006). The Fire District's letter states it believes the City-initiated amendments would leave fire services in the plan area in limbo, and that the environmental analysis should evaluate the City's ultimate intent for the area. As described in the Initial Study, the City-initiated amendments would not result in any change to the existing environmental conditions in the plan area. The proposed General Plan Agriculture/ Greenbelt land use designation allows comparable land uses and intensities as the underlying County General Agriculture designation. Further the City does not have any plans, at this time, to annex the plan area, therefore no change in fire protection and services would result.

The IS/ND was prepared in accordance with the *California Environmental Quality Act (CEQA)*. Under CEQA, public agencies are required to evaluate the environmental implications of a proposed action to allow decision makers and the general public to make informed decisions about the project. For the City-initiated project, the proposed actions are the *General Plan and Sphere of Influence* amendments to ensure the area is preserve as an agriculture/greenbelt community separator between Lodi and the City of Stockton. As a result, the City-initiated amendments would not result in any change to the existing condition of the environment and, therefore, would not result in any significant environmental impacts, including those to fire protection and service providers. The plan that results from Implementation Program LU-19 would be evaluated for its environmental implications, including those on fire protection and service providers, to allow for informed decision making relative to it. To attempt to evaluate the environmental implications of an implementation plan that does not yet exist, would be too speculative an implementation as it is not yet known what will be in the plan under CEQA.

Pacific Gas and Electric Company (dated October 27, 2006). This letter confirms that the Pacific Gas and Electric Company (PG&E) owns and operates the gas and electric facilities in the plan area. The letter further clarifies that the City-initiated amendments would not restrict or limit PG&E's ability to serve its customers with a reliable and capable energy system. PG&E also requests that, in order to promote the safe and reliable maintenance and operation of its utility facilities, any proposals for future projects should be coordinated with PG&E early on in the entitlement review process. As described in the Initial Study, no development would result from the City-initiated amendments; instead the existing condition would remain. As a result, expansion of distribution and transmission lines and related facilities would not be necessary. No additional environmental issues are raised.

Agnes Tsutsumi (dated October 10, 2006). The letter suggests that an environmental impact report is necessary for the City-initiated amendments because Lodi has identified the plan area without just cause, it would have economic impacts on those within the plan area, as well as would have fiscal impacts on the City of Lodi that have not been analyzed in the IS/ND.

As described in the IS/ND, the City-initiated amendments would not result in any physical change to the existing environmental condition within the Agriculture/Greenbelt plan area. Consistent with CEQA, the IS/ND analyzes the proposed amendments effects on the existing, physical environmental condition. The proposed Agriculture/Greenbelt General Plan land use designation is consistent with the underlying San Joaquin County General Agriculture designation, allowing the same agricultural/ rural uses with a minimum parcel size of 40 acres. Because the City-initiated amendments would not result in any physical change or development in the plan area, and the proposed land use designation is consistent with what is currently allowed by San Joaquin County, they would not result in any

measurable economic change within the plan area. Further, because the City is not annexing the plan area, it would not encumber any fiscal impacts from including the area on the General Plan Land Use Diagram and Sphere of Influence for future planning purposes. As described in the Initial Study, at the time a plan is prepared for Implementation Program LU-19, additional analysis will be conducted to evaluate the physical environmental implications of that plan. As a part of that analysis, the City would prepare economic and fiscal analyses to understand the financial implications of the plan on the property owners with the plan area and the City's fiscal planning. No further environmental issues were raised.

Finally, the City determined the boundary for the proposed amendments by utilizing its existing General Plan land use planning boundaries. The existing east and west boundaries were intentionally extended directly south to intersect with the City of Stockton's proposed Sphere of Influence boundaries, thereby eliminating any unaccounted area between the two cities planning areas.

Dr. Robert E. and Mari J. Carloni (dated October 27, 2006). The commentors state they disagree with the City's conclusion that the City-initiated project would result in no negative environmental impacts. The commentor's further state that "in the categories of Air Quality, Transportation Hazards, and Mandatory Findings of Significance we can see obvious conflicts with the City's position. In the categories of Noise, Public Services and Utilities we see lesser conflicts, but still are not in agreement that no negative impacts would result." The commentor's do not, however, specify how the City's position on this project conflicts the environmental analysis provided in the IS/ND.

As described in the Initial Study, the City-initiated amendments would not result in any development; therefore no change to the existing environmental condition would result. As described above, the IS/ND was prepared in accordance with CEQA. Under CEQA, public agencies are required to evaluate the environmental implications of a proposed action to allow decision makers and the general public to make informed decisions about the project. For the City-initiated project, the proposed actions are the General Plan and Sphere of Influence amendments to ensure the area is preserved as an agriculture/greenbelt community separator between Lodi and the City of Stockton. As a result, the City-initiated amendments would not result in any change to the existing condition of the environment and, therefore, would not result in any significant environmental impacts. The City finds that the IS/ND and the City's intent for the proposed General Plan and Sphere of Influence amendments are consistent.

Gary Daniel (dated October 27, 2006). The letter states that the IS/ND focuses almost solely on the greenbelt area without taking into consideration the impact of activities surrounding the area. See response to Rick Castelanelli letter, below.

Margaret and Jeryl R. Fry, Jr. (dated October 28, 2006). The letter states that an environmental impact report (EIR) should be prepared because not all affects of the proposed amendments on the agricultural area have been addressed. The letter also states that the City has no intentions to provide services in the plan area, nor develop the plan area within a reasonable amount of time. The letter does not specify what affects on the agricultural area have not been addressed. As described in the Initial Study, the proposed General Plan Agriculture/Greenbelt land use designation is consistent with the underlying San Joaquin County General Agriculture designation for the area. The City's intent is to make its long-range plan for the area consistent with the existing County plan for the area. The proposed amendments accomplish this goal. The County's General Agriculture designation allows commercial agricultural and rural uses on a minimum parcel size of 40 acres. The City-initiated amendments would result in identical land uses and parcel sizes. No change to the existing physical environment would occur; therefore, no impacts on the existing agricultural area would occur either.

Further, as described above, the plan that results from Implementation Program LU-19 would identify which, if any, public services would be extended to the plan area. This future plan would be evaluated for its environmental effects, including service provider's ability to extend identified improvements considered necessary to implement the plan to the Agriculture/Greenbelt plan area. The City cannot evaluate the environmental effects of a plan that does not yet exist; to do so would be speculative and inappropriate under CEQA. As a result, the City-initiated amendments would result in less-than-significant impacts in all topical areas; therefore, warranting the proposed Negative Declaration. An environmental impact report would only be warranted in significant environmental impacts would result from the proposed amendments. As described, all topical areas were found to be less-than-significant, and, as a result, an EIR is not warranted.

Carol Lauchland (dated October 22, 2006). This letter is entitled "Initial Study and Negative Declaration," however, it does not raise any issues related to the adequacy of the IS/ND prepared for the proposed City-initiated amendments. Instead, the letter expresses opposition to the proposed amendments. No environmental issues are raised.

Rick Castelanelli (dated October 25, 2006). The commentor raises concerns that the IS/ND does not adequately address how the development of urban uses, which would be permitted outside of the proposed Agricultural/Greenbelt designated areas, could adversely impact the viability of agricultural lands within the Agricultural/Greenbelt Designated areas. The area to the immediate south is proposed in the City of Stockton's Draft General Plan to be within the City of Stockton's SOI and is designated for future urban development. The area to the immediate north is within the City of Lodi's SOI and is designated for future residential development.

The ultimate effects associated with the commentor's concerns are primarily financial and the continued viability of the agricultural operations, and not environmental physical effects as defined by CEQA. As detailed in the IS/ND, the proposed General Plan and SOI amendments would not change the zoning or any of the existing development regulations for the area. If approved, the GPA will only state the City's desires to preserve the area as an Agricultural/Greenbelt area; it will not include any specific development regulations or rezonings that will prescribe what can and cannot occur in the area.

Proposed Implementation Program LU-19, which requires establishment of a program addressing long-range preservation and development within the agricultural/greenbelt area, states that the program will need to include, at a minimum, a thorough planning process involving all interested stake-holders (including local farmers, residents and business owners within the City limits, study area, and surrounding community) that would result in the specific locations and intensities of land uses, circulation system, infrastructure, services, financing plan, as well as design guidelines and other implementation measures. This program will have to be analyzed under CEQA at the time it is prepared and prior to it being approved. *Until such a program is prepared, it would be too speculative to try and evaluate what physical adverse effects could result. Once a specific program is proposed, the CEQA review will consider each of the specific issues raised by the commentor including agricultural traffic.*



**SAN JOAQUIN COUNTY
COMMUNITY DEVELOPMENT DEPARTMENT**

1810 E. HAZELTON AVE., STOCKTON, CA 95205-8232
PHONE: 209/468-3121 FAX: 209/468-3183

October 31, 2006

Randy Hatch, Director of Community Development
Community Development Department
City of Lodi
P.O. Box 3006
Lodi, CA 95241

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NOV 01 2006

COMMUNITY DEVELOPMENT DEPT
CITY OF LODI

Dear Mr. Hatch:

Re: Notice of Intent to Adopt a Negative Declaration for a General Plan Amendment and Sphere of Influence Amendment to Establish an Agriculture/Greenbelt Designation and Plan Area

Thank you for the opportunity to respond to the above Notice of Intent to Adopt a Negative Declaration concerning the plan area on the attached map. The Community Development Department has reviewed the document and offers the following comments:

Agriculture/Greenbelt General Plan Text Amendments

Page 3-13. Implementation Program LU-11

This proposed program states in part:

The City shall establish an agreement, such as a Memorandum of Understanding (MOU), with San Joaquin County to ensure that land use actions requiring discretionary approval proposed in unincorporated areas located within Lodi's sphere of influence would only be approved if found consistent with Lodi's vision for the area and would include City review and recommended action on the proposal. Discretionary land use actions proposed for the City's unincorporated SOI areas that are inconsistent with Lodi's vision for the area should be denied.

Such a delegation of the County's land use authority would be a policy decision that would be up to the Board of Supervisors and would require review by County Counsel.

If you have any questions regarding this issue, please contact me at 468-3140.

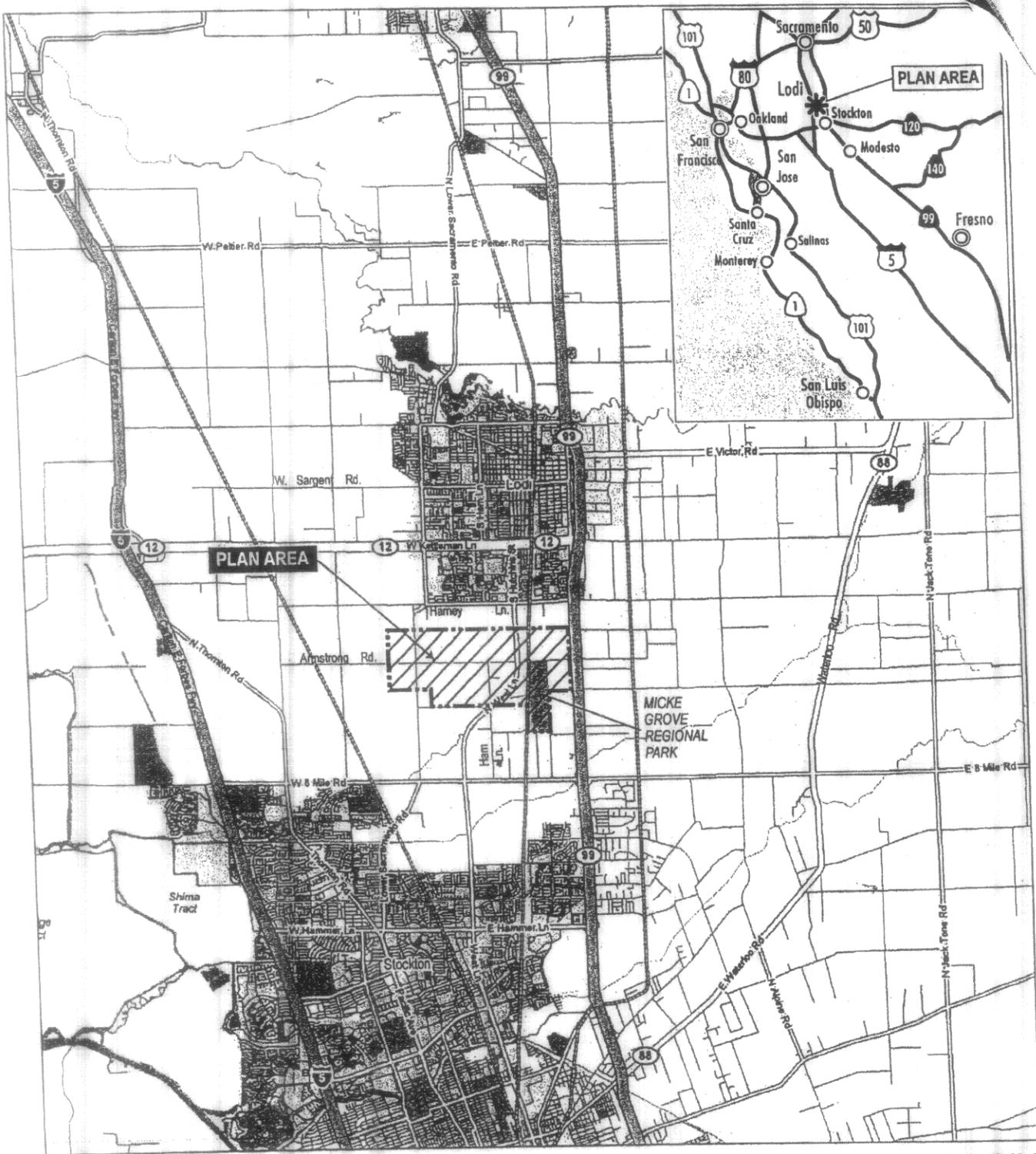
Sincerely,

Kerry Sullivan
Director

KS/CM/
(DEVSVC/Lodi Greenbelt Response)

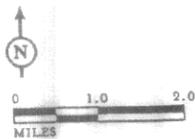
Attachment: Map

c: Manuel Lopez, County Administrator
Dario Marengo, Chairman, Board of Supervisors
Terrence Dermody, County Counsel
David Wooten, Office of the County Counsel



SOURCE: GOOGLE.COM; LSA ASSOCIATES, INC., 2006

FIGURE 1



LEGEND
 PLAN AREA

*Lodi Ag/Greenbelt General Plan
 and Sphere of Influence Amendments
 Plan Area Vicinity and
 Regional Map Locations*

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OCT 30 2006

COMMUNITY DEVELOPMENT DEPT.
CITY OF LODI



via facsimile 333-6842

CITY OF STOCKTON

OFFICE OF THE CITY MANAGER

City Hall • 425 N. El Dorado Street • Stockton, CA 95202-1997 • 209/937-8212 • Fax 209/937-7149

October 30, 2006

www.stocktongov.com

Randy Hatch, Director of Community Development
Community Development Department
City of Lodi
P. O. Box 3006
Lodi, CA 95241

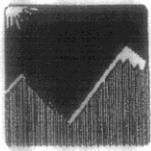
COMMENTS REGARDING THE INITIAL STUDY/NEGATIVE DECLARATION FOR THE PROPOSED EXPANSION OF THE CITY OF LODI SPHERE OF INFLUENCE (SOI) SOUTH OF ARMSTRONG ROAD

I wish to thank you for the discussion you had with City Planning staff on October 27, 2006, regarding the City of Lodi's proposed Sphere of Influence (SOI) Amendment proposal for the area extending up to three-quarters of a mile south of Armstrong Road, west of State Route 99. I believe that the City has a much clearer understanding of your proposal as a result of that discussion and I hope that we can reach a mutually agreeable solution on this issue. However, the focus of this letter is to provide some comments regarding the City of Lodi's Environmental Checklist/Initial Study (Initial Study) and Notice of Intent to Adopt a Negative Declaration (NOI) for a General Plan Amendment and SOI Amendment to establish an Agriculture/Greenbelt designation and plan area.

Based on our review of the Initial Study, we respectfully offer the following comments:

1. The City of Stockton's 2050 General Plan Notice of Preparation (NOP) was sent to the City of Lodi in August of 2004, and the 2035 General Plan NOP was sent May 2005. The City of Lodi did not respond to the 2050 General Plan NOP. In its 2035 General Plan NOP response letter, the City of Lodi did not mention any issue with the City's proposed General Plan boundary or the Open Space/Agriculture designation for the above-noted area between Stockton's proposed northern SOI boundary and Armstrong Road.
2. The City of Lodi's Initial Study/Negative Declaration (IS/ND) should acknowledge that the City of Stockton's Draft 2035 General Plan Map currently designates the area between Armstrong Road and the proposed SOI and Urban Service Boundary west of State Route 99 for Open Space and Agriculture use. Since the subject area is included within the City of Stockton's proposed General Plan boundary, it would be more appropriate to allow the area in question to remain outside any city's SOI, and to subsequently come to an agreement with San Joaquin County for the maintenance of the existing County agricultural zoning.





San Joaquin Valley
Air Pollution Control District

October 30, 2006

Randy Hatch
City of Lodi
Community Development
P.O. Box 3006
Lodi, CA 95241

Project: Initial Study / Negative Declaration No. 06-02

Subject: CEQA comments regarding the Lodi Agriculture/Greenbelt Community Separator General Plan and Sphere of Influence Amendments

District Reference No: **C200602276**

Dear Mr. Hatch:

The San Joaquin Valley Unified Air Pollution Control District (District) has reviewed the project referenced above and concurs with the Initial Study / Negative Declaration that this project will have a less-than-significant effect on air quality.

District staff is available to meet with you and/or the applicant to further discuss the regulatory requirements that are associated with this project. If you have any questions or require further information, please call Jessica Willis at (559) 230-5818 and provide the reference number at the top of this letter.

Sincerely,

David Warner
Director of Permits Services

Arnaud Marjollet
Permit Services Manager

DW:jw

WOODBIDGE

RURAL FIRE PROTECTION DISTRICT
400 EAST AUGUSTA STREET
WOODBIDGE, CA 95258
TELEPHONE (209) 369-1945
FAX (209) 369-4568

MICHAEL W. KIRKLE
Fire Chief

Directors
TOM ALEXANDER
MICHAEL MANASSERO
MICHAEL MANNA
LOREN MOORE SR.
JOHN NEAL

October 30, 2006

Randy Hatch, Director
Lodi Community Development Department

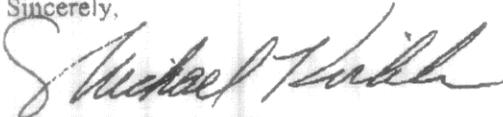
Dear Mr. Hatch:

The Woodbridge Rural Fire Protection District is quite concerned about the ramifications of the City of Lodi's intention to extend its sphere of influence south of Harney Lane. While ordinarily a sphere of influence expansion might not have an adverse effect upon District operations, the District is quite concerned about the City's recent statements regarding its intentions.

As the District understands, the City intends to exercise veto-like authority over development in the SOI to preserve a green belt. The District operates a fire station within that area, and it is concerned about what impact the City's approach may have upon station operations. Such impact may be negative, depending upon its nature, scope and degree. However, until the City's intentions are defined objectively as regards the operation of District's station, negative impacts cannot be ruled out or confirmed, but remain in limbo, which precludes the negative declaration sought by the City.

The District requests an opportunity to meet with you and other appropriate City representatives to discuss its intentions regarding station operations. It is not the District's intention to interfere with the City's endeavor, but to meet and confer regarding the matter so that negative impacts upon station operation may be identified and mitigated. Hopefully, the discussions will result in documentation to which both agencies agree and will abide.

Sincerely,



Michael Kirkle, Fire Chief

MK:SB

Cc: Michael Manassero, Board President
Thomas Discoll, Attorney



**Pacific Gas and
Electric Company.**

**Alfred Poon
Land Agent**

**Technical & Land
Services.
P.O. Box 930
Stockton, Ca. 95201**

**Office: (209) 942-1419
Fax: (209) 942-1485
E-mail: akp3@pge.com**

October 27, 2006

The Director
Community Development Dept.
City of Lodi
P.O. Box 3006
Lodi, CA 95241
Attn: Randy Hatch

RE: Negative Declaration (ND)

For: The General Plan Amendment and Sphere of Influence Amendment to establish an agriculture / Greenbelt designation and plan area Project
Loc: Between City of Lodi and City of Stockton to the South.
PG&E File : WL 582 (land)

Dear Sir,

Thank you for the opportunity to review the intent to adopt a Negative Declaration for the General Plan Amendment and Sphere of Influence Amendment to Establish an agriculture / Greenbelt designation and plan area project at the Referenced location. PG&E has the following comments to offer:

PG&E owns and operates gas and electric facilities such as an electric substation, gas and electric transmission lines both overhead and underground, gas and electric distribution lines both overhead and underground, etc. within the subject area. In order to maintain reliable service and meet the energy needs of the growing region PG&E is required to periodically upgrade and expand the capacity of its facilities. This amendment shall not restrict or limit PG&E's ability to serve its customers with a reliable and capable energy system.

Because utility facilities are operated as an integrated system, the presence of an existing gas or electric transmission or distribution facility does not necessarily mean the facility has capacity to connect new loads.

Expansion of distribution and transmission lines and related facilities is a necessary consequence of growth and development. In addition to adding new distribution feeders, the range of electric system improvements needed to accommodate growth may include upgrading existing substation and transmission line equipment, expanding existing substations to their ultimate buildout capacity, and building new substations and interconnecting transmission lines. Comparable upgrades or additions needed to accommodate additional load on the gas system could include facilities such as regulator stations, odorizer stations, valve lots, distribution and transmission lines.

To promote the safe and reliable maintenance and operation of utility facilities, the California Public Utilities Commission (CPUC) has mandated specific clearance requirements between utility facilities and surrounding objects or construction activities. To ensure compliance with these standards, project proponents should coordinate with PG&E early in the development of their project plans. Any proposed development plans should provide for unrestricted utility access and prevent easement encroachments that might impair the safe and reliable maintenance and operation of PG&E's facilities.

The requesting party will be responsible for the costs associated with the relocation of existing PG&E facilities to accommodate their proposed development. Because facilities relocation's require long lead times and are not always feasible, the requesting party should be encouraged to consult with PG&E as early in their planning stages as possible.

Relocations of PG&E's electric transmission and substation facilities (50,000 volts and above) could also require formal approval from the California Public Utilities Commission. If required, this approval process could take up to two years to complete. Proponents with development plans which could affect such electric transmission facilities should be referred to PG&E for additional information and assistance in the development of their project schedules.

We would like to recommend that environmental documents for proposed development projects include adequate evaluation of cumulative impacts to utility systems, the utility facilities needed to serve those developments and any potential environmental issues associated with extending utility service to the proposed project. This will assure the project's compliance with CEQA and reduce potential delays to the project schedule.

PG&E remains committed to working with the City to provide timely, reliable and cost effective gas and electric service to the planned area. We would also appreciate being copied on future correspondence regarding this subject as this project develops.

The California Constitution vests in the California Public Utilities Commission (CPUC) exclusive power and sole authority with respect to the regulation of privately owned or investor owned public utilities such as PG&E. This exclusive power extends to all aspects of the location, design, construction, maintenance and operation of public utility facilities. Nevertheless, the CPUC has provisions for regulated utilities to work closely with local governments and give due consideration to their concerns. PG&E must balance our commitment to provide due consideration to local concerns with our obligation to provide the public with a safe, reliable, cost-effective energy supply in compliance with the rules and tariffs of the CPUC.

Should you require any additional information or have any questions, please call me at (209) 942-1419.

Sincerely,



Alfred Poon
Land Agent
Land Rights Protection
Northern Area
External: (209) 942-1419
Fax: (209) 942-1485

October 10, 2006

Randy Hatch, Director of Community Development
Community Development Department
City of Lodi
P.O. Box 3006
Lodi, Ca. 95241

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CITY OF LODI

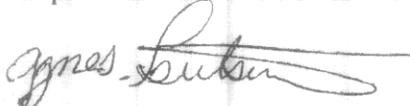
Re: AGRICULTURE/GREENBELT DESIGNATION AND PLAN AREA

Please accept this letter of protest from the (Tsutsumi, Agnes M Tr. APN 0581104 and APN 0581106) to the City of Lodi designating the area as stated in a "Notice of intent to adopt a negative declaration for a General Plan Amendment and Sphere of Influence amendment to establish a "Agriculture/Greenbelt Designation and Plan Area".

It has been our position that the City of Lodi has not addressed the total impacts and the economic impacts that a designations of a "Agriculture/Greenbelt Designation" will be within the planned area.

It is our concern that due to other influences west of the designated area to I-5 as originally outlined to the landowners in the area and to the financial impacts to the City of Lodi. The area now has been reduced to a specific area without just cause. This alone has specific and direct impacts that have not been addressed. To isolate an area without cause discriminates the area from all of the other areas around the City. Also the City has not addressed the impacts/compensation to the landowners in the area once this area has been isolated as the sole area within the General Plan as a "Agriculture/Greenbelt Area".

Therefore, the Tsutsumi, Agnes M. Tr. APN 0581104 and APN 0581106 object to the negative declaration designating this area as "Agriculture/Greenbelt Designation". It is our position that a "FULL" Environmental Impact Report is necessary.



Agnes Tsutsumi

Dr. Robert E. & Mari J. Carloni
1123 E. Mettler Rd.
Lodi, CA 95242
October 27, 2006

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OCT 30 2006
COMMUNITY DEVELOPMENT DEPT
CITY OF LODI

Randy Hatch, Director of Community Development
Community Development Department
City of Lodi
P.O. Box 3006
Lodi, CA 95241

Dear Sir:

This communication is being written pursuant to receiving the Notice of Intent to Adopt a Negative Declaration, etc.

My wife and I are landowners in the proposed greenbelt area. As of this time we have reviewed the Declaration, Amendment, Greenbelt and Sphere of Influence proposal in its entirety.

We would like to know if this initial study and environmental checklist was prepared by city staff or was a more detailed or professional assessment undertaken?

To be candid, there are concerns that we can see and present arguments contrary to the City's position that there would be no negative impact, in at least several categories. In the categories of Air Quality, Transportation Hazards and Mandatory Findings of Significance we can see obvious conflicts with the City's position. In the categories of Noise, Public Services and Utilities we see lesser conflicts, but still are not in agreement that no negative impacts would result.

If we, who are obviously not experts in the area of environmental study, can see negative impacts the validity of this proposal comes into question. Therefore, again, we would appreciate knowing how this Declaration and Environmental proposal was performed. Was it simply a process of fill in the blank or was a more detailed approach taken? If a more detailed approach was taken could you please provide us with the specifics and who or what entities were engaged who helped prepare this proposal?

In reading this proposal it is obvious that Lodi, by adopting this proposal, would prevent the landowners from significant economic gain if and when the area in question might be developed for urban use. Also, by adopting this proposal the landowners would suffer an immediate depreciation of the current value of their property.

We can understand that individual rights are sometimes forfeited for the good of the whole.

However, a very important covenant exists in this country which mandates that subjugation of individual rights must be for a reasonable and realistic harm which would be borne by the many.

In reading and re-reading Lodi's DOC and proposal we cannot see any potential or actual harm which would come to Lodi if this area was eventually developed for urban use.

When viewing the greater Sacramento thru Manteca/Tracy area, it is most obvious that the corridor between California's two major north-south highways (I-5 & 99) and the intersection of I-80 and 580/205 create and mitigate this entire area for urban development. These major arteries are here and the incorporated cities from Tracy/Manteca to Sacramento are here. Given these facts there is no question that this area will at some point in time be completely developed into a major urban area.

When we review Lodi's reasons for this DOC and proposal it is apparent that Lodi seeks to isolate from what Lodi perceives as a threat. However, in the DOC proposal Lodi does not demonstrate a real or even possible harmful effect, if development eventually occurred. To the contrary, if this proposal would be enacted there is no disputing the immediate loss of property value as well as the greater loss of potential value which the landowners would suffer.

When my wife and I attended Lodi High School, the population of Lodi was between 20-25 thousand. We can understand a yearning for a slower paced and more rural life. However, California has a population of 32 million and has been one of the most productive and progressive areas in the world. Californians, to include Lodians, have benefitted financially above and beyond most other places and peoples as a result of this growth and prosperity. And, yes there are negative side-effects of such prosperity. Now Lodi wants to isolate from what they perceive as a potential negative effect if the city boundaries between Stockton and Lodi were eventually separated by a street.

For 10-15 years or more we have been hearing this discussion of a greenbelt. But never have we heard how or why this greenbelt would realistically harm or benefit the residents of Lodi. Unfortunately, this rhetoric has been going on for so long that Lodi has created an obsessive need to have a greenbelt. A bad idea presented as a good idea long enough is sometimes eventually perceived as good. History gives us many examples of bad ideas sold as good ideas, but in the final analysis once a bad idea is enacted there are destructive effects and inevitably history judges the idea as bad.

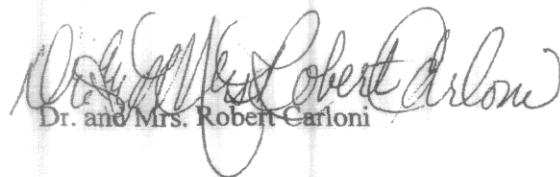
We can understand the attitude that wishes and yearns for seclusion; however, Lodi and Lodians by existing in the geographic area have participated in and benefitted from the prosperity. This attitude of isolation from the negative effects of prosperity is understandable, but not a responsible attitude since Lodi has participated and benefitted from the growth and prosperity. The Council Members who support this attitude and proposal should know the serious and real harmful impact which will be dealt to the landowners. It is most difficult for us to believe our Lodi neighbors would perpetuate and engage in such an endeavor. We would wish that the Lodi City Council members would provide responsible leadership by informing their constituents and removing what has come to be a "phantom fear." By going forth with this venture the Council

members present an arrogant attitude and disregard for the rights of the landowners. This is unfortunate and we would sincerely hope and pray that this entire proposal and venture be earnestly and truly reassessed.

In summary, there is no real or potential harm to Lodi if this area were eventually developed. There are many examples of urban growth in which city boundaries are separated by a street. Lodi needs to join California in the 21st century and realize that this Declaration and proposal for their "emotional convenience" cannot come at the expense of the landowners, which would be a real financial hardship.

We are not only opposed to this Declaration and proposal, but appalled and ashamed that the Lodi City Council members would continue this undertaking.

Sincerely,


Dr. and Mrs. Robert Carloni

RECEIVED

OCT 30 2006

COMMUNITY DEVELOPMENT DEPT.
CITY OF LODI

October 27, 2006

Mr. Randy Hatch, Director of Community Development
Community Development Department
City of Lodi
P.O. Box 3006
Lodi, CA 95241

Re: Response to Notice of Intent to Adopt a Negative declaration for a General Plan Amendment and Sphere of Influence Amendment to Establish an Agriculture/Greenbelt Designation and Plan Area

Dear Mr. Hatch,

Below are my comments regarding the above Initial Study and Negative Declaration. At this point in time I believe significant additional considerations should be reviewed and addressed prior to adoption of the above plan. The report focuses almost solely on the greenbelt area without taking into consideration the impact of activities surrounding this area. Until these are adequately addressed it appears premature for the City of Lodi to take action on the above proposal.

My concerns and issues to be addressed are as follows:

The report states that, "The agricultural land that surrounds Lodi is valuable not only because of its high quality and productivity, but also because of its scenic resource value to the area residents." While I agree that the land produces high quality and quantity, in many instances the value to the farmers is decreasing. Oversupply of grapes and imports appear to have decreased the prices paid to farmers for their products, especially grapes which comprise a large portion of the acreage within the proposed greenbelt. Farming acreage can also provide a scenic resource, but currently the responsibility to maintain this resource is the responsibility of the farmer. Without adequate revenue from farming operations farmers may not be able to maintain this aesthetic quality.

The report cites the scenic resource of an agricultural area, but does not address the public areas contained in the proposed greenbelt which currently do not have a scenic value. The median on West Lane north of Armstrong Road entering into south Lodi is not maintained and is currently an eyesore to travelers entering and exiting Lodi from this direction. This area along with other public areas such as highways and on and off ramps close to the proposed greenbelt is not adequately maintained to provide a scenic resource. The report states on page 3 that, no change in existing service providers would result from the City of Lodi's action on this proposal. Since the aesthetic quality of this area is important to the greenbelt proposal the City of Lodi's proposed action to adequately maintain these areas should be addressed before action is taken.

Planned development within and north and south of the proposed greenbelt area will impact the area and may make the area unsuitable for agricultural operations:

-Traffic on Armstrong Road will probably increase significantly and possibly pose a public safety concern with the operation of agricultural equipment on and across this area of traffic.

-Agricultural spraying, noise and dust may negatively impact the planned increase usage of public parks, worship centers and residents and businesses located north and south of the proposed greenbelt area.

-Increased population north and south of the proposed greenbelt has and will negatively impact agricultural operations through trespassing, theft, graffiti, litter and dumping. Mitigation of this impact has not yet been adequately addressed.

Current construction work is expanding Highway 99 significantly on the eastern boundary of the proposed greenbelt. There is also an anticipated trucking development to be constructed on the west side of Highway 99 directly across from the south bound Armstrong Road off ramp. Along with these construction projects there is proposed development of the north end of Micke's Grove that will increase the public usage of this park. These changes will probably significantly increase the usage of the on and off ramps and traffic at Armstrong Road between Highway 99 and Micke's Grove. These changes may make it impractical to maintain a viable agricultural operation in this affected area.

On page 4 under item 10 the report states that the property east of Highway 99 has similar usage as the proposed greenbelt. The report states that this area has designated five acre lots. It is my understanding that a proposal has been made by landowners in the proposed greenbelt area to have the area in the greenbelt have a similar five acre lot designation. This seems like a generous proposal by the landowners bringing this to the City of Lodi, but it appears that this proposal has been given no consideration in this report. I believe this proposal should be further addressed before any further action is taken regarding the proposed greenbelt.

The report states on page 26 that the, "land use designation will clarify Lodi's commitment to preservation of the agricultural character and quality of the plan area." With the proposed development activity occurring north of the proposed area and the current and proposed development south of the proposed greenbelt area it may be impossible to maintain the agricultural character and quality which appears to be envisioned by the current proposal. Consequently further thought with definite plans should be pursued prior to any greenbelt designation.

The report states:

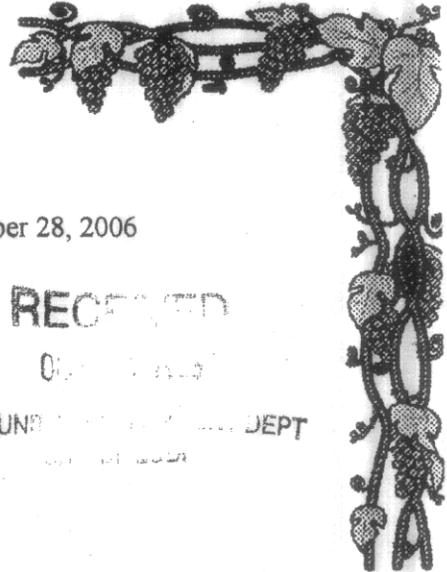
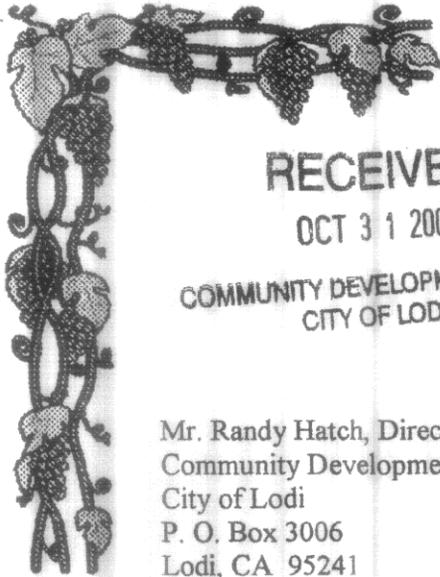
"The City shall establish a program addressing the long-range preservation and development within agriculture/greenbelt areas." From the report it appears that this will be accomplished prior to annexation which the report states the City of Lodi is not pursuing at this time. Although the City of Lodi is not pursuing annexation at this time the City of Lodi is pursuing influencing this property under amendments to the General Plan and the Sphere of Influence. Since the amendments will have a significant impact

on the property these long-range issues should be thoroughly addressed and established as outlined in the report prior to bringing this property under the City of Lodi's sphere of influence.

The report focuses almost solely on the area of the proposed greenbelt without addressing the impact of current and proposed projects in and surrounding the proposed greenbelt. Consequently the report is not comprehensive enough to make a reasonable and well informed decision at this time. The report should include a more forward thinking approach to allow those relying on its content to make an informed decision regarding this proposal. Therefore I am proposing that the City of Lodi complete the process proposed on page 3 of the report quoted under Implementation LU-19 prior to making any decision regarding the City of Lodi's General Plan Amendment and Sphere of Influence Amendment to Establish and Agriculture/Greenbelt Designation and Plan Area.

Sincerely,


Gary Daniel



Jeryl R. Fry, Jr.
 12495 N. West Lane
 Lodi, California 95240-9424

RECEIVED

OCT 31 2006

COMMUNITY DEVELOPMENT DEPT
 CITY OF LODI

October 28, 2006

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OCT 28 2006

COMMUNITY DEVELOPMENT DEPT
 CITY OF LODI

Mr. Randy Hatch, Director of Community Development
 Community Development Department
 City of Lodi
 P. O. Box 3006
 Lodi, CA 95241

RE: Lodi General Plan Amendment and Sphere of Influence Amendment to Establish an Agriculture/Greenbelt Designation and Plan Area

Dear Mr. Hatch:

We, as property owners in the affected area, are opposed to the negative declaration, determined by the City staff, in regard to the proposal by the City of Lodi to extend its sphere of influence, and make a General Plan Amendment to Establish an Agricultural/Greenbelt Designation and Plan Area. An EIR should be required.

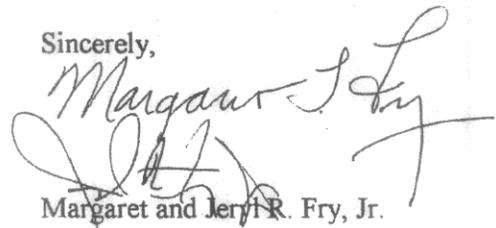
This is nothing more than a land grab by the City to establish a separator, without any intention to provide services, and develop the Project's enclosed properties in any reasonable amount of time. The City's 2% requirement, for controlling growth, assures this.

The Project studies do not address all the effects on the agricultural area, and the property owners are basically disenfranchised.

We therefore request that the City prepare an EIR, or withdraw its project proposal.

Thank you.

Sincerely,



Margaret and Jeryl R. Fry, Jr.

Carol Lauchland
700 E. Armstrong Road
Lodi, CA 95242

October 22, 2006

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OCT 22 2006

COMMUNITY DEVELOPMENT
CITY OF LODI

RESPONSE TO MAYOR HITCHCOCK - *City of Lodi*
Initial Study and Negative Declaration

~~██████~~
Randy Hatch

Can the City of Lodi Afford Mayor Hitchcock's ideas?

It is unfortunate that Mayor Hitchcock does not understand or chooses to ignore many important realities regarding her proposed establishment of a Sphere of Influence:

1. The purpose of establishing a sphere of influence is that it will be used by cities to provide for properly and carefully planned growth within a SET TIME FRAME.
2. No sphere of influence has ever been created for the purpose of establishing "farming" within a city.
3. Property rights provided by the United States Constitution would be violated.
4. Other San Joaquin county cities create spheres which provide for orderly growth according to their projections-- within a reasonable time frame (not 20-40 years).
5. Recently Lodi, under Ms. Hitchcock's guidance, proposed a 4,000+ acre sewer expansion sphere on vineyards south and west of Lodi. The city abandoned this plan, but only after great expense to the city and local farmers.
6. Most likely this current sphere proposal will be rejected by San Joaquin County (LAFCO).
7. Ms. Hitchcock does not mention the huge costs to the city that would be created by her sphere proposal--costs such as providing city services (water, sewer, electric, etc.), roads to farming areas, and probable landowner suits. The "Taking" clause in the United States Constitution states that private property cannot be taken without just compensation.

Susan Hitchcock has chosen to ignore all the recommendations of her Greenbelt Taskforce and the local landowners. She owes an apology to the taskforce members and the property owners who have worked diligently for years to establish a realistic plan for a properly working greenbelt which would be funded fully and controlled by San Joaquin County, not Stockton or the City of Lodi, WITHOUT COST TO LODI.. Her approach will incur huge expenses to city taxpayers.

J.R. Lauchland - Carol Lauchland
369-4653

LSA ASSOCIATES, INC.

Castelanelli Letterhead

October 25, 2006

Randy Hatch, Director of Community Development
Community Development Department
City of Lodi
Post Office Box 3006
Lodi, California 95241

Re: Negative Declaration for Agriculture/Greenbelt Designation and Plan Area

Dear Mr. Hatch:

We own 16 parcels of land located in San Joaquin County along Harney Lane, Davis Road and Armstrong Road, some of which are proposed to be included in the City of Lodi's ("City") proposed sphere of influence ("SOI") and new Agriculture/Greenbelt designation.

The City states that it has no intention of annexing and providing services to the Property or other portions of the proposed Agriculture/Greenbelt area. It appears the City's only reason for proposing the new SOI is to separate itself from Stockton – regardless of the cost and burden to the property owners in the proposed SOI area.

Of our sixteen (16) parcels or approximately 375 acres, all but one is vineyard and cropland; one parcel of about 79 acres is the family dairy. Currently, the Property is designated General Agriculture (A/G) and zoned AG-40 under the San Joaquin County General Plan and Zoning Ordinance, respectively.

Our family has owned and operated the dairy for over 80 years and three generations. The dairy houses approximately 1800 dairy cows. There can be 50 or more trucks visiting the dairy on a daily basis to pick up milk, deliver feed, and transport waste. We constantly use large tractors and trucks to farm the other parcels where we grow grapes, corn, alfalfa and oats.

Although our property is now surrounded by other farms and agricultural uses, urban uses have started encroaching. The same is true for the neighboring properties some of which are proposed to be included in the City's new SOI. Unfortunately, the new SOI will do nothing to protect our Property. The boundary of the SOI has been arbitrarily drawn and with its limited size – only three and a half square miles or 2,280 acres – the proposed Agriculture/Greenbelt area will be surrounded by urban uses – mainly residential homes, schools, and other non-compatible uses both on the northern side by the City of Lodi and the southern side by the City of Stockton. (See attached Land Use Diagram from City of Stockton dated February 6, 2005 showing residential uses up to the proposed SOI boundary.) It will be bounded by Highway 99 on the east and undoubtedly by urban development on the west.

Mr. Randy Hatch, Director of Community Development
Page 2

October 24, 2006

Despite these facts, the City is proposing absolutely nothing to prevent the landowners in the SOI area from becoming the targets of nuisance complaints due to standard agricultural practices including spraying, dusting, and disking etc., as well as complaints due to odors, equipment noises, and dust associated with day to day agricultural operations. In addition, the City has failed to consider how agricultural traffic (trucks, tractors) will affect the surrounding residential uses which will eventually encircle the area. For instance, even now, without urban uses built out around the SOI area, there have been numerous complaints about tractors, trucks and agricultural debris on the roads. On Armstrong Road there is often moderate to heavy traffic as well as cars speeding down Armstrong road looking for a short cut from Highway 99. These concerns will only increase as homes are built around the SOI, yet the City has made it clear that there are no plans to help the SOI area with improved infrastructure (e.g., upgraded roads) to serve the area and its new users.

There is little doubt that in the future, even with the Agriculture/Greenbelt designation in place, that our dairy will be required to shut down or relocate, and agricultural practices on the other parcels will be severely restricted or required to stop. This, of course, places an undue burden on us (as well as other landowners in the SOI area). In addition, our main assets – the parcels we own within the SOI – will be valued at far less in the eyes of banks, in spite of what Mayor Hitchcock says. This will make it impossible to borrow adequate funds to continue farming, or to purchase any other land as replacement property. Should we or other property owners in the SOI area decide we want to develop our land, we would be prohibited from doing so.

The Negative Declaration (ND) issued on October 9, 2006, completely fails to account for the land use incompatibilities discussed above that will result from the proposed SOI. The ND also fails to address the fact that while many of the properties included in the new Agriculture/Greenbelt designation are classified Farmland of Statewide Importance, they have water quality, nitrate and salinity issues that have degraded the soils, making them potentially unsuitable for growing produce and winegrapes which sell for a much higher price than corn or alfalfa. This situation has happened and continues to happen in a number of areas throughout the Central Valley. For the City of Lodi to disregard this and try to adopt this expanded SOI under the guise of protecting agricultural is disingenuous. In addition, the proposed SOI is home to only one small winery and a minimal number of Lodi's total winegrape acreage on mediocre soil. Not exactly formulas for what some see as a future hub of tourism.

Adoption of the proposed SOI and Agriculture/Greenbelt is unreasonable and unfair. It constitutes deplorable land use planning. Not only will we undoubtedly be unable to continue our agricultural practices as the cities of Stockton and Lodi grow closer together, who will want to buy land that can only be used for money losing endeavors. We will also be treated as second class citizens compared to our neighbors just outside the SOI boundary.

If the citizens of Lodi, Stockton and San Joaquin County are really serious about creating a greenbelt/separator then eliminate the sham of pretending to preserve agriculture and create a true greenbelt. Come up with proposals to purchase all of the proposed SOI at fair market price and create parks, lakes, walking and bicycle paths.

Mr. Randy Hatch, Director of Community Development
Page 3

October 24, 2006

For the reasons provided in this letter, we ask that the Planning Commission and the City not adopt the Negative Declaration and that the SOI and redesignation of the proposed area to Agriculture/Greenbelt be denied.

Thank you for your consideration of our comments.

Very truly yours,

cc: Susan Hitchcock, Mayor
Bob Johnson, Mayor Pro Tempore
John Beckman, Council member
Larry Hansen, Council member
Joanne Mounce, Council member
William Cummin, Planning Commissioner
Randy Heinitz, Planning Commissioner
Wendel Kiser, Planning Commissioner
Doug Kuehne, Planning Commissioner
Tim Mattheis, Planning Commissioner
Gina Moran, Planning Commissioner
Dennis White, Planning Commissioner

EXHIBIT B
COMMENTS RECEIVED OPPOSING PROJECT BUT NOT ADDRESSING
INITIAL STUDY/NEGATIVE DECLARATION (ND-06-03)



SAN JOAQUIN FARM BUREAU FEDERATION

MEETING TODAY'S CHALLENGES / PLANNING FOR TOMORROW

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OCT 31 2006

COMMUNITY DEVELOPMENT DEPT.
CITY OF LODI

October 30, 2006

Mr. Randy Hatch, Director
City of Lodi Community Development Department
221 W. Pine St.
Lodi, CA 95240

Sent via facsimile to (209) 333-6842

RE: Proposed Lodi Greenbelt

Dear Mr. Hatch,

The San Joaquin Farm Bureau Federation opposes the proposed General Plan and Sphere of Influence Amendments regarding the creation of an Agriculture/Greenbelt Community Separator.

As stated in the project description, "the entire plan area is currently located outside of Lodi's existing SOI, as well as Stockton's existing and proposed SOI boundaries and only the area located north of Armstrong Road is currently included within the General Plan's planning area." We do not see a need for the City of Lodi to preemptively seek amendments to the General Plan and Sphere of Influence. If the purpose of the description is true, that "the City of Lodi is not pursuing annexation of the plan area as part of this project," then the City of Lodi should leave this area under the jurisdiction of San Joaquin County.

The plan also commented that this designation would provide a "visual amenity" around urban development. Agriculture is not a visual amenity. It is a business that requires innovation and flexibility to remain viable. The lands involved with production agriculture are not to look at, they are used to produce and provide for the many families that live and work off of the land.

Thank you for the opportunity to comment and we encourage the Planning Commission and the City Council to consider any proposals brought forward by the affected landowners and San Joaquin County prior to a final decision. This cooperation will help all parties involved reach an amicable solution. A unilateral action by the City of Lodi affecting a landowner's private property is contrary to a "livable, loveable Lodi."

Sincerely,

Mike Robinson
President

Fayeq Rashid
12732 N. West Lane
Lodi, CA 95240

HAND DELIVERED

October 26, 2006

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OCT 27 2006

COMMUNITY DEVELOPMENT DEPT.
CITY OF LODI

Randy Hatch, Director
Community Development Department
City of Lodi
P. O. Box 3006
Lodi, CA 95241

Re: *Proposed General Plan and Sphere of Influence Amendment*

I own property located within the area where the City of Lodi is proposing to amend its General Plan and sphere of influence.

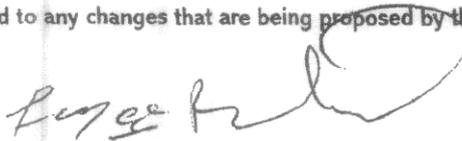
My property is under the jurisdiction of San Joaquin County. This area is currently designated in the Lodi General Plan as "planned residential reserve (PRR)". The City of Lodi is proposing to amend their General Plan and re-designate this area as Agriculture/Greenbelt (A/G), and also include the area in the city sphere of influence (SOI).

I do not support the City of Lodi's attempt to gain control of my land by amending its General Plan and Sphere of Influence. I vehemently oppose this action.

It is regrettable that Lodi's City Council failed to put the best interest of the citizens of Lodi and the landowners by failing to continue discussions regarding a compromise between the City and the landowners.

I am apposed to any changes that are being proposed by the City of Lodi.

Sincerely,



Fayeq Rashid

Giuseppe and Grace Puccinelli
13323 N. Stockton Street
Lodi, California 95240

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OCT 27 2006

COMMUNITY DEVELOPMENT DEPT.
CITY OF LODI

HAND DELIVERED

October 26, 2006

Randy Hatch, Director of Community Development
Community Development Department
City of Lodi
P. O. Box 3006
Lodi, CA 95241

Re: Proposed City-initiated General Plan and Sphere of Influence Amendments

We own agricultural land located within the area where the City of Lodi is proposing to amend it's General Plan.

Our land is under the jurisdiction of San Joaquin County, and is zoned AG-40. This area is currently designated in the Lodi General Plan as "planned residential reserve (PRR)." The City of Lodi is proposing to amend their General Plan and re-designate this area as Agriculture/Greenbelt (A/G), and also include the area in the city sphere of influence (SOI).

We are intensely oppose to the City of Lodi's attempt to gain control of the farmers and their property through this change of zoning. This attempt by the City of Lodi to control the property owners land is nothing more than an "underhanded land grab". The farmers are being treated by the City of Lodi like "second class citizens". Our rights to make decisions regarding our property and our future are being violated.

We have been told the proposed Sphere of Influence would not take the land out of the control of San Joaquin County. This is not true! Lodi will have the final authority to decide what we can or cannot do with our land according to "their vision". This proposed Sphere of Influence change and land use designation change to "Agriculture/Greenbelt" will add another layer of bureaucracy which we the landowners will have to deal with.

At the August 2006 Greenbelt Taskforce meeting the landowners proposed a generous compromise to the city which would have been a "win-win" situation for all. This proposal has been rejected without fair consideration without any attempt at discussion with the landowners.

We are vehemently opposed to any action by the City of Lodi which would amend the present land designation and change of Lodi's sphere of influence.

Sincerely,

Giuseppe Puccinelli
Grace Puccinelli
Giuseppe and Grace Puccinelli

HAND DELIVERED

October 26, 2006

RECEIVED

OCT 27 2006

COMMUNITY DEVELOPMENT DEPT.
CITY OF LODI

Randy Hatch, Director
Community Development Department
City of Lodi
P. O. Box 3006
Lodi, CA 95242

Re: Proposed General Plan and Sphere of Influence Amendment

I own property located at 11988 N. Micke Grove Road which is located within the area where the City of Lodi is proposing to amend it's General Plan.

My property is under the jurisdiction of San Joaquin County. The City of Lodi is proposing to amend their General Plan and re-designate this area as Agriculture/Greenbelt (A/G), and also include the area in the city sphere of influence (SOI).

I am opposed to the City of Lodi's attempt to gain unfair control of the landowners property. This is a cheap attempt by the City of Lodi to control our land and take away our private property rights.

The City of Lodi has not dealt fairly with the landowners. The City of Lodi has chosen not to work with the landowners is a great disappointment and shows the City's lack of respect of the landowners and their efforts to work towards a fair compromise.

I am emphatically apposed to the City of Lodi's initiated General Plan and Sphere of Influence Amendments.

Domenico Della Maggiora

Domenico Della Maggiora

MICHAEL & JOSEPH MANASSERO

2171 E. Armstrong Rd.
Lodi, Ca. 95242

RECEIVED

OCT 30 2006

COMMUNITY DEVELOPMENT DEPT
CITY OF LODI

October 26, 2006

Randy Hatch, Director of Community Development
Community Development Dept.
City of Lodi
P.O. Box 3006
Lodi, Ca. 95242

SUBJECT : Proposed General Plan And Sphere Of Influence Amendment

We are the owners of real property located at 2171 E. Armstrong Rd. This property is located within the area where the City of Lodi is proposing to amend it's General Plan.

The area wherein our property is located, is under the jurisdiction of San Joaquin County, and is zoned AG-40. This area is currently designated in the Lodi General Plan as planned residential reserve (PRR). The City of Lodi is proposing to amend their General Plan, and re-designate this area as Agriculture/Greenbelt (A/G), and also include the area in the City sphere of influence (SOI).

We are being told by the City of Lodi, that "Nothing Will Change" and that the area will still remain under County AG-40 zoning.

However, upon review of the **City of Lodi Agriculture/Greenbelt General Plan Text Amendments document**, we note that General Plan Section 3 (LU) element, Page 3-13 Implementation Program LU-11, **States: The City shall establish an agreement, such as a Memorandum of Understanding (MOU), with San Joaquin County to insure that land use actions requiring discretionary approval proposed in unincorporated areas located within Lodi's sphere of influence would only be approved if found consistent with Lodi's vision for the area and would include City review and recommended action on the proposal. Discretionary land use actions proposed for the City's unincorporated SOI areas that are inconsistent with Lodi's vision for the area should be denied.**

Although we are told by the City of Lodi, that "nothing will change", we feel that things will change if the proposed City of Lodi amendment is approved. A landowner who desires to conduct an activity which is permitted under county regulations, could find that it was not permissible because it did not fit in to Lodi's vision for the area. This would likely encumber the property owner with more expense and problems.

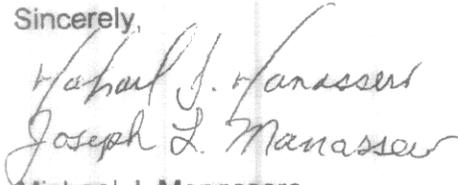
Additionally, amending the General Plan designation for the area from PRR to AG-40, would de-value land which would have an adverse effect on the land owner's borrowing ability.

If the City feels that nothing will change, then why not leave the land owners in the Armstrong Rd. area alone? Why does the City who is already experiencing financial difficulties, going to the expense and efforts of forcing their desires upon their rural neighbors? Why not work together with the area land owners in developing a workable compromise that we can all be proud of?

In August 2006, the land owners in the proposed Armstrong Rd. Greenbelt/Separator area, identified a plan which could be a workable compromise in the creation of a separator between Lodi and Stockton. However, the plan although still in the planning stages, appears to have fallen on "deaf ears" at the City of Lodi. It appears that Lodi does not want to cooperate and compromise with the land owners in the affected area.

We are adamantly opposed to any action by the City of Lodi which would amend the present General Plan designation of the Armstrong Rd. area from PRR to Agriculture/Greenbelt, and including the area in Lodi's sphere of influence.

Sincerely,



Michael J. Manassero
Joseph L. Manassero

HAND DELIVERED

October 26, 2006

RECEIVED

OCT 31 2006

COMMUNITY DEVELOPMENT DEPT
CITY OF LODI

Randy Hatch, Director
Community Development Department
City of Lodi
P. O. Box 3006
Lodi, CA 95242

Re: Proposed General Plan and Sphere of Influence Amendment

I own property which is located within the area where the City of Lodi is proposing to amend it's General Plan.

My property is under the jurisdiction of San Joaquin County. The City of Lodi is proposing to amend their General Plan and re-designate this area as Agriculture/Greenbelt (A/G), and also include the area in the city sphere of influence (SOI).

I am opposed to the City of Lodi's attempt to gain unfair control of the landowners property. This is a cheap attempt by the City of Lodi to control our land and take away our private property rights.

The City of Lodi has not dealt fairly with the landowners. The City of Lodi has chosen not to work with the landowners is a great disappointment and shows the City's lack of respect of the landowners and their efforts to work towards a fair compromise.

I am emphatically apposed to the City of Lodi's initiated General Plan and Sphere of Influence Amendments.

K.O. Kaehler
John B. Kaehler

Kaehler Danny
1025 E. Armstrong Rd
Lodi CA 95242

Joseph L. and Catherine T. Manassero
541 W. Turner Road
Lodi, California 95240

RECEIVED

OCT 30 2006

COMMUNITY DEVELOPMENT DEPT
CITY OF LODI

October 26, 2006

Randy Hatch, Director
Community Development Department
City of Lodi
P.O. Box 3006
Lodi, CA 95242

SUBJECT: Proposed General Plan and Sphere of Influence Amendment

As residents of 541 W. Turner Road, we also are the owners of the land and farming operations at 1307 E. Armstrong Road. This property is located within the area where the City of Lodi is proposing to amend it's General Plan.

The area wherein our property is located, is under the jurisdiction of San Joaquin County, and is zoned AG-40. This area is currently designated in the Lodi General Plan as "planned residential reserve (PRR)." The City of Lodi is proposing to amend their General Plan and re-designate this area as Agriculture/Greenbelt (A/G), and also include the area in the city sphere of influence (SOI).

We vehemently oppose this action! It is a "behind the door" form of "Eminent Domain" tactics being used to "control" an area already governed by San Joaquin County regulations. We, as property owners, have had our property rights violated by this action purported to the public as the "only way to stop Stockton's encroachment" toward Lodi's southern border.

Farmers on Armstrong Road presented a compromise proposal to the City Task Force Committee and were snubbed as "sub-citizens" and told we had no voting rights on this matter! We understand that very clearly now. We will soon become the "sacrificial lambs" during an "election year!"

We note that in the City of Lodi Agriculture/Greenbelt General Plan Text Amendments Document, the City of Lodi wants to enter into an MOU with the County of San Joaquin to "ensure" found **that land use actions requiring discretionary approval proposed in unincorporated areas located within Lodi's sphere of influence would only be approved if consistent with Lodi's vision for the area, and would include City review and recommended action on the proposal.** To a landowner in this area, this means that even if we only wanted to construct a barn, or add a new water well , etc., we

Would incur added expenses and red tape of the city bureaucracy in order to be approved or denied, even though technically, we are located outside of the city limits with none of the added luxuries of city living, i.e. City Police Patrol, City street lights for safety, reduced electrical rates as city based industries, etc.

We are all family farmers trying to retain the values of our properties and viability of our crops to pass on to our children. This action will devalue the land and make it expensive and very difficult to change course, if our crops do not continue to be viable commodities. In other words, the City will have sealed our fate, just for the political status of a few, under the false pretense of doing this for the "good of the citizens of the City of Lodi."

The landowners have, in good faith, proposed a compromise. The City, however, has chosen to pursue it's General Plan Amendment, with little regard for the plan offered by the landowners. It is regrettable that the City chooses to ignore the landowners, and refuses to work out a compromise in order to arrive at a solution for the Greenbelt Separator which would accomplish both parties' goals.

We ask that you use good judgment and stop this "browbeating" tactic, by denying this premature amendment to the General Plan. Allow time for more public discussion where all sides can fairly be represented.

Sincerely,

Joseph L. Manassew
Catherine T. Manassero

Joseph L. and Catherine T. Manassero

Randy Hatch
Director of Community Development
Community Development Department
City of Lodi
P.O. Box 3006
Lodi, CA 95241

RECEIVED

OCT 21 2006

COMMUNITY DEVELOPMENT DEPT
CITY OF LODI

Mr. Hatch,

We are writing this letter to go on record as being greatly opposed to the City of Lodi's Sphere of Influence Amendment. This proposal will have a negative impact on both the financial value of our property and our farm business.

Bruce Keszler 10-26-06
Sally Keszler 10-26-06
John Keszler Jr. 10-26-06
Irene Keszler 10-26-06

Bruce and Sally Keszler
4051 East Armstrong Road
Lodi, CA 95240

John and Irene Keszler
3861 East Armstrong Road
Lodi, CA 95240

HAND DELIVERED

October 26, 2006

RECEIVED

OCT 30 2006

COMMUNITY DEVELOPMENT DEPT
CITY OF LODI

Randy Hatch, Director
Community Development Department
City of Lodi
P. O. Box 3006
Lodi, CA 95241

Re: Proposed General Plan and Sphere of Influence Amendment

I own property located within the area where the City of Lodi is proposing to amend its General Plan and sphere of influence.

My property is under the jurisdiction of San Joaquin County. This area is currently designated in the Lodi General Plan as "planned residential reserve (PRR)". The City of Lodi is proposing to amend their General Plan and re-designate this area as Agriculture/Greenbelt (A/G), and also include the area in the city sphere of influence (SOI).

I do not support the City of Lodi's attempt to gain control of my land by amending its General Plan and Sphere of Influence. I vehemently oppose this action.

It is regrettable that Lodi's City Council failed to put the best interest of the citizens of Lodi and the landowners by failing to continue discussions regarding a compromise between the City and the landowners.

I am apposed to any changes that are being proposed by the City of Lodi.

Sincerely,

Barbara Huecksteadt

Barbara Huecksteadt
4052 Scottsdale Rd.
Lodi CA 95240

Anthony F. Fuso
Fuso Farms

2217 W. Vine St. Lodi, California 95242

October 30, 2006

Randy Hatch, Director
Community Development Department
City of Lodi
P.O. Box 3006
Lodi, Ca. 95241

RECEIVED
OCT 30 2006
COMMUNITY DEVELOPMENT DEPT
CITY OF LODI

Dear Mr. Hatch,

I am a resident of the City of Lodi and a viticulturist in the surrounding Lodi area. I wish to express my **opposition** to the proposed amendment to the City of Lodi General Plan and proposed sphere of influence.

The amendment to the general plan is no more than a regulatory taking of private property. In attending some of the Greenbelt Taskforce meetings, it as become apparent the Mayor and a few members of the committee have their own agenda and will not listen to the recommendations of their committee. On numerous occasions during those meetings, the Mayor had told the land owners they had better take our deal or we will pass an initiative so you get nothing. Is this how government works with its neighbors?

City staff and the Mayor have publicly stated that nothing will change in the proposed greenbelt area. While this may be true about the current agricultural zoning, I do not believe it for anything else. The proposed amendment calls for a MOU, memorandum of understanding, between San Joaquin County and the City of Lodi which states that the county shall not allow anything that does not fit into the vision of the City of Lodi for the greenbelt area. No ware does it describe the vision in any detail. During the greenbelt taskforce meetings, the vision from the Mayor was apparent. The terms open space are reoccurring, no rooftops, and another member kept talking about riding trails and paths for the public to enjoy.

I fear, if this amendment passes, that the Mayor and the City of Lodi will use their power against the farming community to further their private agenda. The MOU suggests that nothing can be done without the City of Lodi's approval. If a farmer needs to build a new barn will the City determine the size and color? Will the City use it's current form of extortion, as with developers, to demand land be donated for riding trails or money to build parks in order for that farmer to build a new barn? With the vision being open space, will the City of Lodi even allow wineries, dairies, agricultural processing plants, ect. to be built in the greenbelt area?

The proposed amendment also states, that in the future, the City of Lodi intends to expand its sphere of influence to encompass an area around the City of Lodi with a greenbelt, not just the Armstrong Rd. area. When are you going to tell the general public or those affected farmers of this plan?

I am opposed to these proposed changes to the City of Lodi General Plan in the current form.

Sincerely,



Anthony F. Fuso

Fujinaka Family · 2016 East Armstrong Road · Lodi · CA · 95242

RECEIVED

October 30, 2006

OCT 30 2006

**COMMUNITY DEVELOPMENT DEPT.
CITY OF LODI**

Randy Hatch, Director
Community Development Department
City of Lodi
P.O. Box 3006
Lodi, Ca. 95242

RE: Proposed General Plan and Sphere of Influence Amendment

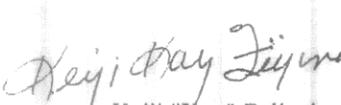
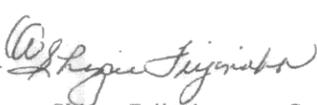
Dear Randy Hatch, Director:

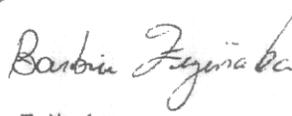
This letter is written to express our strong opposition to the proposed changes in the General Plan for Lodi. Our property would be under the city sphere of influence and would be re-designated as Agriculture/Greenbelt. This is not a fair treatment of the effected landowners as the result would severely limit our options for ground usage and reduce our rights to control our own land.

We have farmed this property since 1964 and been a good steward of this ground. In the 40+ years of ownership of this land, there was never any indication that this area would be in a greenbelt designated area. However, with development now at Harney Lane, there appears this concerted drive to establish a greenbelt for our area. We feel that if this designation was to have been formulated, ample time for careful consideration and discussion would result in a well thought out and reasonable resolution. Instead, this proposal is an unfair treatment of a few property owners without the financial resources, governmental insight, or any reasonable chance to stop such a plan.

We hope that fairness and good judgment will prevail in this matter and that the City of Lodi will respect the rights of its citizen landowners and reject the proposed general plan and sphere of influence amendment.

Thank you,



Keiji "Kay" Fujinaka Shizue Fujinaka Steve Fujinaka Barbara Fujinaka

RECEIVED

OCT 30 2006

COMMUNITY DEVELOPMENT DEPT
CITY OF LODI

HAND DELIVERED

October 26, 2006

Randy Hatch, Director
Community Development Department
City of Lodi
P. O. Box 3006
Lodi, CA 95241

Re: Proposed General Plan and Sphere of Influence Amendment

I own property located within the area where the City of Lodi is proposing to amend its General Plan and sphere of influence.

My property is under the jurisdiction of San Joaquin County. This area is currently designated in the Lodi General Plan as "planned residential reserve (PRR)". The City of Lodi is proposing to amend their General Plan and re-designate this area as Agriculture/Greenbelt (A/G), and also include the area in the city sphere of influence (SOI).

I do not support the City of Lodi's attempt to gain control of my land by amending its General Plan and Sphere of Influence. I vehemently oppose this action.

It is regrettable that Lodi's City Council failed to put the best interest of the citizens of Lodi and the landowners by failing to continue discussions regarding a compromise between the City and the landowners.

I am apposed to any changes that are being proposed by the City of Lodi.

Sincerely,

Steve Bond

1550 E ARMSTRONG RD
LODI, CA 95242
(209) 368-5082

HAND DELIVERED

October 26, 2006

RECEIVED

OCT 30 2006

COMMUNITY DEVELOPMENT DEPT
CITY OF LODI

Randy Hatch, Director
Community Development Department
City of Lodi
P. O. Box 3006
Lodi, CA 95241

Re: Proposed General Plan and Sphere of Influence Amendment

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My property is under the jurisdiction of San Joaquin County. This area is currently designated in the Lodi General Plan as "planned residential reserve (PRR)". The City of Lodi is proposing to amend their General Plan and re-designate this area as Agriculture/Greenbelt (A/G), and also include the area in the city sphere of influence (SOI).

I do not support the City of Lodi's attempt to gain control of my land by amending its General Plan and Sphere of Influence. I vehemently oppose this action.

It is regrettable that Lodi's City Council failed to put the best interest of the citizens of Lodi and the landowners by failing to continue discussions regarding a compromise between the City and the landowners.

I am apposed to any changes that are being proposed by the City of Lodi.

Sincerely,

Steve F. Borra
1301 E. Armstrong Rd
Lodi, CA 95242
(209) 368-5082

HAND DELIVERED

October 26, 2006

RECEIVED

OCT 30 2006

COMMUNITY DEVELOPMENT DEPT
CITY OF LODI

Randy Hatch, Director
Community Development Department
City of Lodi
P. O. Box 3006
Lodi, CA 95242

Re: Proposed General Plan and Sphere of Influence Amendment

I own property which is located within the area where the City of Lodi is proposing to amend it's General Plan.

My property is under the jurisdiction of San Joaquin County. The City of Lodi is proposing to amend their General Plan and re-designate this area as Agriculture/Greenbelt (A/G), and also include the area in the city sphere of influence (SOI).

I am opposed to the City of Lodi's attempt to gain unfair control of the landowners property. This is a cheap attempt by the City of Lodi to control our land and take away our private property rights.

The City of Lodi has not dealt fairly with the landowners. The City of Lodi has chosen not to work with the landowners is a great disappointment and shows the City's lack of respect of the landowners and their efforts to work towards a fair compromise.

I am emphatically apposed to the City of Lodi's initiated General Plan and Sphere of Influence Amendments.

Edward S. Batt
2376 E Armstrong Rd
Lodi Cal 95240
209 365-6205

DRAFT

RESOLUTION NO. 2006-_____

A RESOLUTION OF THE LODI CITY COUNCIL ADOPTING A CITY-INITIATED GENERAL PLAN AMENDMENT TO ESTABLISH AN AGRICULTURE/GREENBELT DESIGNATION, AMEND THE LAND USE DIAGRAM TO IDENTIFY AN APPROXIMATELY 3½ SQUARE MILE AREA LOCATED SOUTH OF THE CITY'S CORPORATE BOUNDARY AS AGRICULTURE/GREENBELT, AND MAKE AMENDMENTS TO GENERAL PLAN POLICY RELATED TO PRESERVATION OF THE AREA SOUTH OF LODI AS A COMMUNITY SEPARATOR BETWEEN LODI AND THE CITY OF STOCKTON (PROJECT FILE NO. 06-GPA-LU-03)

=====

WHEREAS, the City Council initiated a General Plan Amendment (Project File No. 06-GPA-LU-03) on March 29, 2006 to establish an Agriculture/Greenbelt designation, amend the Land Use Diagram to identify an approximately 3.5 square mile area located south of the City's corporate boundary as Agriculture/Greenbelt (plan area), and amend General Plan policy related to preservation of the area south of Lodi (plan area) as a community separator between Lodi and the City of Stockton; and

WHEREAS, the Agriculture/Greenbelt plan area is generally located south of Lodi's existing City limits and extends one-half mile north of Armstrong Road, approximately one-half to three-quarter mile south of Armstrong Road, approximately one-quarter mile west of Lower Sacramento Road to the west, and is bounded by State Route 99 to the east, as depicted in Figure 1; and

Figure 1: Agriculture/Greenbelt Plan Area



WHEREAS, the City-initiated General Plan Amendment was processed in accordance with Government Code Sections 53350 through 55358; and

WHEREAS, the General Plan Land Use Diagram designates the portion of the plan area located one-half mile north of Armstrong Road as Planned Residential Reserve (PRR); and

WHEREAS, the remainder of the Agriculture/Greenbelt plan area located south of Armstrong Road is not designated on the General Plan Land Use Diagram; and

WHEREAS, the proposed General Plan text amendments clarify the City's intent to maintain a community separator between Lodi and Stockton, as well as its desire to preserve the open space and agriculture lands surrounding the City; and

WHEREAS, the proposed Agriculture/Greenbelt designation would be compatible with the underlying San Joaquin County General Plan General Agriculture (A/G) designation, which allows commercial agricultural and agricultural-related uses with a minimum parcel size of 40 acres, and Public (P) and Resource Conservation (OS/RC) designations which allow for institutional uses and facilities and the protection of significant resources, respectively; and

WHEREAS, the Lodi Planning Commission at the regular meeting of November 8, 2006, held a duly noticed public hearing, as required by law, on the City-initiated General Plan and Sphere of Influence amendments (Project File No. 06-GPA-LU-03) in accordance with the Government Code and Lodi Municipal Code Chapter 17.84, *Amendments*, received public testimony from the public on the proposed Negative Declaration (ND-06-02), and considered proposed General Plan text and Land Use Diagram amendments, as well as the amendment to the Sphere of Influence, written comments from the public, the written responses to the comments, and other pertinent information.

WHEREAS, the Lodi Planning Commission recommended the Lodi City Council adopt the Initial Study/Negative Declaration (ND-06-02) prepared for the General Plan Amendment pursuant to the California Environmental Quality Act (CEQA); and

WHEREAS, the Lodi Planning Commission recommended the Lodi City Council adopt the City-initiated General Plan Amendment (Project File No. 06-GPA-LU-03); and

WHEREAS, all legal prerequisites to recommend the approval of this request have occurred.

NOW, THEREFORE, BE IT FOUND that, based upon the evidence within the project file, staff report, and public testimony, and the recommendation for adoption by the Lodi Planning Commission, which is incorporated herein by reference, the Lodi City Council makes the following findings:

1. The Lodi City Council has adopted Initial Study/Negative Declaration (ND-06-02) for this project by City Council Resolution No. 2006-_____.
2. The required public hearing by the City Council was duly advertised and held in a manner prescribed by law.
3. The City-initiated General Plan amendment does not conflict with adopted plans or General Plan policies and will serve sound Planning practice.
4. The size, shape and topography of the site are physically suitable for the continued agricultural and agricultural-related land uses.

NOW, THEREFORE, BE IT DETERMINED, AND RESOLVED, that the Lodi City Council has adopted the City-initiated General Plan Amendment shown below:

1. The text of the General Plan shall be amended as shown in Exhibit A hereto.
2. The General Plan Land Use Diagram shall be revised as shown on Exhibit B hereto.

Dated: November 29, 2006

=====

I hereby certify that Resolution No. 2006-_____ was passed and adopted by the City Council of the City of Lodi in a special meeting held November 29, 2006, by the following vote:

AYES: COUNCIL MEMBERS –
NOES: COUNCIL MEMBERS –
ABSENT: COUNCIL MEMBERS –
ABSTAIN: COUNCIL MEMBERS –

RANDI JOHL
City Clerk

2006-_____

EXHIBIT A
GENERAL PLAN TEXT CHANGES

EXHIBIT A

AGRICULTURE/GREENBELT GENERAL PLAN TEXT AMENDMENTS

The following provides General Plan text amendments by chapter and page number. Underlined text represents “new” General Plan language; text that is ~~struck-out~~ represents “removed” General Plan language; and no change is proposed for text that is neither underlined nor ~~struck-out~~.

General Plan Section 2: Land Use/Circulation Diagrams and Standards

Page 2-4

Agriculture/Greenbelt: This designation provides for the conservation and continued productive use of valuable agricultural (“ag”) lands surrounding Lodi’s urbanized area, ensures for a rural community separator between Lodi and the City of Stockton, and to serve as a visual amenity around urban development. In addition to agricultural and agricultural-related uses, single-family homes, parks, and open space uses could be located within the agriculture/greenbelt area. Because the City has established this area to retain low-intensity rural uses, the extension of municipal services (e.g., sewer, water, storm water) may not be provided. The minimum parcel size for the creation of new lots in this area is 40 acres, and only one residential unit per parcel is allowed. Comprised of approximately 2,280 acres, the ag/greenbelt area is located south of Lodi’s existing City limits and extends ½-mile north of Armstrong Road, approximately ½- to ¾-mile south of Armstrong Road, approximately ¼-mile west of Lower Sacramento Road to the west, and is bounded by State Route 99 to the east, as depicted on the Land Use Diagram. Residential uses in this designation are assumed to have an average of 2.75 persons per household.

General Plan Section 3: Land Use and Growth Management (LU) Element

Page 3-1

~~Agricultural Land: The agricultural land that surrounds Lodi is valuable not only because of its high quality and productivity, but also because of its scenic resource value to area residents. The City has long acknowledged the importance of retaining this valuable asset, but also recognizes the need to balance the needs of urban growth with those of Lodi’s agriculturally based economy. This is a dilemma facing many Central Valley communities.~~

Page 3-4

Goal LU-A: To provide for orderly, well-planned, and balanced growth within the City’s established corporate boundaries and sphere of influence (SOI), consistent with the limits imposed by the City’s infrastructure and the City’s ability to assimilate new growth.

Policy LU-A.1: The City shall seek to preserve Lodi’s small-town and rural qualities, including the agricultural area surrounding Lodi that provides a community separator with adjacent communities.

Policy LU-A.3: The City shall ensure the maintenance of ample buffers between incompatible land uses, including urban and rural uses.

Goal LU-B: To preserve agricultural land surrounding Lodi, important to the City’s economy and small town character, and to ~~discourage premature development of~~ prevent conversion of valuable agricultural land ~~with~~ to nonagricultural, urban uses, while providing for some urban needs.

Page 3-5

EXHIBIT A

AGRICULTURE/GREENBELT GENERAL PLAN TEXT AMENDMENTS

Policy LU-B.1: The City shall ~~encourage~~ ensure for the preservation of agricultural land surrounding the City.

Policy LU-B.2: The City ~~should designate~~ shall establish a continuous ag/greenbelt around the urbanized area of Lodi to maintain and enhance the agricultural economy, as well as to provide a defined, physical edge between the community's urban and rural areas and with adjacent communities.

Policy LU-B.3: The City should coordinate and cooperate with San Joaquin County, ~~and the San Joaquin County Local Agency Formation Commission (LAFCO), and the City of Stockton~~ to ensure that the agriculture/greenbelt community separator is established, maintained, and preserved.

Policy LU-B.4: The City shall support the continuation of agricultural uses on lands designated for urban uses located within the City's corporate boundaries until urban development is imminent.

Page 3-10

Implementation Program LU-1: The City shall request the San Joaquin County LAFCO to adopt a sphere of influence for Lodi based on the long-term growth plans of the City as reflected in the GP goals and policies and proposed land uses.

Responsibility: City Council, Community Development Department

Time Frame: ~~FY 1990-1991~~ Ongoing

Page 3-13

Implementation Program LU-10: The City shall coordinate with San Joaquin County, San Joaquin County LAFCO, and the City of Stockton to identify and designate an agricultural ~~and open space~~ greenbelt around the urbanized area of the City. The priority area for establishment of the ag/greenbelt is the area located between Lodi and Stockton.

Responsibility: City Council, Planning Commission, Community Development Department

Time Frame: ~~FY 1991-1992~~ Ongoing

Implementation Program LU-11: The City shall establish an agreement, such as a Memorandum of Understanding (MOU), with San Joaquin County to ensure that land use actions requiring discretionary approval proposed in unincorporated areas located within Lodi's sphere of influence would only be approved if found consistent with Lodi's vision for the area and would include City review and recommended action on the proposal. Discretionary land use actions proposed for the City's unincorporated SOI areas that are inconsistent with Lodi's vision for the area should be denied. As a part of this MOU, an ongoing process shall be established by which the City and San Joaquin County will cooperate and coordinate its land use planning processes with San Joaquin County and the City of Stockton to ensure consistency between each agency's with their plans for the area.

Responsibility: City Council, Planning Commission, Community Development Department

Time Frame: ~~FY 1991-1992~~ 2006-2007

Page 3-16

Implementation Program LU-19: The City shall establish a program addressing the long-range preservation and development within agriculture/greenbelt areas. This program shall include, at a

EXHIBIT A

AGRICULTURE/GREENBELT GENERAL PLAN TEXT AMENDMENTS

minimum, a thorough planning process involving all interested stake-holders (including local farmers, residents and business owners within the City limits, study area, and surrounding community) that would result in the specific locations and intensities of land uses, circulation system, infrastructure, services, financing plan, as well as design guidelines and other implementation measures.

General Plan Section 7: Conservation (CON) Element

Page 7-4

Goal CON-C: To promote the economic viability of agriculture in and surrounding Lodi, and to ~~discourage the premature~~ prevent conversion of valuable agricultural lands located in and around the City's corporate boundaries to nonagricultural, urban uses, while providing for urban needs.

Policy CON-C.1: The City shall ensure, in approving urban development near existing agricultural lands, that such urban development will not constrain agricultural practices or adversely affect the economic viability of adjacent agricultural practices.

General Plan Section 8: Parks, Recreation, and Open Space (PRO) Element

Page 8-3

Goal PRO-D: To provide adequate land for open space as a framework for urban development and to meet the active and passive recreational needs of the community, as well as to provide community separators between Lodi and adjacent communities.

Policy PRO-D.1: The City shall ~~discourage the premature~~ prevent conversion of agricultural lands located outside the City's corporate boundaries and sphere of influence to urban uses.

Policy PRO-D.3: The City should designate a continuous ~~open space~~ agriculture/greenbelt around the urbanized area of Lodi to protect open space and agricultural resources, and ~~preventing~~ Lodi from contributing to urban sprawl across the rich agricultural soil of the San Joaquin Valley.

General Plan Section 10: Urban Design and Cultural Resources (UDC) Element

Page 10-2

Rural and Agricultural Lands: The City is surrounded on all sides by rural and agricultural lands and uses, forming agriculture/greenbelt areas that physically separate Lodi from adjacent communities, such as Stockton to the south. The character of the edges between rural and urban environments is important to the City's identity and provides residents on either side of the edge with a sense of place. These rural and agricultural lands ~~surrounding Lodi constitute~~ are an important scenic resource that helps to visually define and enhance the City.

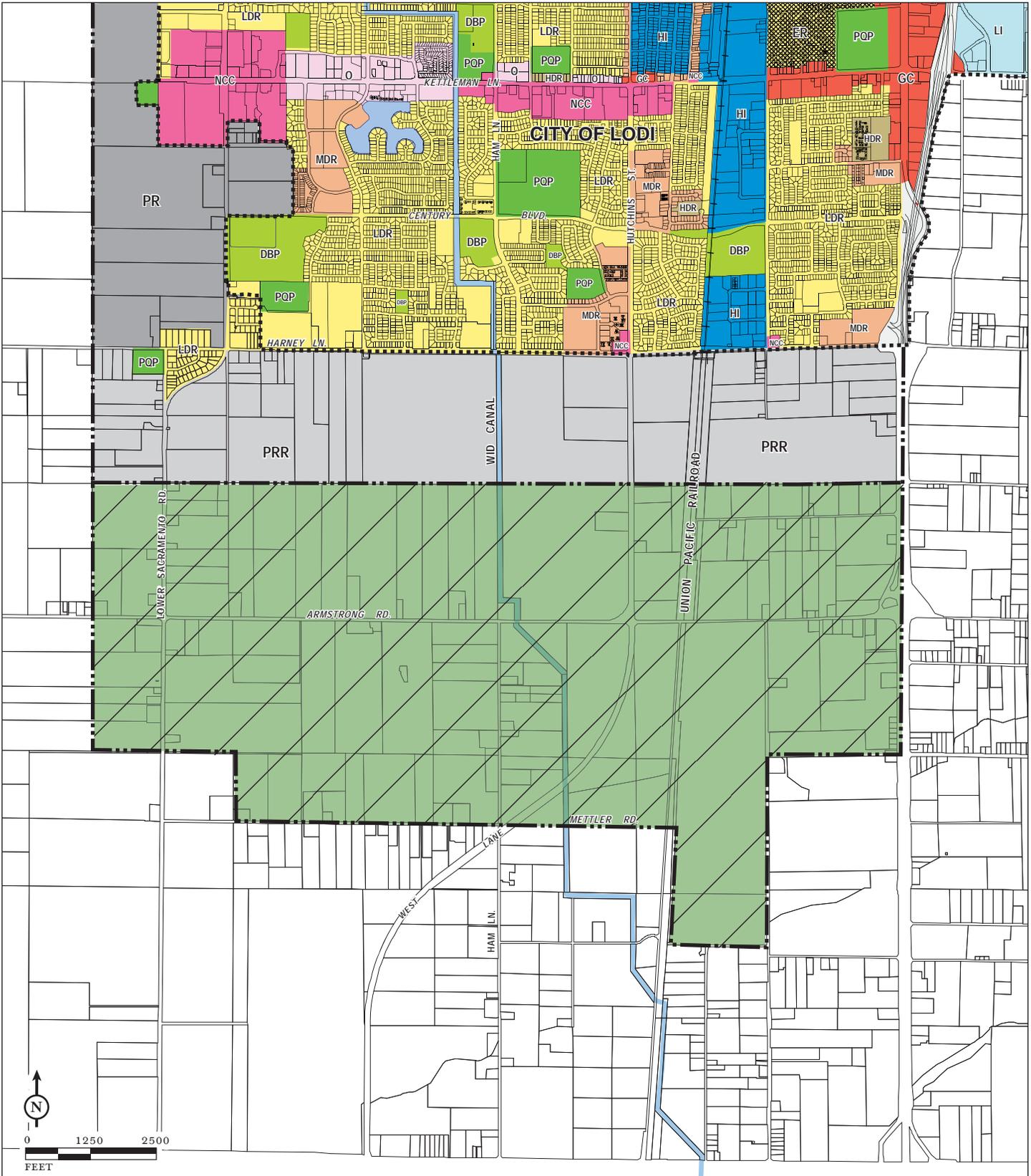
EXHIBIT B

REVISED GENERAL PLAN LAND USE MAP

Map of the City of San Diego, California, showing the Revised General Plan Land Use Map. The map displays various land use designations across the city's geographic area.

This map is a revision of the previous General Plan Land Use Map, reflecting changes in land use policy and planning objectives. It provides a visual representation of the city's future land use patterns and designations.

The map is intended to guide the city's development and land use decisions, ensuring that future growth is consistent with the city's long-term vision and goals. It serves as a key tool for urban planning and policy-making.



SOURCE: CITY OF LODI, 2006; SAN JOAQUIN LAFCO, 2005

LEGEND

- LODI CITY LIMITS
- EXISTING LODI SPHERE OF INFLUENCE (SOI)
- PROPOSED AG/GREENBELT GENERAL PLAN DESIGNATION PLAN AREA AND SOI AMENDMENT

- EASTSIDE RESIDENTIAL (ER)
- LOW-DENSITY RESIDENTIAL (LDR)
- MEDIUM-DENSITY RESIDENTIAL (MDR)
- HIGH-DENSITY RESIDENTIAL (HDR)
- GENERAL COMMERCIAL (GC)
- NEIGHBORHOOD COMMUNITY COMMERCIAL (NCC)

- OFFICE (O)
- HEAVY INDUSTRIAL (HI)
- LIGHT INDUSTRIAL (LI)
- PUBLIC-QUASI PUBLIC (PQP)
- DRAINAGE BASIN (DBP)
- PLANNED RESIDENTIAL (PR)
- PLANNED RESIDENTIAL RESERVE (PRR)
- WATER FEATURE/BODY

EXHIBIT B

Lodi Ag/Greenbelt General Plan and Sphere of Influence Amendments
Proposed Lodi General Plan Agricultural Greenbelt Designation Plan Area and SOI Boundary Amendment

DRAFT

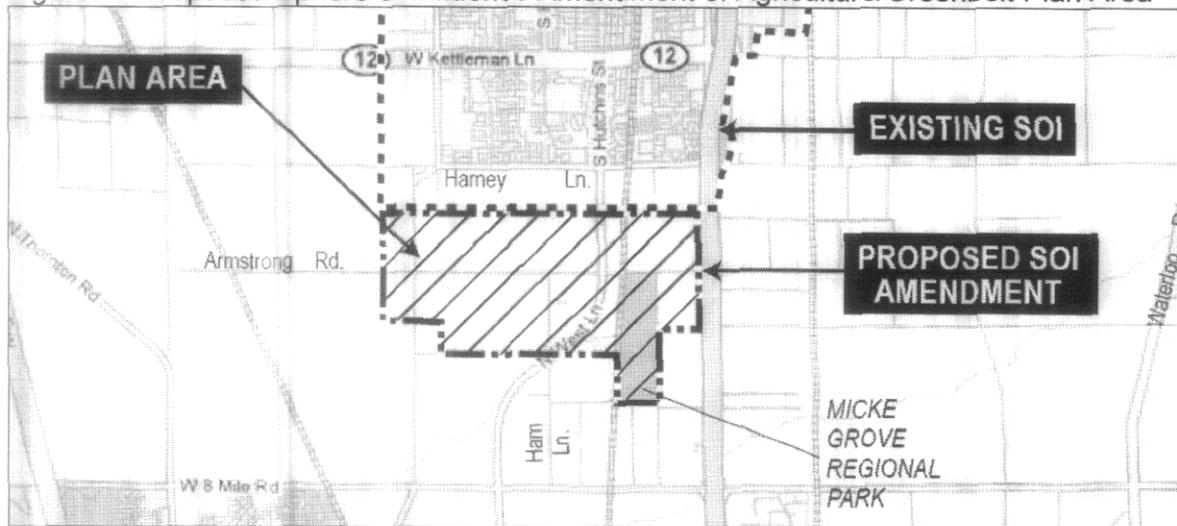
RESOLUTION NO. 2006-_____

A RESOLUTION OF THE LODI CITY COUNCIL TO REQUEST SAN JOAQUIN COUNTY LOCAL AGENCY FORMATION COMMISSION (LAFCO) TO AMEND THE CITY'S SPHERE OF INFLUENCE (SOI) TO ADD AN APPROXIMATELY 3.5 SQUARE MILE AREA TO THE CITY'S FUTURE PLANNING AREA LOCATED DIRECTLY SOUTH OF THE EXISTING SOUTHERN SOI BOUNDARY (PROJECT FILE NO. 06-GPA-LU-03)

WHEREAS, the Lodi City Council initiated a Sphere of Influence (SOI) amendment (Project File No. 06-GPA-LU-03) on March 29, 2006 to include the approximately 3.5 square mile Agriculture/Greenbelt plan area within the City's future planning area as a community separator between Lodi and the City of Stockton; and

WHEREAS, the Agriculture/Greenbelt plan area is generally located south of Lodi's existing City limits and extends one-half mile north of Armstrong Road, approximately one-half to three-quarter mile south of Armstrong Road, approximately one-quarter mile west of Lower Sacramento Road to the west, and is bounded by State Route 99 to the east, as depicted in Figure 1; and

Figure 1: Proposed Sphere of Influence Amendment of Agriculture/Greenbelt Plan Area



WHEREAS, the City of Lodi has long considered the Agriculture/Greenbelt plan area integral to its small town, rural character, evidenced by multiple Lodi General Plan goals, policies, and implementation programs aiming to preserve the plan area as a greenbelt, as described in the staff report for this matter; and

WHEREAS, the City of Stockton's Draft 2035 General Plan Land Use Map proposes to extend urban development north of Eight Mile Road, up to one-half to three-quarter mile south of Armstrong Road, directly abutting the southern edge of the Agriculture/Greenbelt plan area; and

WHEREAS, the City of Lodi does not desire to have the valuable agricultural lands between Lodi and Stockton converted to urban uses; and

WHEREAS, the City of Lodi desires to maintain an agricultural/greenbelt area around the Lodi as a separator from adjacent communities thereby ensuring preservation of Lodi's unique location in the San Joaquin Valley, agriculturally-based history, and long-founded high quality of life; and

WHEREAS, the City-initiated Sphere of Influence Amendment would ensure that parcels currently under Farmland Security Zone and Williamson Act contracts would be protected and preserved from urban encroachment.

WHEREAS, the Agriculture/Greenbelt plan area is consistent with the underlying San Joaquin County General Plan General Agriculture (A/G), Public (P), and Resource Conservation (OS/RC) designations; and

WHEREAS, on November 8, 2006, the Lodi Planning Commission held a duly noticed public hearing, as required by law, on the City-initiated Sphere of Influence Amendment in accordance with the Government Code and Lodi Municipal Code Chapter 17.84, *Amendments*; and

WHEREAS, the Lodi Planning Commission considered and recommended that the City Council adopt a Negative Declaration (ND-06-02) for the City-initiated amendments pursuant to CEQA; and

WHEREAS, the Lodi Planning Commission recommended that City Council request that San Joaquin County LAFCO amend the City's SOI to add the 3.5 square mile Agriculture/Greenbelt Plan Area; and

WHEREAS, all legal prerequisites to the approval of this request have occurred.

NOW, THEREFORE, BE IT FOUND, that based upon the evidence within the project file, staff report, public testimony, and recommendation of the Lodi Planning Commission, the Lodi City Council makes the following findings:

1. An Initial Study/Negative Declaration (ND-06-02) for this project was adopted by City Council Resolution No. 2006-_____.
2. A duly advertised public hearing was held by the Lodi City Council in a manner prescribed by law.
3. The plan area is located adjacent to the City's existing Sphere of Influence, thereby providing a contiguous extension of the City's existing planning area.
4. The City of Lodi has a great interest in future planning efforts in the plan area.
5. It is found that the proposed Sphere of Influence amendment does not conflict with adopted and proposed plans or policies of the Lodi General Plan and will serve sound planning practice.
6. It is found that the parcels in the plan area proposed to be included with the Sphere of Influence are of a size, shape, and topography that are physically suitable for the agricultural and agricultural-related uses.

7. The area being added to the Sphere of Influence is primarily in agricultural use.
8. The City's goal is to establish a new General Plan designation called *Agriculture/Greenbelt* which identifies areas to be retained as agriculture or greenbelt areas.
9. Viticulture and related winery operations are an important part of Lodi's community identity.
10. Preservation of the plan area and the continued existence of viticulture and wineries are directly related to the economy of the City because the viticulture and winery industries surrounding the City's urban area are essential to the urban economic functions of Lodi.
11. The City actively promotes viticulture and winery industries within its downtown via tasting rooms, community events, and public outreach.
12. The inclusion of the plan area as part of Lodi's SOI is critical to Lodi's ongoing economic health and vitality as a community.

NOW, THEREFORE, BE IT DETERMINED, AND RESOLVED, that the Lodi City Council hereby requests the San Joaquin County LAFCO to amend the City's Sphere of Influence as depicted in Exhibit A.

Dated: November 29, 2006

=====

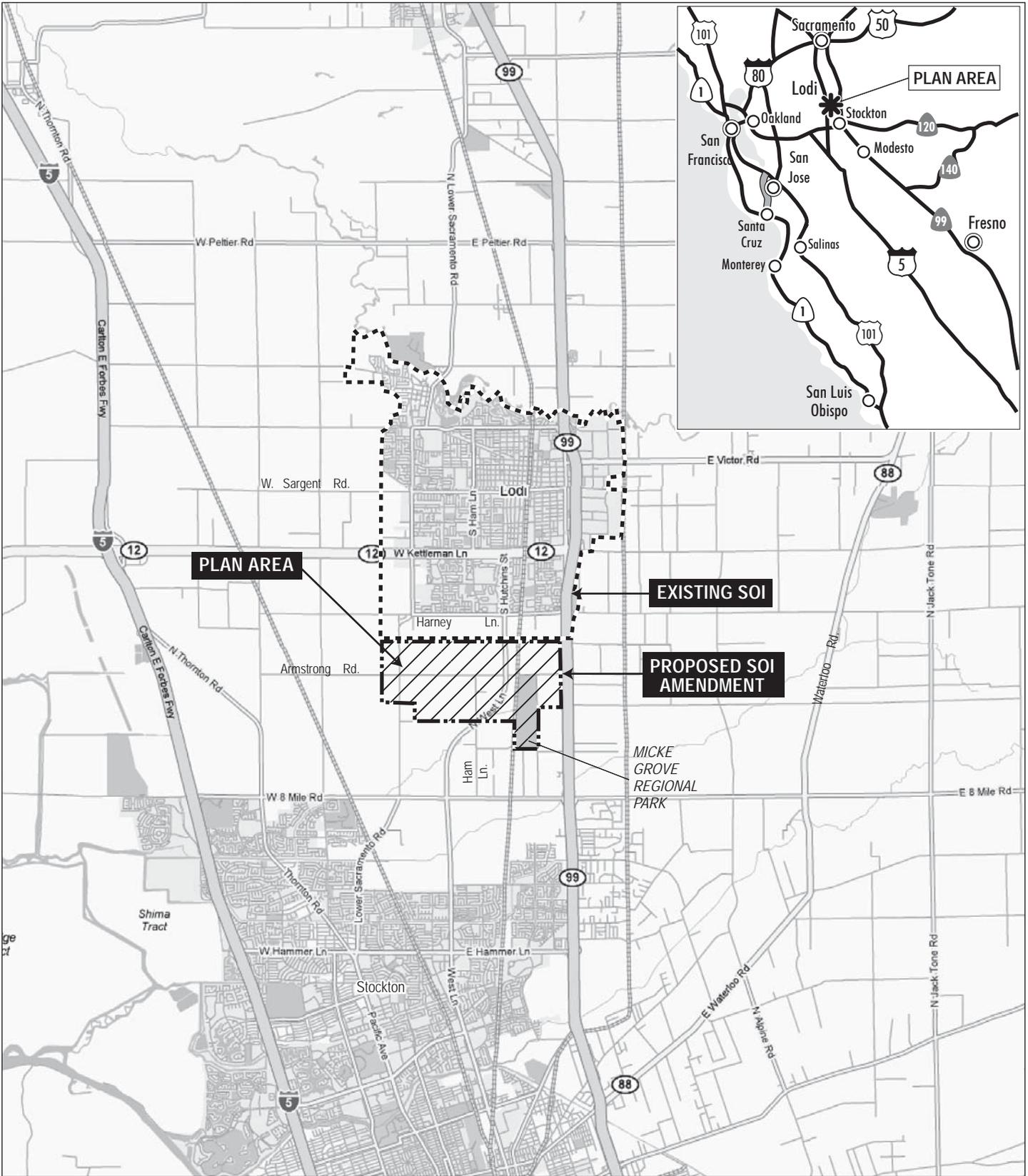
I hereby certify that Resolution No. 2006-____ was passed and adopted by the City Council of the City of Lodi in a special meeting held November 29, 2006, by the following vote:

AYES:	COUNCIL MEMBERS –
NOES:	COUNCIL MEMBERS –
ABSENT:	COUNCIL MEMBERS –
ABSTAIN:	COUNCIL MEMBERS –

RANDI JOHL
City Clerk

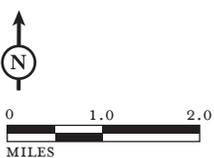
2006-____

EXHIBIT A
PROPOSED SPHERE OF INFLUENCE AMENDMENT



SOURCE: GOOGLE.COM; LSA ASSOCIATES, INC., 2006

EXHIBIT A



LEGEND	
	EXISTING SPHERE OF INFLUENCE (SOI) BOUNDARY
	PLAN AREA AND PROPOSED SOI AMENDMENT AREA

Lodi Ag/Greenbelt General Plan and Sphere of Influence Amendments
Proposed SOI Amendment Plan Area



MEMORANDUM

Date: November 29, 2006

To: Lynnette Dias, Jennifer Craven, LSA Associates

From: Strategic Economics

Project: Lodi Greenbelt Task Force

Subject: Property Values and Various Bank Loans for the Proposed Greenbelt Area

Prior to attending the Lodi Greenbelt Task Force meeting on November 14, 2006, Strategic Economics was asked to assess the ability of farmers to obtain commercial bank loans based the land values under the existing General Plan Land Use designation. This question is complicated by the fact that there are different sets of land use regulations in the area currently under consideration for a greenbelt. Currently, none of the land is in Lodi's existing corporate boundaries, or within its Sphere of Influence. Consequently, at this time, Lodi has no authority to regulate land use within any of the proposed area. However, all of the land within the proposed Greenbelt north of Armstrong Road has a land use designation of Planned Residential Reserve (PRR) in the Lodi General Plan, even though this land is actually under San Joaquin County's jurisdiction. The land south of Armstrong Road has no designation in the Lodi General Plan.

The question regarding the relationship between the General Plan land use designation and the land's value in terms of obtaining loans seems to only pertain to that land north of Armstrong Road where an expectation has been created that at some point, this land will be reassigned to a higher density, where development could occur that would be more suburban, rather than agricultural in nature. Apparently, property owners have been obtaining bank loans using this land for collateral, and the assumed value of the land in these loan agreements has been established based on the PRR land use designation, which could create a higher value. This allows for higher loan amounts than if the land were valued based on its current designation in the San Joaquin County General Plan, which is AG-40 (on a per acre basis, AG-40 land is worth approximately \$9,000-\$18,000 per acre whereas the value as residential land would be exponentially higher). These property owners are concerned that if their land is included in the City of Lodi's Sphere of Influence and redesignated as Agriculture / Greenbelt, they will no longer be able to leverage the same loan amounts, which will adversely impact their businesses.

To better understand the issues at hand, Strategic Economics contacted Mr. Steve Allen, a commercial loan officer with Farmers & Merchants Bank in Lodi. Mr. Allen stated that this is an unusual concern based on the lending practices of his bank. Farmers & Merchants Bank makes

production loans to farmers which are collateralized by the value of the crops themselves and whatever farm equipment and other materials the farmer is using to grow the crops. Land would only be used as collateral when the loan applicant has a very weak line of credit. In that case, the land would be valued only on its current use and zoning so that if the Bank were to sell the land, it could recoup its losses without having to obtain any new zoning or other entitlements.

In addition, Mr. Allen said that if a farmer was mortgaging his land, then the value of the land is, again, based on existing zoning or existing use, not on some speculative use. Future zoning might be taken into account only if nothing needs to be done to the parcel to achieve this value, such as subdividing a large parcel.

Clearly there is some kind of "disconnect" between property owners' concerns and the lending practices of at least one local bank. Therefore, there may be a need for further research before any clear conclusions can be drawn.

Lodi City Council Public Hearing

City-Initiated Agriculture/Greenbelt General Plan and Sphere of Influence Amendments

General Plan and Sphere Amendment

City-initiated General Plan Amendment

- Establish a new Agriculture/Greenbelt General Plan designation,
- Modify the General Plan Land Use Diagram to include area
- Amend goals, policies, and implementation programs to clarify the City's intent to preserve the area as an agriculture/greenbelt community separator between Lodi and the City of Stockton

SOI Amendment

- Request LAFCO amend the City's Sphere of Influence to include the 3½ square mile Agriculture/Greenbelt plan area.

Why Now?

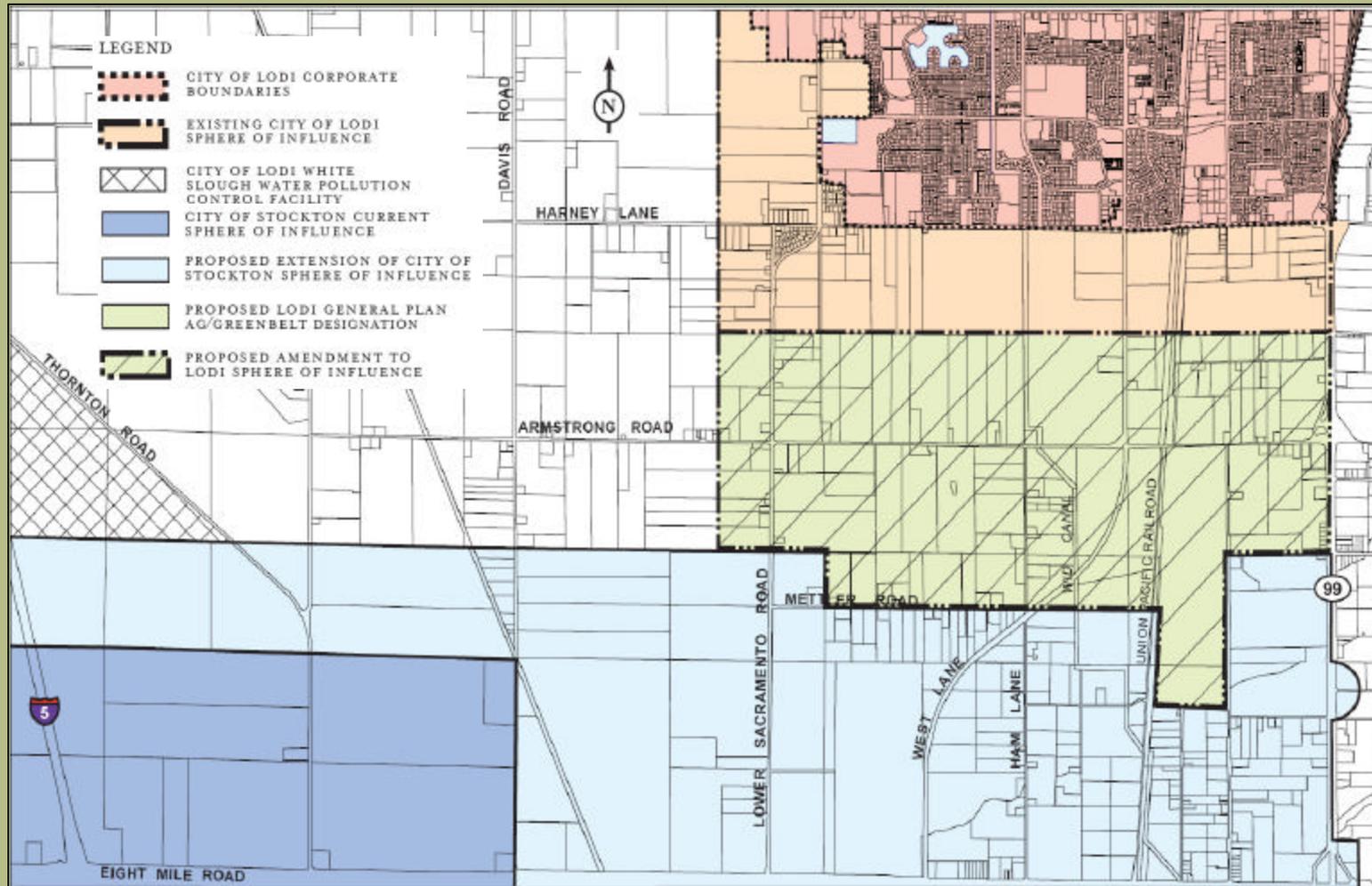
Why now?

- The Agriculture/Greenbelt plan area is an area of interest to the City and should be included within Lodi's long-range, future planning area
- City Council priority to get the area within Lodi's future planning area as soon as possible
- Ensure that future planning for the area is done by Lodi, and not the City of Stockton

General Plan and Sphere of Influence Amendments

- March 29, 2006 – Council initiated **General Plan** and **Sphere of Influence (SOI) amendments** to establish an agriculture/greenbelt area
- Council's direction included
 - New General Plan land use designation consistent with the underlying County General Plan and zoning for the area
 - County General Plan designation: General Agriculture (A/G)
 - County Zoning: General Agriculture (AG-40)

General Plan and Sphere of Influence Amendments



Components of Amendments

General Plan Text Additions

- New General Plan designation

“Agriculture/Greenbelt: This designation provides for the **conservation and continued productive use** of valuable agricultural (“ag”) lands surrounding Lodi’s urbanized area, **ensures for a rural community separator** between Lodi and the City of Stockton, and **serves as a visual amenity around urban development.** In addition to **agricultural and agricultural-related uses**, single-family homes, parks, and open space uses could be located within the agriculture/greenbelt area. Because the City has established this area to retain low-intensity rural uses, the extension of **municipal services (e.g., sewer, water, storm water) may not be provided.** The minimum parcel size for the creation of new lots in this area is **40 acres**, and only one residential unit per parcel is allowed. Comprised of approximately **2,280 acres**, the ag/greenbelt area is **located south of Lodi’s existing City limits** and extends ½-mile north of Armstrong Road, approximately ½- to ¾-mile south of Armstrong Road, approximately ¼-mile west of Lower Sacramento Road to the west, and is bounded by State Route 99 to the east, as depicted on the Land Use Diagram. Residential uses in this designation are assumed to have an average of 2.75 persons per household.”

Components of Amendments

General Plan Text Additions

- New implementation program

“Implementation Program LU-19: The City shall establish a **program addressing the long-range preservation and development** within agriculture/greenbelt areas. This program shall include, at a minimum, a **thorough planning process** involving all interested stake-holders (including local farmers, residents and business owners within the City limits, study area, and surrounding community) that would result in the **specific locations and intensities of land uses, circulation system, infrastructure, services, financing plan**, as well as **design guidelines and other implementation measures**.

Components of Amendments

General Plan Text Revisions

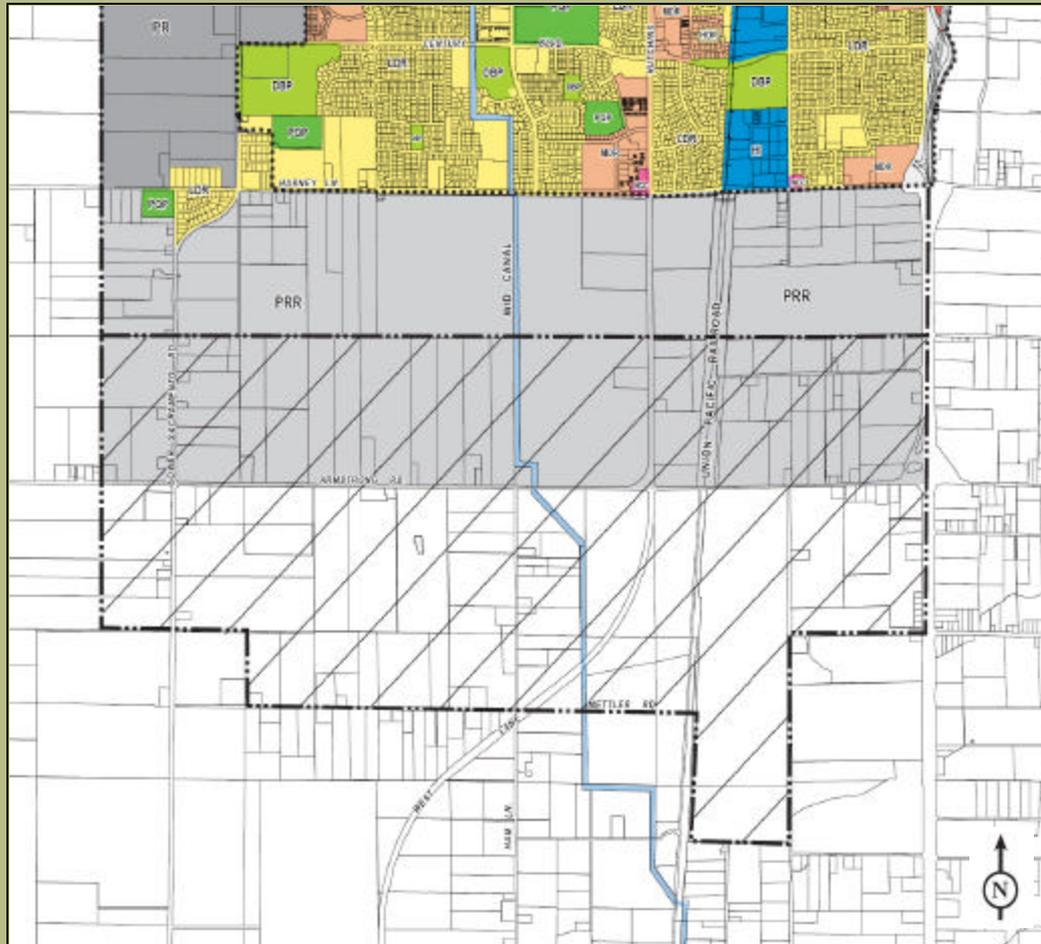
- Amend 18 existing goals, policies and implementation programs to strengthen intent to preserve plan area as a community separator between Lodi and Stockton
 - Sample policy language refinement
 - *Goal LU-A: To provide for orderly, well-planned, and balanced growth within the City's established corporate boundaries and sphere of influence (SOI), consistent with the limits imposed by the City's infrastructure and the City's ability to assimilate new growth.*

Components of Amendments

Land Use Diagram Revisions

- **Redesignate** area $\frac{1}{2}$ mile north of Armstrong Road from Planned Residential Reserve (**PRR**) to **Agriculture/Greenbelt**
- **Designate** area $\frac{1}{2}$ to $\frac{3}{4}$ mile south of Armstrong Road as **"Agriculture/Greenbelt"**

Existing General Plan Land Use Diagram

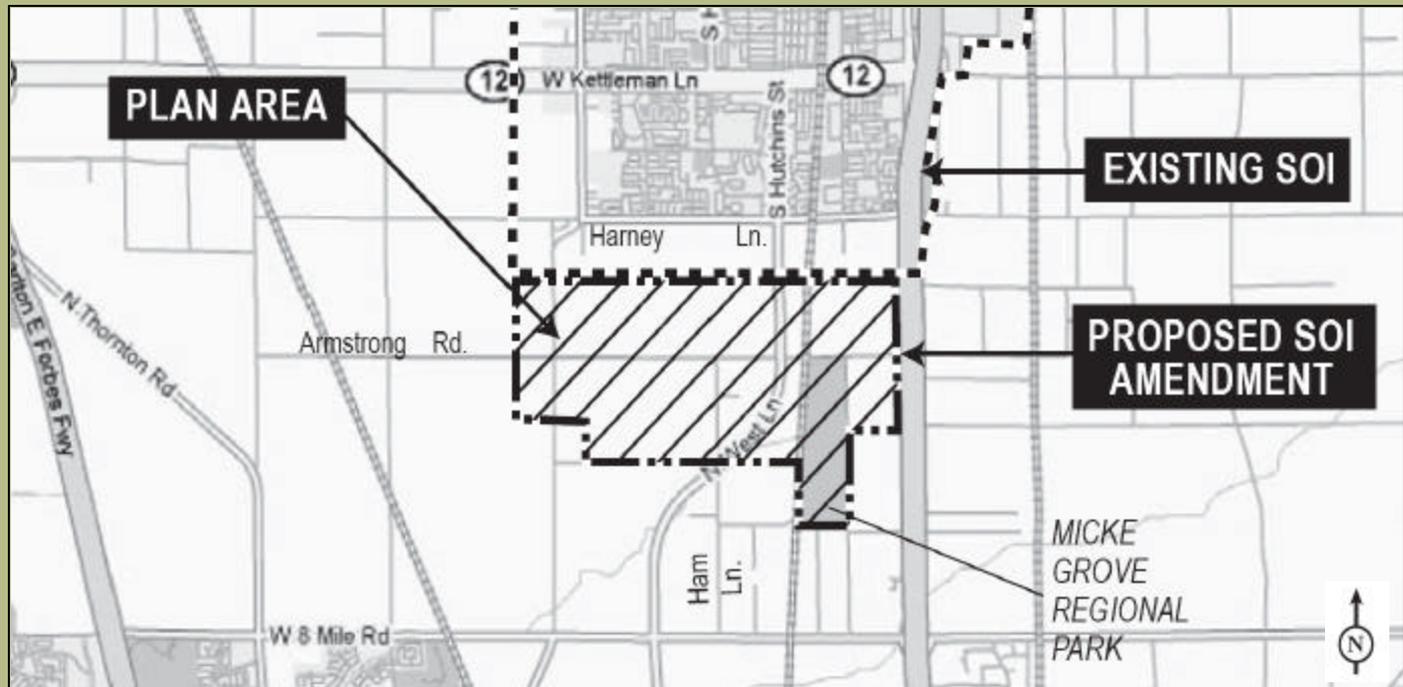


LEGEND

-  LODI CITY LIMITS
-  EXISTING LODI SPHERE OF INFLUENCE (SOI)
-  AG-GREENBELT PLAN AREA AND PROPOSED SOI AMENDMENT
-  EASTSIDE RESIDENTIAL (ER)
-  LOW-DENSITY RESIDENTIAL (LDR)
-  MEDIUM-DENSITY RESIDENTIAL (MDR)
-  HIGH-DENSITY RESIDENTIAL (HDR)
-  GENERAL COMMERCIAL (GC)
-  NEIGHBORHOOD COMMUNITY COMMERCIAL (NCC)
-  OFFICE (O)
-  HEAVY INDUSTRIAL (HI)
-  LIGHT INDUSTRIAL (LI)
-  PUBLIC-QUASI PUBLIC (PQP)
-  DRAINAGE BASIN (DBP)
-  PLANNED RESIDENTIAL (PR)
-  PLANNED RESIDENTIAL RESERVE (PRR)
-  WATER FEATURE/BODY

Sphere of Influence (SOI) Amendment

- Amend City's Sphere of Influence boundaries to add an Agriculture/Greenbelt plan area to the City's future planning area



General Plan and Sphere of Influence Amendments

Approval of Amendments would *not*

- Change County's jurisdiction over area
- Change County zoning, impose new regulations, or change entitlements
- Change allowed uses or restrict agricultural or farming use of properties
- Result in new development
- Result in land being annexed into the City
- Result in the use of "Eminent Domain" to acquire any property within the plan area or the physical taking of private property
- Change how property is assessed in plan area

General Plan and Sphere of Influence Amendments

Approval of amendments *would*

- Add the area to the General Plan Land Use Diagram
- Clarify the plan area is of interest to the City of Lodi and should be included within it's, and not Stockton's, future planning area
- Clarify the City's intent to preserve the area as a agriculture/greenbelt community separator between Lodi and Stockton
- Provide for continued Task Force efforts to develop a plan for the area

Environmental Assessment

- City prepared Initial Study and Negative Declaration (IS/ND)
- No change to existing environmental condition would result
- Released for 22-day public review and comment period from 10/9/06 through 10/30/06
- 11 comment letters received; each individually responded to in Exhibit A of Attachment 13
- No comments received raise new environmental issues that would require recirculation of the IS/ND

Task Force Deliberations on Amendments

- Community workshop with Greenbelt Task Force on October 10, 2006
 - 7 of 19 Task Force members and 22 private citizens in attendance
 - General concerns/comments
 - Moving forward prematurely given City-wide General Plan update
 - Property owners would like more time to develop plan
 - Sentiment that the City not responding to plan area property owners' desires
 - Property owners want to stay in County

Planning Commission Deliberations on Amendments

Public Hearing on November 8, 2006

- Received staff report, 20 speakers, deliberated on amendments
- Comments/questions posed to staff
 - Agency with jurisdiction over parcels within SOI and outside City limits
 - Ability to amend SOI but retain PRR north of Armstrong Road
 - Process to cancel Williamson Act contracts
 - Task Force's role related to Implementation Program LU-19
 - Unjustness of amendments because landowners not represented by Council
 - Need to keep Lodi and Stockton separated by agriculture
 - Need to understand property owners plan before acting on amendments
 - Need for landowner consensus before acting on amendments
 - Sentiment that amendments are good for Lodi

Recommendation on Amendments

Planning Commission recommends that City Council

- **Adopt the Negative Declaration** for the City-initiated General Plan and Sphere of Influence amendments and direct staff to file a Notice of Determination of this action with the County Clerk; and
- **Approve the City-initiated General Plan Amendment** to establish a new Agriculture/Greenbelt General Plan land use designation, identify the 3½ square mile Agriculture/Greenbelt plan area as Agriculture/Greenbelt on the General Plan Land Use Diagram, and make amendments to General Plan goals, policies, and implementation programs clarifying the City's intent to preserve the plan area as an agriculture/greenbelt community separator between Lodi and the City of Stockton; and
- **Request** that San Joaquin County **LAFCO amend the City's Sphere of Influence** to include the 3½ square mile Agriculture/Greenbelt plan area.

End of Presentation

Questions?

EXTRA SLIDES FOR BACKGROUND FROM THIS POINT FORWARD

Overview of City's Efforts to Establish Greenbelt/Community Separator

- 1991 General Plan: **21 policies provide framework** to establish greenbelt area
- Late 1990's: Established **2x2x2 Greenbelt Committee**
- December 2003: Council established 19-member **Community Separator/Greenbelt Task Force**

Community Separator/Greenbelt Task Force

Task Assigned by Council

"Explore and investigate the variety of models available, and as utilized in various cities, to accomplish the community separation/open space goal, and make a recommendation to the City Council for the option that works best for Lodi."

Community Separator/Greenbelt Task Force

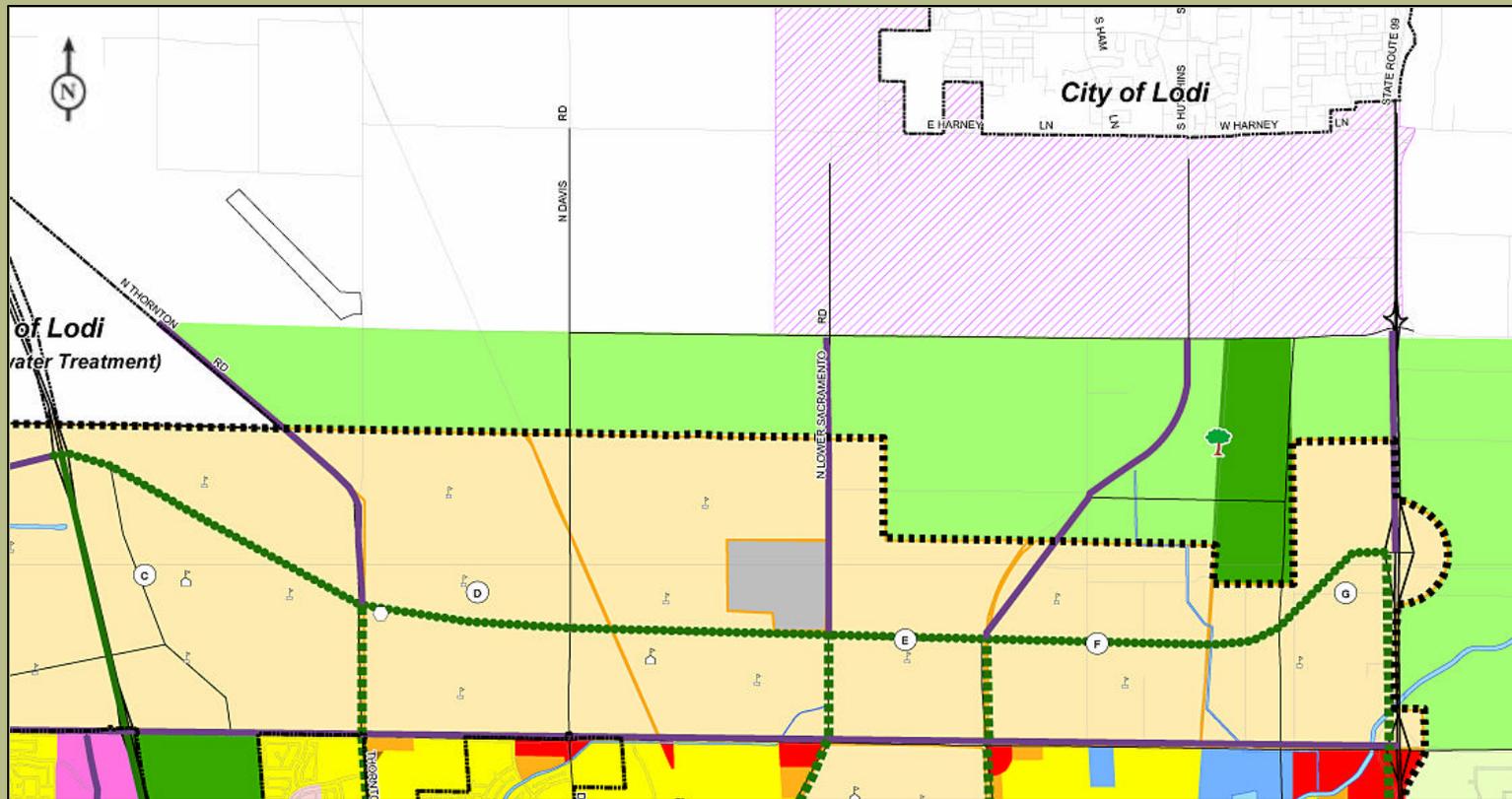
Task Force Activities

- Met approximately 20 times since December 2003
- Considered a Preliminary Draft Program in 2004
 - Property owners expressed opposition to Draft Program
 - Requested time to develop a program acceptable to them, as well as achieve the City's objective of establishing a greenbelt/community separator
 - August 15, 2006: Property owners presented their proposal
 - Stay within the County
 - Rezone the area to Limited Agriculture (AL-5)
 - Task Force has not yet reached consensus on any of the elements of this Draft Program

Stockton 2035 General Plan Update

- June 2003: Stockton General Plan update began
- February 2005: Published Draft 2035 General Plan Land Use Plan
- Expands urban uses north of Eight Mile Road with **“Village”** designation
- **“Village”** demarcates area Stockton intends to annex over life of 2035 General Plan.

Draft Stockton 2035 General Plan Land Use Plan



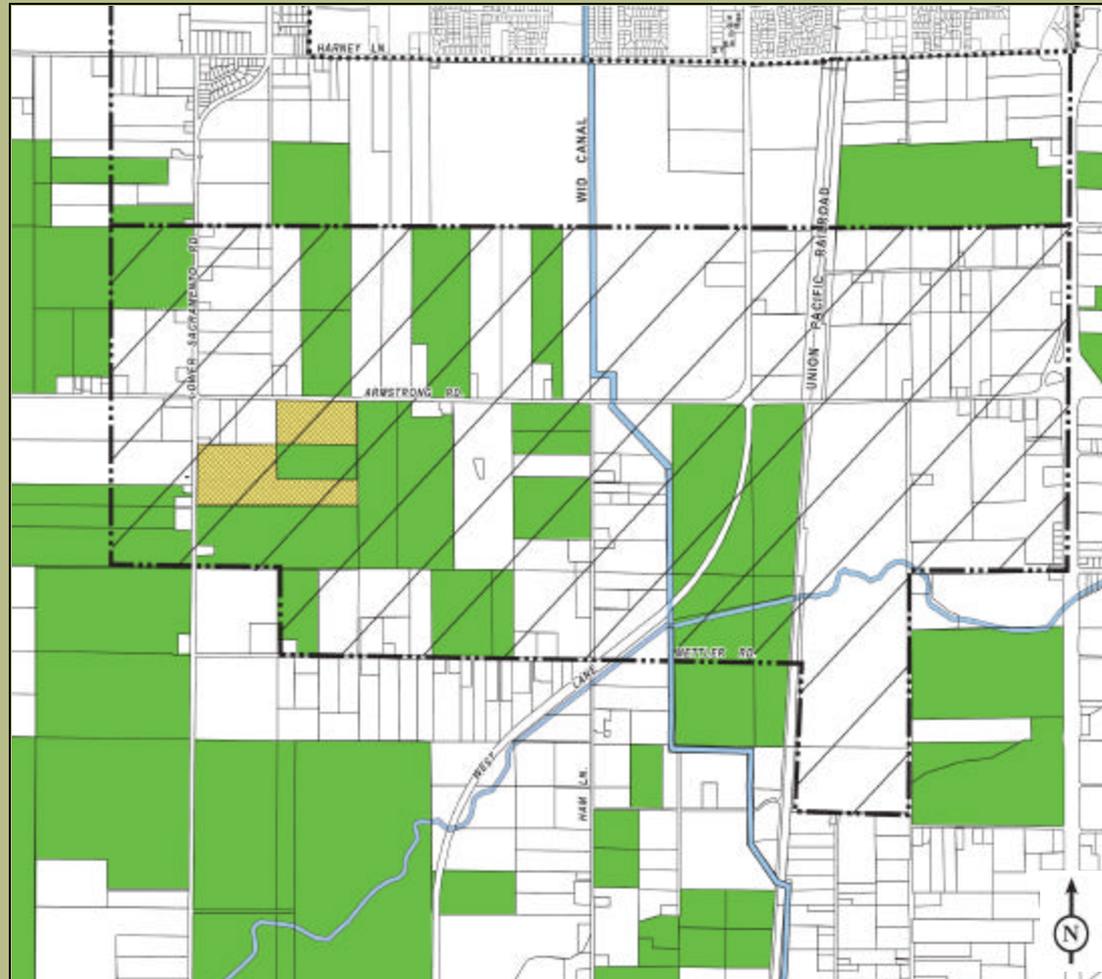
Stockton 2035 General Plan Update

- North of proposed **“Village”** area, identified as **“Open Space/Agriculture”**
- Open Space/Agriculture parcels would
 - Remain under County jurisdiction
 - Minimum parcel size of 40 acres
 - Uses consistent with underlying County designation
- Stockton 2035 General Plan Update not adopted
- December 1, 2006 – Anticipated release of Draft General Plan and EIR

Parcels Under Farmland Preservation Contracts

- 24 parcels under Farmland Security Zone and/or Williamson Act Contracts
- Contracts restrict parcels to agricultural or open space uses in return for reduced property tax assessments

Parcels Under Farmland Preservation Contracts



LEGEND

-  LODI CITY LIMITS
-  EXISTING LODI SPHERE OF INFLUENCE (SOI)
-  AG/GREENBELT PLAN AREA AND PROPOSED SOI AMENDMENT
-  FARMLAND SECURITY PARCELS ALSO UNDER WILLIAMSON ACT CONTRACT
-  WILLIAMSON ACT
-  WATER FEATURE, CANAL OR SLOUGH

Lodi General Plan Update

- City authorized contract with consultant on May 17, 2006
- Joint PC/CC General Plan kick-off meeting on September 4, 2006
- Stakeholder interviews, community survey, and community workshops from November 2006 through February 2007
- Project completion of General Plan in August 2008

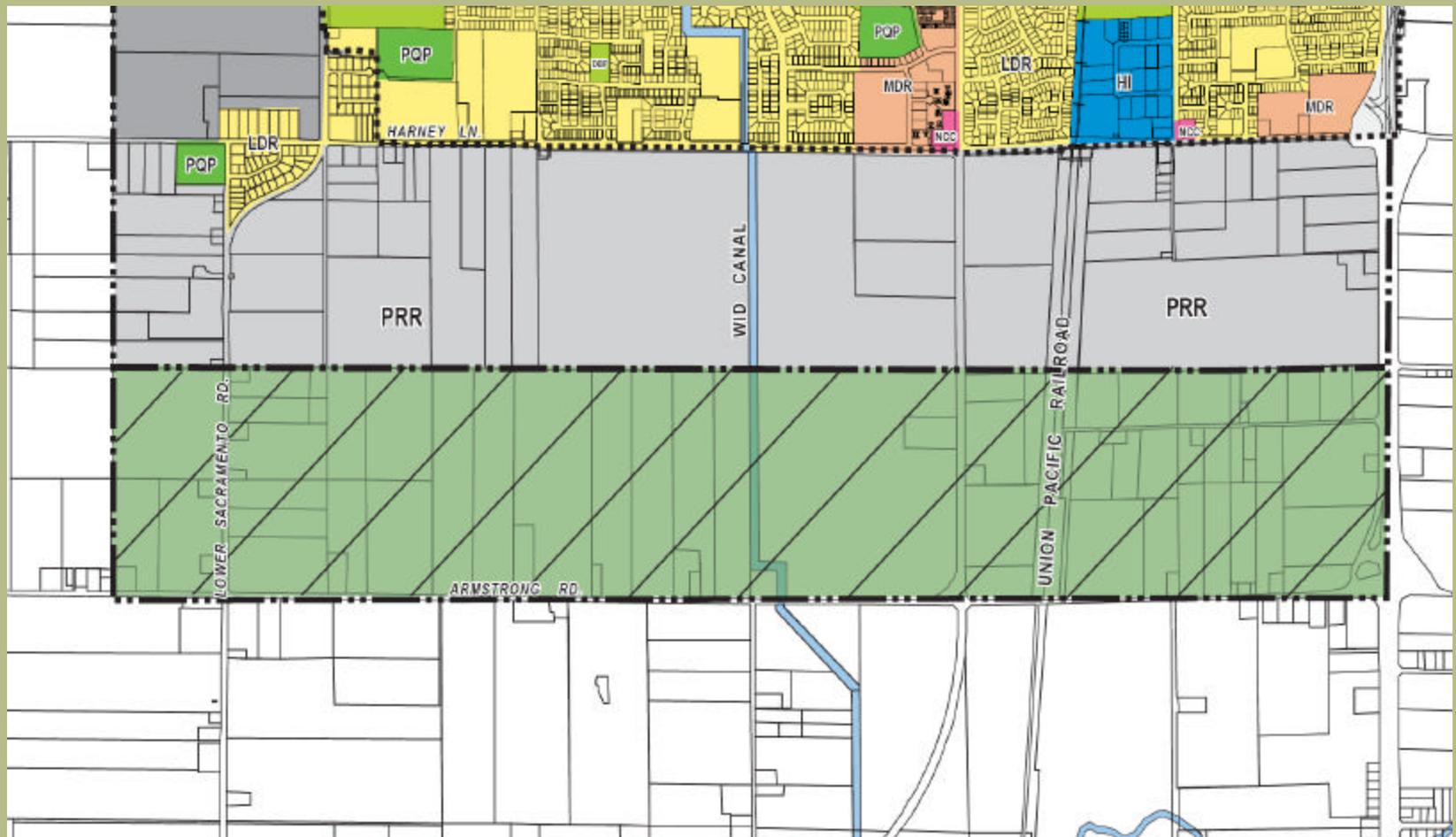
Why no EIR?

Why no Environmental Impact Report (EIR)?

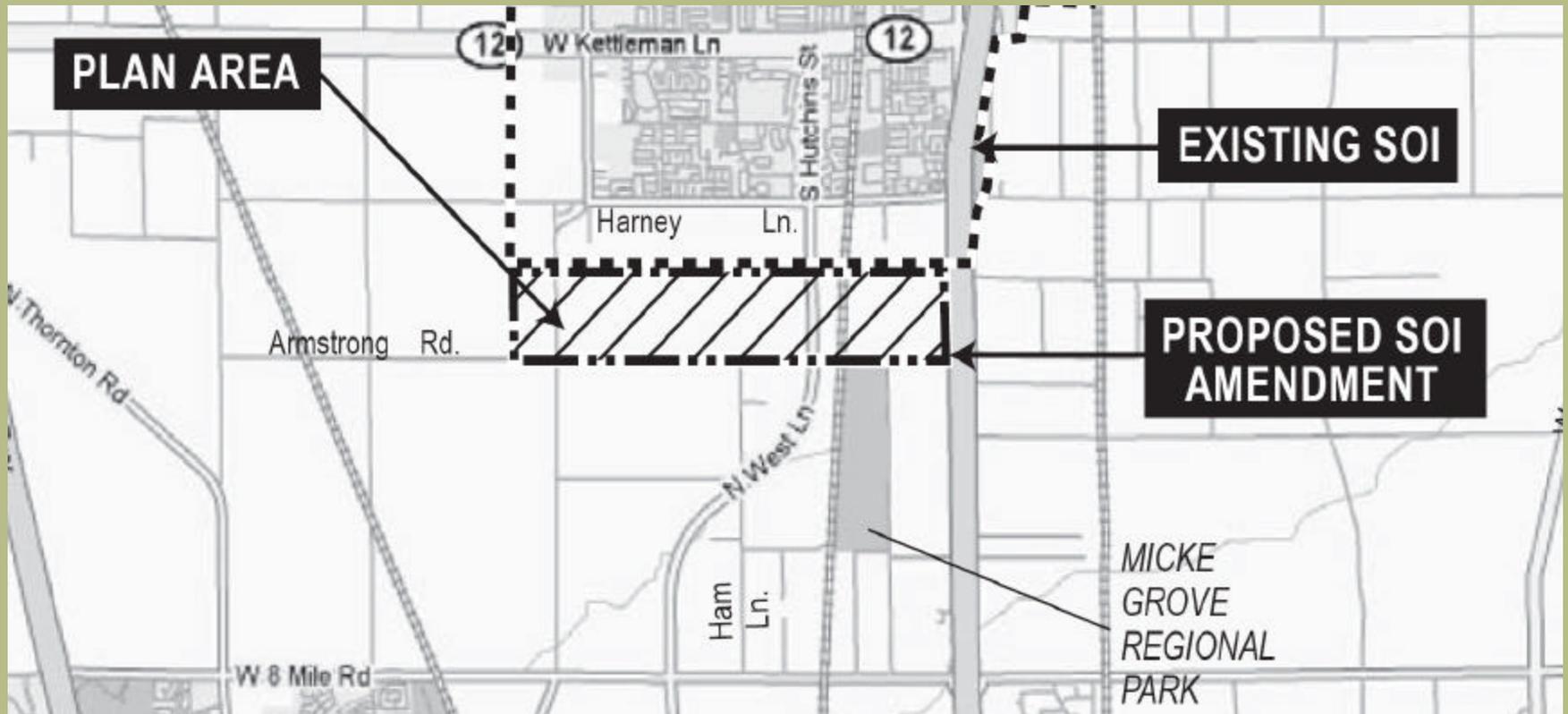
- Amendments would not change zoning, allowed uses, or regulations for area
- No development is proposed
- No change to the existing environmental condition would result
- No significant impacts would result

Therefore, no EIR is required

Reduced Plan Area



Reduced SOI Amendment Area



HCB
HERUM CRABTREE BROWN
Attorneys At Law

Steven A. Herum
sherum@herumcrabtree.com

November 29, 2006

Honorable Members of the City Council
Lodi City Hall
P.O. Box 3006
Lodi, California 95241

Re: Initial Study/Negative Declaration No. 06-02 For General Plan Text and
Land Use Diagram Amendments to Establish Agricultural/Greenbelt
Designation and Plan Area and Sphere Of Influence (SOI)
Amendment for Agriculture/Greenbelt Plan Area (October 2006)

Dear Honorable Members of the City Council:

This office represents the Armstrong Road Property Owners, an unincorporated association of property owners, taxpayers and voters in San Joaquin County and the City of Lodi who are vitally interested in the land use policies and environmental practices of the City of Lodi. This letter is written on their behalf.

1. The Initial Study Fully Defeats the Legal Basis for the Sphere of Influence/General Plan Amendment or, in the Alternative, truncates the Project Description to Understate Environmental Effects of the Proposal.

A. The Initial Study Defeats the Legal Basis for the Sphere of Influence/General Plan Amendment.

1. Purpose of a Sphere of Influence.

The Government Code defines a "sphere of influence" as follows:

"Sphere of influence" means a plan for the probable physical boundaries and service area of a local agency, as determined by the commission."

The State of California General Plan Guidelines defines "sphere of influence" similarly: it is "[a]dopted by the LAFCO, [and] encompasses incorporated and unincorporated territory that is the city's ultimate service area." State of California General Plan Guidelines at 11. It adds:

"A sphere of influence is a plan for the probable physical boundaries and service area of a city or district, as determined by the LAFCO (§56076). This plan serves as a basis for making future annexation decisions and is intended to provide for orderly growth and development. Annexation of land outside the SOI is generally not allowed."

2. The proposed sphere of influence does not meet the minimum criteria for a sphere of influence.

Does the proposed sphere of influence amendment meet the criteria for a sphere of influence as defined by state law and the accompanying state guidelines? The initial study's evaluation eviscerates the validity of the proposed sphere of influence. The Initial Study states, "The proposed amendments would not result in any physical development. [page 2] Further, the City of Lodi is not pursuing annexation of the plan area as a part of this project. As such, no change in existing service providers would result and correspondingly, no analysis is provided speculating which services may eventually be provided by the City in the future...."

A leaders in the so-called greenbelt movement, Councilman Hansen concedes that the sphere of influence is not intended to depict the ultimate urban boundary of Lodi but instead is intended to obstruct expansion of Lodi's urban boundary:

"Our attempt to expand the sphere of influence is intended to create a pause on the speculation that the city of Stockton will eventually annex up to the current borders of Lodi. Let's recognize the area in question for what it is: part of Lodi, not Stockton.

Mr. Gill also accused the council of misusing the sphere of influence to create a community separator. To that charge I plead guilty — with explanation. We are indeed using our sphere of influence to create a community separator. The spheres are used to a community's area of interest and

LAFCO (Local Agency Formation Commission) is charged with making decisions **promoting community separators.**"

Lodi News Sentinel May 17, 2006 (guest editorial authored by Larry Hansen) (emphasis added). Similarly, the Mayor confirmed this purpose and intent:

"The council's action to increase its sphere of influence south of Harney Lane is designated to preserve farming, open space and protect the agricultural traditions of the Lodi area."

Lodi News Sentinel October 21, 2006 (guest editorial written by Susan Hitchcock) (emphasis added).

These purposes, intentions and designs are fully antagonistic with the statutory purpose and basis for establishing and expanding a sphere of influence. Stated slightly differently, the sphere of influence represents the "ultimate public service boundary" for a city and is generally correlated to the term of the general plan. This proposal symbolically turns the sphere of influence on its head, making it a plan that thwarts the expansion of municipal services rather than enable the logical expansion of provisions for urban services. As a result, the proposal does not meet state standards and the City's initial study impermissibly truncates the review of potential environmental effects by materially misstating the characteristics and features of a sphere of influence. To put a finer point on it, Lodi's application to LAFCO for a sphere of influence change will require it to prepare and submit a municipal plan of service. This plan of service will demonstrate how Lodi will provide municipal services to the affected area. A legally sufficient plan of service will fully contradict the predicates and assumptions that the City's Initial Study relied upon. It will also constitute "substantial new information" as defined by Public Resources Code §21166 and CEQA Guidelines §15162(a)(3).

B. The City of Lodi has asserted a Sphere of Influence application cannot ignore the consequences of this change to land uses.

Interestingly, the City of Lodi, when commenting on a 2004 proposed sphere of influence by the City of Stockton, based on a negative declaration and not an EIR, claimed that an environmental review for a sphere of influence must:

"take into account the ultimate buildout that would reasonably occur as a result of a sphere of influence amendment....[and] **a sphere of influence amendment creates 'irreversible momentum toward ultimate build out' and the impact of the 'whole action must be evaluated.'**"

City of Lodi July 8, 2004 letter to City of Stockton at 4 (emphasis added). Relevant to this action, the City of Lodi cited to *City of Antioch v. City of Pittsburgh* for the principle that:

"Environmental review cannot be deferred until reasonably foreseeable future development is, in fact, proposed...**The fact that future development may take several forms or that it may never occur does not excuse environmental review or the project which is the catalyst for the projected future growth. The fact that the extent and location of such growth cannot now be determined does not excuse the County from preparation of an EIR.**"

Id. at 8 (emphasis added).

Relevant to this discussion the City of Lodi observed that its 2004 White Slough EIR "finds that air quality impacts were potentially significant" and "[t]his evidence and analysis contained in Lodi's Draft EIR provide substantial evidence of a potentially significant environmental impact here, precluding Stockton's reliance on a negative declaration." *Id.* at 9. The import of this statement is significant and obvious: if Lodi believed that its 2004 EIR presented substantial evidence and analysis of a potentially significant environmental effect thereby precluding Stockton from processing a sphere of influence application on the basis of a negative declaration then the argument applies with equal dignity to Lodi itself. [Lodi did not limit this argument to the environmental effect of air quality. It also observed that the same result was true concerning biological resources and endangered species. *Id.* at 10.]

This point of view was the centerpiece of the Petition for Writ of Mandate filed by the City of Lodi against the City of Stockton's negative declaration for Stockton's Sphere of Influence project:

"Permitting Stockton and/or Real Parties to proceed as planned would undermine any meaningful environmental review of any proposed development in the future in light of

the momentum that has been created as a result of Stockton's approvals of negative declarations for the project."

First Amended Petition for Writ of Mandate Case No CV 024720 Para. 19 at page 7 (emphasis added).

2. A Negative Declaration is Unavailable to the City of Lodi When Proposing a Sphere of Influence Amendment.

The point is straightforward: based upon immediate past actions and statements, the City of Lodi cannot argue that a sphere of influence amendment such as the one pending is consistent with the California Environmental Quality Act. In part, substantial evidence produced by an earlier certified EIR by the City of Lodi provides a fair argument that the sphere of influence application may have a significant environmental effect. [Certified EIRs, such as Lodi's earlier EIR, constitute "substantial evidence" supporting an argument of a potential significant environmental effect. CEQA Guideline §15121(c).] In addition, the City of Lodi has repeatedly represented that spheres of influence create "irreversible momentum" toward an "ultimate" urban build out that must be studied before approving the sphere of influence even if "the extent and location of such growth cannot now be determined."

Applying this belief to the immediate situation, the environmental analysis is highly truncated and fails to address the potential effects of the project. The legal purpose and justification for the sphere of influence application is that it represents the ultimate boundary of Lodi's plan to provide public services during the planning period. Yet, within the Initial Study, Lodi contradicts this clear legal purpose and argues that no environmental review is required because this area is being set aside to prevent or impair urbanization. The internal contradictions eviscerate both the sphere of influence application and the CEQA review.

We wonder, for instance, how will Lodi complete an application to LAFCO? Local LAFCO regulations require a sphere of influence application to include a plan of municipal service. What will the plan of municipal service consist of in this instance? The dilemma is obvious: a legally sufficient plan of municipal service will contradict the position of the City and Council and Initial Study that the sphere of influence is not for urbanization.

3. Conduct at the Planning Commission Prevents the City Council from Receiving an Independent Recommendation from the Planning Commission as Required by State Law.

State Planning and Zoning Law, applicable to general law cities such as Lodi, requires a planning commission to *impartially* review proposed zoning and general plan amendments and *independently* recommend approval of the amendments to the City Council. Gov. Code §§65100, 65353, 65354, 65855; Lodi Municipal Code §§2.16.010, 2.16.030. (Indeed the Council's role is to "approve, modify or disapprove the recommendation of the Planning Commission". Gov.C. §65356.) Unfortunately, conduct at the Planning Commission hearing unduly influenced the commission's recommendation thereby tainting the recommendation and depriving the City Council of the ability to consider the proposed sphere of influence expansion and general plan amendment as intended by the statutory scheme enacted by the State Planning and Zoning Law.

"A primary goal of statutory construction is ascertainment of the legislative intent so that the purpose of the law may be effectuated. Statutes should be given a reasonable interpretation which comports with the apparent purpose and intent of the legislature. Statutory language must be read in context, keeping in mind the nature and purpose of the enactment, and must be given such interpretation as will promote rather than defeat the objective of the law." *Contra Costa Theatre, Inc. v. Redevelopment Agency* (1982) 131 Cal.App.3d 860, 864; see also *Twain Harte Homeowners Ass'n v. County of Tuolumne* (1982) 138 Cal.App.3d 664, 698-699 ("[e]very word, phrase, and provision of a statute was intended to have some meaning and perform some useful function...") (emphasis added). In this case, the statutory policy underlying Government Code sections 65354 and 65855 is plain: members of the planning commission are experienced in matters of planning and development, and their opinions on such topics are significant, *Stanislaus Audubon Society, Inc. v. County of Stanislaus* (1995) 33 Cal.App.4th 144, 155; hence, their independent and unbiased recommendations on planning issues aides legislative bodies in making thoughtful and orderly municipal planning decisions in the public interest. Stated differently, the State Planning and Zoning Law legislative scheme concerning general plan amendments integrates a planning commission recommendation as a major feature of that scheme. The legislative scheme and purpose cannot be attained if this recommendation is empty, pointless or subject to prejudice. This approach is required in order to "honor the legislative scheme." *Farmers Insurance Exchange v. Superior Court* (1992) 2 Cal.4th 377, 394.

A *valid* planning commission recommendation, therefore, is a condition precedent to the City Council's consideration of a proposed zoning and general plan amendment. Gov. Code §§65354, 65855. A City Council is deprived of its police power to make such planning decisions when an impartial planning commission recommendation is lacking. Indeed, relying on a planning commission recommendation when several appointive planning commissioners were unduly influenced by the very council member who appointed them necessarily defeats the statutory objectives of sections 65354 and 65855. Thus, in order to attain the statutory goals delineated in Government Code sections 65354 and 65855, a planning commission's recommendation must be free from improper outside influence.

Mayor Hitchcock's subtle attempt to influence certain Planning Commissioners into recommending approval of the amendment taints the Planning Commission's recommendation in violation of State Planning and Zoning Law. For nearly two decades, Mayor Hitchcock has been an outspoken proponent of creating a "Green Belt" between Lodi and Stockton. See The Stockton Record, *Larger Sphere of Influence Would Affect Properties* (Nov. 28, 2006), attached to this letter as **Exhibit "A"**. Not surprisingly, Mayor Hitchcock again passionately stated her position at the Planning Commission hearing speaking in favor of the Project. Mayor Hitchcock's presentation contained what can only be characterized as a thinly veiled attempt to unduly influence those members of the Planning Commission whom she appointed to the commission. Mayor Hitchcock conveniently reminded members of the Planning Commission that they were planning for the residents of Lodi that voted for council members that put you on in your positions..." See Excerpt from November 8, 2006 Planning Commission Hearing Transcript, attached to this letter as **Exhibit "B"** at 1.

As a result of this undue influence, the Planning Commission voted four to three to recommend approval. And, not coincidentally, the Mayor herself appointed all four members of the Planning Commission who "rubber-stamped" the approval under the Mayor's watchful eye. Such blatantly partial actions necessarily deprive the Planning Commission's recommendation of any independence, and, hence, any validity under Government Code sections 65354 and 65855.

The Planning Commission's tainted review and recommendation also runs afoul of procedural due process requirements, including the requirement to provide a fair hearing "*before a reasonable impartial, noninvolved reviewer,*"

Nasha LLC v. City of Los Angeles (2004) 125 Cal.App.4th 470, 483 (emphasis in original). Where, as here, the general plan amendment affects a discrete number of persons who are exceptionally affected by the action, procedural due process restraints apply. See *Harris v. County of Riverside* (9th Cir. 1990) 904 F.2d 497, 502 (holding that a county's adoption of a general plan amendment that redesignated the plaintiff's property from commercial to residential uses was subject to procedural due process requirements, even though general plan amendments normally are considered legislative actions); *Londoner v. Denver* (1908) 210 U.S. 373, 385 (holding that procedural due process constraints apply when a decision concerns a relatively small number of persons who are exceptionally affected, in each case upon individual grounds).

Mayor Hitchcock's influence over the Planning Commission's recommendation rendered the hearing patently unfair in violation of imperative procedural due process protections. Due process in an administrative hearing "demands an *appearance* of fairness and the absence of even a *probability* of outside influence on the adjudication." *Nightlife Partners, Ltd. v. City of Beverly Hills* (2003) 108 Cal.App.4th 81, 90. In fact, the broad applicability of administrative hearings to the various rights and responsibilities of citizens and businesses militate in favor of assuring such hearings are fair. *Id.* at 90-91 (noting that these fairness mandates relate equally to state-wide administrative agencies as well as local municipal and county boards and commissions). Discretely reminding members of the Planning Commission that she "put them in their positions", and by implication, could remove them if they did not vote as she wanted, surrounded the administrative hearing with an aura of unfairness. More importantly, such conduct gives rise to a distinct possibility of improper outside influence. This is especially so since Mayor Hitchcock appointed the only Planning Commissioners who voted to recommend approval. The failure to fiercely guard procedural due process rights prohibits the City Council's consideration of the proposed sphere of influence expansion and general plan amendment.

4. Conclusion.

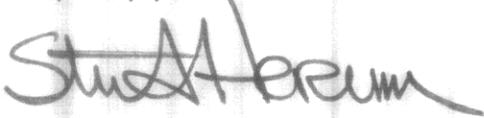
At the end of the day the City of Lodi cannot have it both ways. Either: (a) the proposed sphere of influence application has the legally minimum features of a sphere of influence, in which case the Initial Study underestimates and truncates an analysis of environmental effect; or, (b) the proposed sphere of influence lacks the minimum features of a sphere of influence, in which case the sphere cannot be considered by the San Joaquin Local Agency Formation Commission.

Honorable Members of the City Council
November 29, 2006
Page 9

This approach is simply an effort to take the property rights of the affected property owners without due process of law. The City has substituted a regulation for a gun when involuntarily taking the property owners' Constitutionally protected rights.

Finally this letter incorporates by reference the City of Lodi's certified EIR prepared for the White Slough Water Pollution Control Facility Sphere of Influence Program, the City of Lodi's July 8, 2004 letter to the City of Stockton, the City of Lodi's First Amended Petition for Writ of Mandate filed September 23, 2004, its letter to the San Joaquin Local Agency Formation Commission opposing the City of Stockton sphere of influence applications, the City of Lodi files regarding the White Slough Sphere of Influence and the City of Lodi files regarding the City of Lodi's opposition to the City of Stockton's 2004 Sphere of Influence applications.

Very truly yours,

A handwritten signature in black ink, appearing to read "Steven A. Herum". The signature is written in a cursive, somewhat stylized font.

STEVEN A. HERUM
Attorney-at-Law

SAH:lac

News

FARMERS FIGHTING LODI PLAN

LARGER SPHERE OF INFLUENCE WOULD AFFECT PROPERTIES

By *Jeff Hood*
November 28, 2006
Lodi Bureau Chief

LODI - Dwindling agricultural land between Stockton and Lodi someday might be impractical to farm, according to those who, like their ancestors did, earn a living by working the rich soil.

Not only do lower-cost food and wine imports make farming less profitable, but encroaching suburbs also mean more vandalism, crop theft and neighbors' complaints. Those are only some of the reasons farmers in that area say Lodi's proposal to create an agricultural buffer between the cities through legislation isn't fair.

"It's under the pretense of preserving agriculture," said Jerry Fry of Mohr-Fry Ranches. "No one here has been asked what's the best way to preserve agriculture."

Although they say they intend to keep farming, 10 farmers who met with The Record on Monday said their biggest objection to Lodi's plan is that a permanent buffer takes away options for their families, which could include selling land for development in future generations.

The City Council is scheduled to vote Wednesday on expanding its sphere of influence south of Armstrong Road and creating a 3 1/2-square-mile zone where only agricultural uses would be permitted.

"What they're saying is you can't do anything except this forever," said Bob Carloni, who grows alfalfa south of Lodi. "I say, let the natural course of events happen."

The farmers said Monday that such a plan, if passed by the City Council and approved by the San Joaquin Local Agency Formation Commission, burdens them with providing an amenity to Lodi residents at no cost to the city.

"The city of Lodi is like a stepfather that I don't like, ordering us around," farmer Domenico DellaMaggiora said. "Leave us alone. We just want some options. That's what we want."

Wednesday's City Council discussion is the closest Mayor Susan Hitchcock has come to creating a greenbelt in two decades' work on the issue, first with the Lodi Planning Commission and the past eight years on the Lodi City Council.

Her vision of open space from Eight Mile Road to Harney Lane has shrunk in recent years. Stockton plans to grow north of its current city limits and Lodi south by a half-mile. Hitchcock, who has made a greenbelt the focus of her tenure on the City Council, was rewarded Nov. 7 by being elected to a third term. She was picked on nearly 60 percent of ballots in the eight-candidate race for three seats.

The day after the election, she listened to farmers at a Lodi Planning Commission meeting who objected to the city's extended planning area.

"The only conclusion I can draw is they would like to be part of Stockton's sphere of influence so they can develop,"

Hitchcock said. "Unfortunately, that's not in Lodi's best interest. Do we go with sprawl and malls, or do we look to preserve our historic heritage of agriculture? Lodi's at that crossroad."

Even if the City Council approves the proposal, affected farmers said they doubt LAFCO would allow the expanded planning area.

Bruce Baracco, LAFCO's executive officer, said he doesn't know of any similar effort by a city elsewhere in the state to add property under its control for open space.

"Historically, the general rule has been if the property owner does not want to be included in the sphere, LAFCO takes that into consideration and tries to balance that," Baracco said. "Keep in mind, too, that a normal sphere program would commit an area to development, and, in this case, it's designed to commit an area to agriculture and open space."

Farmers said Monday that they're still willing to go along with a proposal they made in August to a Hitchcock-appointed task force that would restrict development on their property to one home for every 5 acres.

"It's in its infancy, and we have not finished developing that plan," grape grower Mike Manassero said. "Now the city thinks there's an urgency for completing their plan today."

Hitchcock said there's nothing in the farmers' offer that's incompatible with an expansion of the city's planning area. If Lodi's proposal is adopted, property owners might even be able to develop 5-acre ranchettes sooner than they would otherwise.

"We support the plan they submitted, and we're proceeding in that direction," Hitchcock said. "(Allowing 5-acre lots is compensation. Otherwise it would be years out before they could develop."

City Manager Blair King said that even if Lodi's proposal isn't approved by LAFCO, it announces that Lodi is serious about having a say over development south of Armstrong Road.

"It's an issue of self-determination," King said. "For Lodi, it's who is going to control that area. I don't see urban development happening there unless Lodi allows it."

Contact Lodi Bureau Chief Jeff Hood at (209) 367-7427 or jhood@recordnet.com

BOARD OF SUPERVISORS MEETING

Partial Record of PC Meeting on November 8, 2006

Susan Hitchcock: I, Susan Hitchcock, Lodi City Council - you know I sat in your chair for thirteen years, and it is always very difficult when you are discussing land use issues. And this is very difficult when you have a bunch of individuals here who have property in the area, and while I appreciate their situation, and had I been . . . had land in that area I would probably be here as well speaking up and trying to keep the highest value for my land, which is a speculative value. However, as a Planning Commissioner, or as a Council Member, we don't represent the farmers that are in this room. We want to respect the rights they have as their property, and the property rights that are associated with Ag 40, and I think that Mr. Frye made a really important point that whatever we do, we need to try to assist them to maintain the viability of farming. And, you know, who knows what that will like down the road 50 years from now. I won't be here to make that decision, and maybe something will change, but at this point in time when you are planning for Lodi, you are planning for the 60,000 people that live in Lodi that voted for council members that put you on in your positions, and you have an obligation to represent them. And unfortunately, sometimes that does go contrary to what others outside the City may want to do. When you look at . . . I know as an elected representative what I hear over and over again is let's please don't grow together with Stockton, and I know you made the comment about, or someone made the comment I've never seen so many people afraid for the cities to merge. Lodi has a lot of pride, a lot of pride of ownership, of their independence, much like these farmers

do in terms of their land, and I have learned that in working with the Green Belt Task Force the last two years. They have a lot of pride, a lot of independence, fierce independence, and don't want anyone to tell them what to do with their land, and I respect that, I appreciate that, but at the same time as an elected official for a population of a city of 60,000, we have the responsibility to direct the future of the city, and what that will look like, and unfortunately our neighbor to the south doesn't have the same growth policies that we have. They are much more rapidly growing. Mr. Hatch will tell you that when he worked for the City of Stockton ten years ago they said they will never cross Eight Mile Road. Here we are, they currently are ready to submit or have submitted a Spanos plan that goes a mile and a half north of Harney Lane, and that's both east and west, it's 2,000 acres east and west of I-5. So, they can amend their general plan four times a year, and if someone comes in with a project that happens to be a half mile south of Harney Lane, because that's all our sphere of influence currently goes is one half mile south of Harney Lane. That's it. And if they came in with a project not to us, but to Stockton, and said let's amend the general plan, let's move this into the sphere of influence for Stockton, you know what I would not be surprised if they would approve it. Thirteen years on the Planning Commission, eight years on the City Council, I worked on a 2 x 2 x 2 group with the County, the City of Stockton, and the City of Lodi trying to work towards a Green Belt community separator. When I was on the Planning Commission, I worked on a group with the City of Stockton trying to work on a community separator. All I saw was further growth north. Lodi must determine its own destiny, and we must represent the people – unfortunately not the farmers that live here, but the people that live in the City of Lodi, and I think that the

overwhelming majority of them wish to maintain their own identity, that wish to maintain that sense of pride they have as a separate city, not as the Elk Grove model, and not as part of North Stockton. So, it's difficult – you know it's difficult. You are charged with a difficult decision. The Green Belt Task Force has been working for two years, that too has been a challenge, but we did come up with a compromise, and frankly I embrace that compromise, and those farmers who were at the meeting know that I embrace that compromise. And I look forward to working through that, but we can't work through it if we don't have the sphere of influence to work through it in. If it's all of a sudden in Stockton, and you know I am sure there are individuals here who would like to continue farming, and that's what I would like to protect their ability to do that. There are others, I'm sure, who want to develop, and I am sorry that I can't accommodate that, but I have to look at the entire City of Lodi and not the individual interests whether they be my own. Currently, they have the ability and will have the ability under the sphere of influence to use their land as it is currently zoned. None of you can come in here . . .

Man: Sorry, I've got to cut you off. We are giving everybody five minutes, and you have gone over that.

Susan Hitchcock: Okay, thank you for your time.

Randi Johl

From: Blair King
Sent: Wednesday, November 29, 2006 4:31 PM
To: Randi Johl
Subject: Greenbelt Language

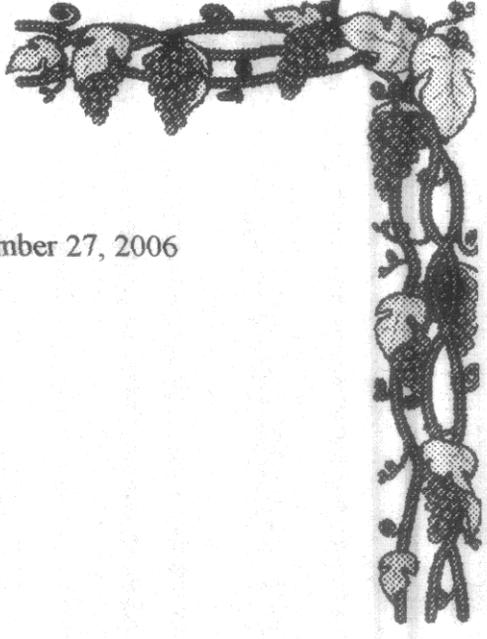
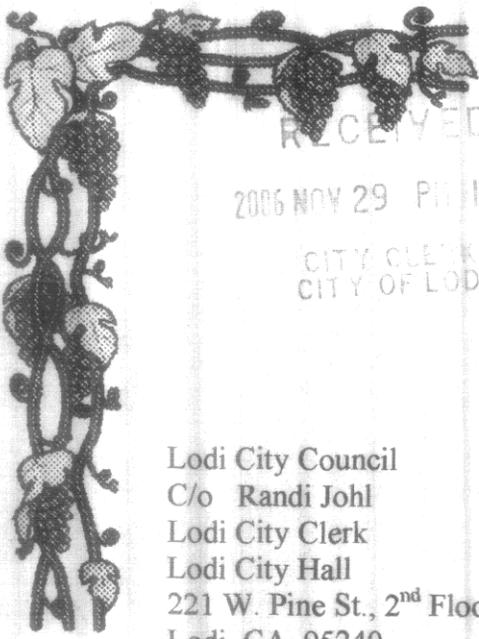
Agriculture/Greenbelt Study Area: This Study Area designation provides establishes the City's desire to provide for the conservation and continued productive use of valuable agricultural ("ag") lands surrounding Lodi's urbanized area, ensures for a rural community separator between Lodi and the City of Stockton, and to serve as a visual amenity around urban development. ~~It is the City's intent that in addition to agricultural and agricultural-related uses, single-family homes, parks, and open space uses ~~could~~ would be ~~located~~ permitted within the agriculture/greenbelt area. Because the City has established~~ Further it is the City's intent to bring this area into its Sphere of Influence and develop policies that would establish this area to retain low-intensity rural uses, ~~and as a result the extension of municipal services (e.g., sewer, water, storm water) may not be provided. The Study Area designation will not change the existing County General Plan Designation or Zoning which currently requires a minimum parcel size of 40 acres for the creation of new lots in this area is 40 acres, and permits only one residential unit per parcel is allowed.~~ Comprised of approximately 2,280 acres, the ag/greenbelt study area is located south of Lodi's existing City limits and extends ½-mile north of Armstrong Road, approximately ½- to ¾-mile south of Armstrong Road, approximately ¼-mile west of Lower Sacramento Road to the west, and is bounded by State Route 99 to the east, as depicted on the Land Use Diagram. Residential uses in this designation are assumed to have an average of 2.75 persons per household.

Implementation Program LU-19: The City shall establish a program addressing the long-range preservation and development within agriculture/greenbelt ~~area. This Study Area.~~ The process for developing this program shall include, at a minimum, a thorough planning process involving all interested stake-holders (including local farmers, residents and business owners within the City limits, study area, and surrounding community) ~~that would result in~~. The Program shall address jurisdictional control/cooperation, the specific locations and intensities of land uses, circulation system, infrastructure, services, a financing plan, ~~whether rezoning is warranted~~, as well as design guidelines and other implementation measures. The Program shall also consider incentives for property participation such as a transfer of development rights program.

DESIGNATED OPEN SPACE

Agency	Publicly owned acreage in city	Privately owned acreage in city	Publicly owned acreage in SOI	Privately owned acreage in SOI
City of Novato	3,800	200	1,000	
City of San Rafael	3,285		7,300	
City of San Juan Capistrano	2,649			
City of Chino Hills	Several thousand			
City of Ventura				9,108
City of Thousand Oaks			15,000	
City of Rohnert Park			80 acres	
City of Claremont			1,880	

D-1



Jeryl R. Fry, Jr.

12495 N. West Lane

Lodi, California 95240-9424

RECEIVED

2006 NOV 29 PM 1:22

CITY CLERK
CITY OF LODI

November 27, 2006

Lodi City Council
C/o Randi Johl
Lodi City Clerk
Lodi City Hall
221 W. Pine St., 2nd Floor
Lodi, CA 95240

RE: Hearing Notice: General Plan Amendment and Sphere of Influence Amendment to Establish an Agriculture/Greenbelt

Dear Lodi City Council Members:

We, as property owners in the affected area, are opposed to the negative declaration for the proposal, as well as the proposal itself, to expand the Sphere of Influence and establish an Agricultural/Greenbelt land use designation, while removing a pre-existing PRR designation. A full EIR should be required.

This is an ill-advised land grab by the City to establish a separator, without any intention to provide services, and develop the Project's enclosed properties in any reasonable amount of time. The City's 2% requirement, for controlling growth, assures this.

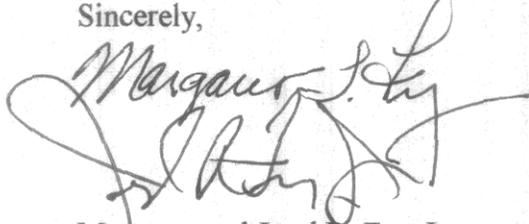
The Project studies do not address all the effects on the agricultural area, and the property owners are basically disenfranchised. The preponderance of prior testimony on the subject at the October 10th Greenbelt Task Force meeting, and the November 8th Planning Commission Hearing was in opposition to the proposal. The Task Force meeting was stated to be a "Community Workshop on City-Initiated General Plan and Sphere of Influence Amendments to Establish Agriculture/Greenbelt Community Separator Between Lodi and Stockton" (See Attached Agenda). The City of Lodi is not listening!

It is time for the City Council to also pay attention to those of us in the outlying area that contribute so much to the City's economy and charities. The property owners struggled long and hard to reach consensus to propose a recommendation to the land use problem. Let's work together!

We, therefore, request that the City prepare a full EIR, or withdraw its project proposal.

We appreciate your attention and consideration of our concerns.

Sincerely,



Margaret and Jeryl R. Fry, Jr.



SPECIAL AGENDA

City of Lodi Greenbelt Task Force

**October 10, 2006
7:00 p.m. to 9 p.m.**

**Special Location:
Carnegie Forum
305 W. Pine Street
Lodi, CA 95240**

1. WELCOME
2. COMMUNITY WORKSHOP ON CITY-INITIATED GENERAL PLAN AND SPHERE OF INFLUENCE AMENDMENTS TO ESTABLISH AGRICULTURE/GREENBELT COMMUNITY SEPARATOR BETWEEN LODI AND STOCKTON
3. UPDATE ON STATUS OF STOCKTON GENERAL PLAN UPDATE
4. ECONOMIC CONSULTANT WORK IN-PROGRESS FOR NOVEMBER MEETING
5. NEXT STEPS

As a property owner or interested person your input is important. Please attend one of our meetings to be more involved in this process. If you have any questions, please do not hesitate to contact Lynette Dias, Contract Planner, at 510-540-7331.

D-1

Randi Johl

From: Beth Brampton [beth.brampton@aspirepublicschools.org]
Sent: Wednesday, November 29, 2006 6:18 AM
To: Randi Johl
Subject: Sphere of Influence

Dear City Council members,

I encourage you to extend the city's sphere of influence as soon as possible, and as widely as possible. I do not want to see wall-to-wall development in the Valley, and small cities like Lodi can and must stand in the way. Stockton will not respect any invisible borders and keep its distance, just to be polite. I want to live in a small town, not LA!

Do your best for the farmers, but I'm looking for effective action on a greenbelt to protect our precious community.

Thank you.

Beth Brampton

D-1

When I saw this editorial I couldn't resist. Credit to Bob Johnson for recognizing that farmers may not be in the city limits but most of what the city claims to value depends on more than their survival. The council can legalize their way right into the extinction of Lodi's appeal.

If the council continues to claim only voter's rights are important to them. If I were in the farming business I'd be highly considering livestock instead of pretty vineyards. Manipulation of the law works both ways. Lodi better wake up before the permanent agriculture zoning nearest the city becomes dairy or pig farms, chicken ranches, or how about mushroom farming. You know what they grow in? The smell of inequity might begin to really stink!

Karen Westerterp
3 South Rose Street
Lodi, 95240
333-9378

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2006 NOV 29 PM 1:24
CITY CLERK
CITY OF LODI

State of the World

Today's Paper 11-29-06

Maureen Parker's e-mail address
kparker@kparker.com

PARKER INVESTOR'S BUSINESS DAILY
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www.investors.com/cartoon

State of Lodi

INVESTOR BUSINESS DAILY
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Lodi City Council

Farmers

www.investor

Lodi News-Ser

ESDAY, November 22, 2006

www.lodinews.com

Our Readers Write

Consider all rights, not just majority

Editor:

This letter is to Mayor Susan Hitchcock. In years past, I have admired the way you took a stand on what you thought was right during the water pollution and cleanup litigation fiasco. However, part of good leadership is also recognizing that the rights of a few, the farming community, should not be ignored to serve the majority.

The wishes and wants of the general population of Lodians should not come at the cost of the people who own the land that we are so covetous to remain unchanged. It is not like citizens of Lodi to steal from their neighbors. When has the government, the masses or the city been more important than an individual? History presents an ugly picture of the results of traveling down that road. Is Lodi the charitable Christian community it claims to be? Coveting and stealing are still listed in the Ten Commandments, or have we forgotten from where our freedom and blessings come?

I have lived here for 20 years and I love the farmland surrounding our community, too. I have made many friends that are farmers and landowners. They are some of the most generous, hardworking, dedicated individuals and families of this area. They have worked hard

for everything that they own. The Lodi land grab is despicable when landowners have come to the table to discuss alternatives to massive housing projects.

If Lodi wants to increase their sphere of influence, let it be to increase the city as well as its services. Isn't that the function of a city and its governing body? Are we also in the business of regulating the farming community?

I keep hearing you say the majority of citizens want a greenbelt. When did the majority get the right to steal? If the majority wants it, let them pay for it. Voicing what the majority of Lodians know is right if they take the time to think of others.

Karen Westerterp
Lodi

Our enemies applaud Democratic control

Editor:

Now that the Democrats will be controlling America's destiny, celebrations are going on within countries which hate America and Americans. Muslim terrorists and murderers are singing songs of praise to Allah and endorsements for Democratic leadership have been made by al-Qaeda and countries such as Iran, North Korea and Mexico.

As America, it's founding fathers, and Christian heritage

are being vilified and demonized, the celebrations rage on. Our enemies applaud and cheer for elected Democrats, while America's unguarded borders are being swarmed by illegal invaders who are now assured of amnesty protection under Democratic leadership. As the Democratic party continues to support and promote racist Affirmative Action, killing unborn children, socialist policies, perverse homosexuality, illegal immigrants, anti-American entities and a secular nation without Godly morals or values, it is crystal clear why murderers, terrorists, and America's enemies are emboldened and gleeful that Democrats will be in control of America's fate.

As American society moves away from and denies its Judeo-Christian heritage, and as corrupt government continues to embrace liberal ideals of globalism, secularism and socialism, the inevitable demise of our "National Sovereignty," "One Nation Under God" and democracy as we know it, becomes clearly visible.

Don't be surprised to find Hillary Clinton as president in 2008, Barack Obama as vice president and of course Nancy Pelosi is speaker of the House. This is a formula for disaster and right on target for America's impending doom.

Bryan Stamos
Lodi

LETTER INVITED

The Lodi News-Ser welcomes opinions from readers. Letters must be signed and include writer's address and phone number. Letters longer than 100 words will not be accepted. Send letters to P.O. Box 1000, Lodi, CA 95240-1360; or e-mail to letters@lodinews.com.

views clearly stated.

Karen Westerterp

D.1

Randi Johl

From: Ps Parises [psparises@comcast.net]
Sent: Wednesday, November 29, 2006 10:49 AM
To: Randi Johl
Subject: Public Comment on Green Belt

It's a Thin Green Line not a belt!

The City Council is not trying to create a "Green Belt", but a Thin Green line hoping to separate Lodi from Stockton. If the City Council truly wants to preserve the agricultural separator around the City then encompass the whole town. What ever zoning change for the South should apply to the North, East and West. The council will not encompass the whole city because the properties to the west of town between I-5 and Lodi have already been purchased or optioned for future growth. If this Zoning change is approved, then are we setting precedence? Will other towns in San Joaquin County seek to do the same?

The Myopia of the Council will create more problems in their new sphere of influence. An agriculture landscape speckled with residential homes sounds scenic and ideal, but it increases a farmer's liability. The City should be familiar with past pesticide problems in regards to ground water quality, but more importantly needs to be aware of the increase risk of pesticide drift onto residential properties. The more homes closer in proximity to a farming operation increase the difficulty of farmers to do their needed day to day tasks. Most of the Agricultural Pesticides used today are less toxic than in the past, but off target/off site pesticide drift is illegal and a great liability.

Although farmers do have the "right to farm act", home owners have the right to sue, and many farmers have been sued over the past few years for excessive noise, dust, running tractors at night and PESTICIDE DRIFT and most of these suits occurred in large rural areas.

The Green Line concept is noble dream that will be come a nightmare for farmers.

Paul Parises
2259 S Ham Ln
Lodi
Paul Parises

11/29/2006

D. 1

RECEIVED

NOV 29 2006

COMMUNITY DEVELOPMENT DEPT.
CITY OF LODI

November 29, 2006

Randy Hatch, Director
Community Development Department
City of Lodi
P. O. Box 3006
Lodi, CA 95242

Re: Proposed General Plan and Sphere of Influence Amendment

I own property located within the area where the City of Lodi is proposing to amend it's General Plan.

My property is under the jurisdiction of San Joaquin County. The City of Lodi is proposing to amend their General Plan and re-designate this area as Agriculture/Greenbelt (AG), and also include the area in the city sphere of influence (SOI).

I am opposed to the City of Lodi's attempt to gain unfair control of the landowners property. This is a cheap attempt by the City of Lodi to control our land and take away our private property rights.

The City of Lodi has not dealt fairly with the landowners. The City of Lodi has chosen not to work with the landowners is a great disappointment and shows the City's lack of respect of the landowners and their efforts to work towards a fair compromise.

I am emphatically apposed to the City of Lodi's initiated General Plan and Sphere of Influence Amendments.

Dust P. Selig
1750 E. ARMSTRONG RD
209-321-8203

D.1

RECEIVED

NOV 29 2006

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CITY OF LODI

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I do not support the City of Lodi's attempt to gain control of my land by amending its General Plan and Sphere of Influence. I vehemently oppose this action.

It is regrettable that Lodi's City Council refused to consider the best interest of the citizens of Lodi and the landowners by failing to continue discussions regarding a compromise between the City and the landowners.

I am apposed to any changes that are being proposed by the City of Lodi.

Sincerely,

Charles J. J...
3061 E. Mettler Rd.
Lodi, 95242

D.1

RECEIVED

NOV 29 2006

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CITY OF LODI

November 29, 2006

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Sincerely

David Hatch
11757 HAM LN
Lodi

D.1

RECEIVED

NOV 29 2006

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CITY OF LODI

November 29, 2006

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Sincerely,

John B. Kuebler

13066 N. Shattuck Rd

Lodi Calif 95242

334-4039

D.1
RECEIVED

NOV 29 2006

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CITY OF LODI

November 29, 2006

Randy Hatch, Director
Community Development Department
City of Lodi
P. O. Box 3006
Lodi, CA 95242

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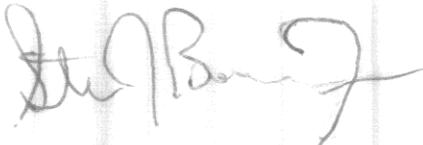
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I am opposed to the City of Lodi's attempt to gain unfair control of the landowners property. This is a cheap attempt by the City of Lodi to control our land and take away our private property rights.

The City of Lodi has not dealt fairly with the landowners. The City of Lodi has chosen not to work with the landowners is a great disappointment and shows the City's lack of respect of the landowners and their efforts to work towards a fair compromise.

I am emphatically apposed to the City of Lodi's initiated General Plan and Sphere of Influence Amendments.



STEVE + TINA BORRA
1550 E. ARMSTRONG RD
LODI, CA 95242

D.1
RECEIVED

NOV 29 2006

COMMUNITY DEVELOPMENT DEPT.
CITY OF LODI

November 29, 2006

Randy Hatch, Director
Community Development Department
City of Lodi
P. O. Box 3006
Lodi, CA 95241

Re: Proposed General Plan and Sphere of Influence Amendment

I own property located within the area where the City of Lodi is proposing to amend its General Plan and sphere of influence.

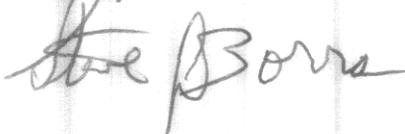
My property is under the jurisdiction of San Joaquin County. This area is currently designated in the Lodi General Plan as "planned residential reserve (PRR)". The City of Lodi is proposing to amend their General Plan and re-designate this area as Agriculture/Greenbelt (A/G), and also include the area in the city sphere of influence (SOI).

I do not support the City of Lodi's attempt to gain control of my land by amending its General Plan and Sphere of Influence. I vehemently oppose this action.

It is regrettable that Lodi's City Council refused to consider the best interest of the citizens of Lodi and the landowners by failing to continue discussions regarding a compromise between the City and the landowners.

I am apposed to any changes that are being proposed by the City of Lodi.

Sincerely,



Borra Vineyards
1301 E. Armstrong Rd
Lodi Ca. 95242

RECEIVED

D.1

NOV 29 2006

COMMUNITY DEVELOPMENT DEPT.
CITY OF LODI

November 29, 2006

To: Members
Lodi City Council
City of Lodi, Ca.

Re: Lodi Greenbelt/Separator Plan

Dear Council Members:

We, are property owners within the Armstrong Rd. where the City is planning to amend it's general plan. This area is under the jurisdiction of San Joaquin Co, not the City of Lodi.

Initially, plans were to create a much larger greenbelt area, stretching from SR99 to I-5, and from Harney Ln. south to Eightmile Rd. However, present plans have downsized the proposed area to a narrow strip in the Armstrong Rd. / Mettler Rd. area. The small area proposed by the City Of Lodi as a separator, is about 20 years too late.

The public has been led to believe that by preserving this area and creating it as a Greenbelt, it preserves the land for farming. *In order for Agriculture to remain in the area, it must remain a viable, economical activity.* Agricultural activities are already feeling the impact of nearby development and urbanization. Trespassing, vandalism to crops, farm equipment, as well as dumping of trash, and theft, are an ever increasing problem which the farmer must contend with. Additionally, complaints from adjoining home owners, concerned about noise, dust, odor caused by agricultural activities is creating an increasing negative impact on farming. Increased importing of agricultural products, as well as ever increasing regulations, are all having an effect on the survival of agriculture. This problem will only worsen for Agriculture if the small narrow separator is ever implemented.

Many persons might be thinking -- *What's wrong with a greenbelt? Nothing if the city pays for it* However, the City of Lodi has taken the position that it shouldn't have to pay for it because nothing will change. By creating a Greenbelt Agricultural designation for the area, *Farmlands around Armstrong rd. will remain farmlands.* What the City will really be taking away -- *Without paying for it* -- is the right of the property owners to put their properties to their best use.

If the city is successful in amending their general plan, creating a Greenbelt Agriculture zoning for the area, it would likely cause Agriculture to be the dominant activity indefinitely, with little concern as to whether Agriculture would remain a viable activity.

Recently, the Armstrong Rd. property owners announced a plan for the area, which could benefit all concerned. The property owners proposed that San Joaquin Co.

pursue rezoning the area from the present AG-40 zoning to AG-5. The area would remain under County jurisdiction and would extend from Highway 99 westerly to the vicinity of Interstate 5.

The change in zoning would allow 1 residence per 5 acres. As a comparison, residential areas within a city are usually developed allowing 4-5 residences per acre. This plan would allow a minimal amount of development, and could be a workable compromise to keep the two Cities separated.

The plan proposed by the property owners is a long way from being finalized. However, through master planning, cooperation, and compromise among the property owners, the Cities of Lodi, Stockton and San Joaquin Co, a separator for the area could be created that would be a "Win-Win" situation for all concerned. It could also be an example for other areas seeking a separator to follow. This plan could be accomplished at a very minimal expenditure of taxpayer dollars. However, the City of Lodi, has not given the property owners an opportunity to work out the details of their plan.

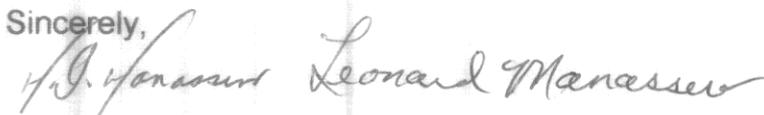
Over the objections voiced by the majority of the property owners in the affected area, the City is planning to amend it's general plan and SOI. It is apparent, that there is little regard for the property owners objections, and their concerns go unheeded.

It is apparent, that the motive behind the Greenbelt / Separator plan is solely a way to keep our Stockton neighbors separated from Lodi. If this is a concern, then why doesn't the City of Lodi consider leaving the present PRR designation on the north side of Armstrong Rd. in place, and expand the PRR designation from Armstrong Rd. to Mettler Rd.? A SOI amendment of this type would indicate that Lodi has a future interest in the area, and would keep Stockton from growing north of Mettler Rd.

We are adamantly opposed to the city of Lodi amending it's general plan and SOI.

Mayor Hitchcock has stated numerous times that she wanted this to be a "Win-Win" situation for all concerned. Let's put into practice what we say. The city's planned amendment has driven a wedge between the property owners and the City. We need to cooperate and compromise, to come up with a plan. **Some viable options are available. Let's all work together to create a separator that we can all be proud of.**

Sincerely,



Mike J. and Leonard Manassero
2171 E. Armstrong Rd.
Lodi, CA. 95242

Randi Johl

From: Rosemary Atkinson [rosymoonatk@comcast.net]
Sent: Wednesday, November 29, 2006 3:04 PM
To: Randi Johl
Subject: SOI change vote

CAMPAIGN FOR COMMON GROUND

From: Campaign for Common Ground
To: Lodi City Clerk
Date: November 29, 2006

We strongly support the City of Lodi in its attempt to conserve agricultural lands between Lodi and Stockton by amending its Sphere of Influence (SOI). Retaining an agricultural buffer between the two cities is a paramount goal of our group, as is working for ag buffers or community separators between all of the cities in San Joaquin County.

We urge the City Council to approve the SOI amendment application and direct staff to forward the application to the San Joaquin County Local Agency Formation Commission (LAFCo).

We also urge the Council to direct staff to better define the zoning and development regulations that should apply to the agricultural properties within the amended SOI. Further definition of how the SOI amended area will be implemented will be required by the LAFCo executive officer and the commission before they will support the city's application.

The properties within the SOI amendment area are now governed by the AG-40 (Agriculture, 40-acre minimum lot size) zoning regulations of San Joaquin County. We will strongly oppose any attempt to radically "up-zone" the agricultural area from 40-acre lot minimums to allow for a proliferation of 5-acre ranchettes. Such a move could destroy the agricultural viability of the area.

The easiest way for the City to augment the SOI amendment application is to define (and "pre-zone") the agricultural properties by stating that the City intends to adopt a City zoning district that replicates the County AG-40 district, and apply it to the SOI area in order to retain the exact zoning regulations that are now in place.

In closing, please cast a vote for the future of agriculture between Lodi and Stockton by approving this SOI amendment application.

Signed,

Ann Johnston, CCG Executive Committee Chair

Campaign for Common Ground, P.O. Box 693545, Stockton, CA 95269
www.campaignforcommonground.org
Phone: (209) 478-4380

D.1

2216 meadowbrook Dr.
Lodi, Ca. 95242

Nov. 27, 2006

Mayor and Council
Lodi

Dear members of the Council:

I enclose a letter to the Editor from one of the farming families who it seems no longer have control over their own property.

I voice my concern among others here. Are we in Lodi, Ca. or in some far away province in Russia or China? As far as I am concerned your decision is in the same category as eminent domain.

These people built this Town and they are being treated badly. Some of the things going on in this Town remind me more and more of Washington.

I for one voted for all new people in the last election but not enough people did to make a difference.

Anne Maresca (ANNE MARESCA)

Our Readers Write

country has given us — A chance of a better life for ourselves and families; an opportunity of education and future for our kids as well as a social, legal freedom and sense of honor and respect.

Generally saying that back in our country we could not even dream of having the opportunity of such a freedom and other facilities that we enjoy while living here. I hope that everyone in our community will establish more of their sense of responsibility, respect and honor, and contribute more efforts for peace and prosperity.

*Mohammed Shoiab
Lodi*

Voice concerns to help Armstrong Road farmers

Editor:

My family has been farming grapes on Armstrong Road for more than 50 years. We have always been proud to say that we are "Lodians." Unfortunately, that is no longer true. Mayor Hitchcock made it "crystal clear" at the Nov. 8 Planning Commission meeting that the farmers are not considered part of Lodi. A slap in the face would have hurt less!

Mayor Hitchcock encouraged the Planning Commission to vote in favor of amending the city's Sphere of Influence, which will change the present designation of PRR to greenbelt/agriculture. This change in zoning will severely restrict our property rights and diminish the value of our land. Yet in a letter to the editor, dated Oct. 21,

2006, written by Mayor Hitchcock, she states, "with immense potential in the wine industry and tourism, Lodi is on the cusp of transforming its economic base."

We are not considered to be part of Lodi, yet Lodi has benefited financially from the farmers reputation of growing "quality grapes." Lodi is now a "wine destination" only through years of hard work attributed to the farmers and their financial contributions to the Lodi-Woodbridge Wine Grape Commission. The city of Lodi has profited financially because of the farmers, through name recognition of our wines, articles written in newspapers and magazines touting Lodi's wines.

This is not the only financial benefit Lodi receives. Farmers and their families spend their hard-earned money supporting Lodi's economy — from farming supplies, equipment, parts, gasoline, diesel, sulfur, fertilizer, cars, trucks, not to mention food and clothing. The list could go on, and on! How would Lodi's economy fair if the farmers were to spend their hard-earned dollars elsewhere, even though Lodi businesses are not at fault? I'm sure Lodi businesses would certainly feel the economic loss of the farmers' money. I hope that local businesses and citizens of Lodi will support the Armstrong Road property owners by contacting members of the city council and voice your concerns.

*Grace Puccinelli
Lodi*

Lodi News-Sentinel

Fred Weybret
Chairman

Marty Weybret
Publisher

Richard Hanner
Editor

Chuck Higgs
Advertising Director

Gary Grelder
Circulation Manager

11/23/06



MEMORANDUM
Office of the Lodi City Clerk

TO: Members of the City Council
FROM: Randi Johl, City Clerk
DATE: December 1, 2006
SUBJECT: Supplemental Information – November 29, 2006 Council Meeting

Attached for informational purposes only, is the supplemental documentation provided by various public speakers at the Council meeting of November 29, 2006 regarding the Greenbelt matter.

Please let me know if you have any questions regarding the above.

C: City Manager
City Attorney
Community Development Director
File



SAN JOAQUIN FARM BUREAU FEDERATION

MEETING TODAY'S CHALLENGES / PLANNING FOR TOMORROW

October 30, 2006

Mr. Randy Hatch, Director
City of Lodi Community Development Department
221 W. Pine St.
Lodi, CA 95240

Sent via facsimile to (209) 333-6842

RE: Proposed Lodi Greenbelt

Dear Mr. Hatch,

The San Joaquin Farm Bureau Federation opposes the proposed General Plan and Sphere of Influence Amendments regarding the creation of an Agriculture/Greenbelt Community Separator.

As stated in the project description, "the entire plan area is currently located outside of Lodi's existing SOI, as well as Stockton's existing and proposed SOI boundaries and only the area located north of Armstrong Road is currently included within the General Plan's planning area." We do not see a need for the City of Lodi to preemptively seek amendments to the General Plan and Sphere of Influence. If the purpose of the description is true, that "the City of Lodi is not pursuing annexation of the plan area as part of this project," then the City of Lodi should leave this area under the jurisdiction of San Joaquin County.

The plan also commented that this designation would provide a "visual amenity" around urban development. **Agriculture is not a visual amenity.** It is a business that requires innovation and flexibility to remain viable. The lands involved with production agriculture are not to look at, they are used to produce and provide for the many families that live and work off of the land.

Thank you for the opportunity to comment and we encourage the Planning Commission and the City Council to consider any proposals brought forward by the affected landowners and San Joaquin County prior to a final decision. This cooperation will help all parties involved reach an amicable solution. A unilateral action by the City of Lodi affecting a landowner's private property is contrary to a "livable, loveable Lodi."

Sincerely,

Mike Robinson
President

November 29, 2006

Randy Hatch, Director
Community Development Department
City of Lodi
P. O. Box 3006
Lodi, CA 95241

Re: Proposed General Plan and Sphere of Influence Amendment

I own property located within the area where the City of Lodi is proposing to amend its General Plan and sphere of influence.

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I am apposed to any changes that are being proposed by the City of Lodi.

Sincerely,

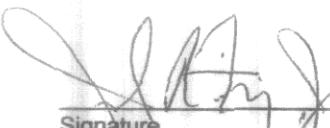


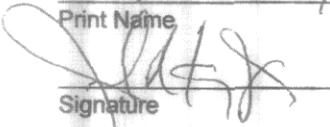
Steve Fujinaka

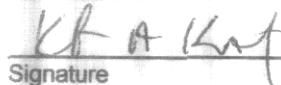
Armstrong Road Property Owners

12609 N. West Ln., Lodi, CA 95240

We as property owners in the affected area are opposed to the City of Lodi's proposed amendment to expand its General Plan Area (Sphere of Influence) to 1/2 mile South of Armstrong Road between Hwy 99 and approximately 1/8 mile West of Lower Sacramento Road. The area would be designated Greenbelt/ Agriculture. We are also opposed to the City's proposal to change the designation of the area 1/2 mile North of Armstrong Road from Planned Residential Reserve to Greenbelt/Agriculture.


Signature _____ Address 12495 N. West Lane, Lodi, 95240
Print Name JERRY L. R. FRY, JR APN 05810016 Acres 5.45


Signature _____ Address 12609 N. West Lane, Lodi, 95240
Print Name Mohr Enterprises APN 05810015 Acres 2.39.73


Signature _____ Address 5490 Bear Creek Lodi, CA 95240

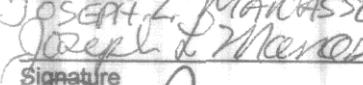
Print Name KURT A KAUTZ APN 1550 W Armstrong APN 05904039 Acres 39.61

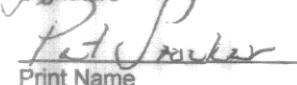

Signature _____ Address 5490 Bear Creek Lodi, CA 95240

Print Name KURT A KAUTZ APN 1550 W Armstrong APN 05904041 Acres 56.41


Signature _____ Address 2171 1/2 ARMSTRONG

Print Name Michael Manassero APN 05810013 Acres 30.14


Signature _____ Address 1307 ~~2121 E ANDERSON~~ ROAD Lodi, CA. 95242 APN 05809017 Acres 29.81


Signature _____ Address E Armstrong Rd APN 05910036 Acres 26.05

[Signature] 2418 E. Woodbridge Pk. Acampo
Signature Address

[Signature] E ST RT 99 05910041 32.89
Print Name APN Acres

[Signature] 2418 E. Woodbridge Rd Acampo
Signature Address

[Signature] E. ST RT 99 05910041 description only
Print Name APN Acres

[Signature] 2418 E. Woodbridge Rd Acampo
Signature Address

LARRY CASTELANELLI 1397 W. Armstrong 05806025 20.16
Print Name APN Acres

[Signature] 401 W ARMSTRONG Rd Lodi
Signature Address

LARRY CASTELANELLI 1211 W. Armstrong 05806026 15.36
Print Name APN Acres

[Signature] 401 W ARMSTRONG Rd Lodi
Signature Address

LARRY CASTELANELLI 265 W. Armstrong 05806035 18.02
Print Name APN Acres

[Signature] 401 W ARMSTRONG Rd Lodi
Signature Address

LARRY L CASTELANELLI 67 W. Armstrong 05806044 15.9
Print Name APN Acres

[Signature] 401 W ARMSTRONG Rd Lodi
Signature Address

LARRY L CASTELANELLI 133 E Armstrong 05809018 18.06
Print Name APN Acres

[Signature] 401 W ARMSTRONG Rd Lodi
Signature Address

LARRY L CASTELANELLI 12215 N. Lower Sac 05809021 19.75
Print Name APN Acres

[Signature] 401 W ARMSTRONG Rd Lodi
Signature Address

LARRY L CASTELANELLI 911 W. Armstrong 05806031 79.38
Print Name APN Acres

[Signature] 401 W ARMSTRONG Rd Lodi
Signature Address

401 W. Armstrong 05806032 78.99
225 W Armstrong 05806036 1.39

Signature	Bruce Kessler	Address	4051 E Armstrong 05812015 1.
Print Name	Bruce Kessler	APN	386a E Armstrong 05812016 9.27
Signature	Bruce Kessler	Address	3923 E Armstrong
Print Name	Bruce Kessler	APN	05812010 9
Signature	Bruce Kessler	Address	386a E Armstrong
Print Name	Bruce Kessler	APN	05812013 10.29
Signature	Bruce Kessler	Address	3701 E Armstrong
Print Name	Bruce Kessler	APN	05812014 10.3
Signature	John Koehler	Address	789 E Armstrong Rd
Print Name	John Koehler	APN	05809030 2.71
Signature	John Koehler	Address	791 E Armstrong Rd
Print Name	John Koehler	APN	05809014 15
Signature	John Koehler	Address	1027 E Armstrong Rd
Print Name	John Koehler	APN	05809015 25.01
Signature	John Koehler	Address	989 E Armstrong Rd
Print Name	John Koehler	APN	05809029 11.95
Signature	John Koehler	Address	1001 E Armstrong Rd
Print Name	John Koehler	APN	05809027 24.45

11950 N Miche Grave Rd 05910029 1.29
Domenico Della Maggiora 11988 N Miche Grave Rd
Signature Address

Domenico Della Maggiora 05910028 46.23
Print Name APN Acres

[Signature] 2375 W. Armstrong Rd
Signature Address

DIEGO OLAGARAY 05523033 57.42
Print Name APN Acres

[Signature] W. Armstrong Rd
Signature Address

DIEGO OLAGARAY 05523043 47.16
Print Name APN Acres

[Signature] 6000 W. Armstrong Rd
Signature Address

Joe Olagaray 05902010 36.67
Print Name APN Acres

[Signature] W. Armstrong Rd
Signature Address

Joe Olagaray 05523044 43.88
Print Name APN Acres

[Signature] 1750 E Armstrong 05922001.78
Signature Address 1700 E Armstrong 05922002
59.22

[Signature] 3725 E. Armstrong Rd
Print Name APN Acres

[Signature] 05811044 25.48
Signature Address

TOM TSUTSUMI 3441 E. Armstrong
Print Name APN Acres

[Signature] 05811045 10.73
Signature Address

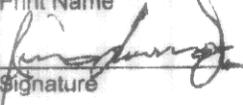
Tom & Eric Ayale *[Signature]*
Print Name APN Acres 1700 W. Armstrong 05522038 18.17

[Signature] 1830 W. Armstrong 05522037 2.02
Signature Address

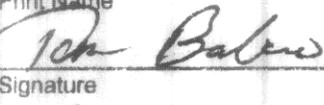
Print Name APN Acres

 700 E. Armstrong Rd. Lodi, CA 95242
Signature Address

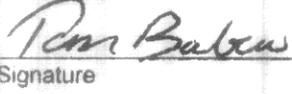
RICHARD LAVCHANI 05904025 58
Print Name APN Acres

 700 E. Armstrong Rd., Lodi, CA 95242
Signature Address

Richard Lavchani 05904005 10
Print Name APN Acres

 850 E. Armstrong Rd Lodi
Signature Address

TOM BARBER 05904006 ~~20.1~~ 21 ACRES
Print Name APN Acres

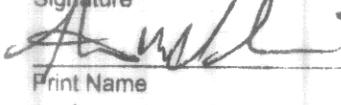
 860 E. Armstrong Rd Lodi,
Signature Address

TOM BARBER 05904007 16 ACRES
Print Name APN Acres

 11874 N. Lower Sacro Rd Lodi,
Signature Address

TOM BARBER 05904003 35.81 ACRES
Print Name APN Acres

STEVEN SHINN 11781 N. Lower Sac
Signature Address

 05902044 22.91
Print Name APN Acres

Sharm g Shinn 11781 N Lower Sac
Signature Address

Sharm g. Shinn 05902045 44.62
Print Name APN Acres

Milce Rego 3750 W Tredway Rd 05518004 155.95
Signature Address

Milce Rego 11780 N. Thantou Rd 05519003 155.34
Print Name APN Acres

Grace Puccinelli 1871 E Armstrong Rd
Signature Address

Grace Puccinelli 05810010 30.13
Print Name APN Acres

Stephen J. Borra 1301 E. Armstrong Rd
Signature Address

Stephen J. Borra 05809016 29.81
Print Name APN Acres

Steve Borra 1550 E. Armstrong Rd
Signature Address

STEVE J. BORRA 05904045 2.64
Print Name APN Acres

Gina Granlees 1441 E. Armstrong Rd
Signature Address

Gina Granlees 05810006 5
Print Name APN Acres

Edward P. Boff 2376 E. Armstrong Rd
Signature Address

Edward Boff 05923001 10.76
Print Name APN Acres

Tom Barrow 850 E. Armstrong Rd
Signature Address

Tom Barrow 059,04006 (Description only)
Print Name APN Acres

Tom Barrow 850 E. Armstrong Rd
Signature Address

Tom Barrow 059-04006 (Description only)
Print Name APN Acres

Jim Van Ruiten 2490 W. Armstrong Rd
Signature Address

Jim Van Ruiten 05522034 1.5
Print Name APN Acres

Jim Van Ruiten 2200 W. Armstrong Rd
Signature Address

John Gantz 05522035 77.3
Print Name APN Acres

John Gantz 2170 W. Armstrong Rd
Signature Address

John Gantz 05522005 53.43
Print Name APN Acres

John C. Sanigo

1607 E. Armstrong Rd Lodi

Signature

Address

05810005

54.6

Print Name

APN

Acres

Signature

Address

Print Name

APN

Acres

059-24-025 9.73
059-24-001 30.1
059-24-002 10.-
059-24-024 5
059-10-001 48.73

[Signature]

Signature Address
JABIR SCIL E Armstrong Rd 059-23-017 62.44
Print Name APN Acres

[Signature] 4670 E. ARMSTRONG
Signature Address

MICHAEL S. COYNER 059-10-032 1.14784
Print Name APN Acres

[Signature] 11929 N. Hwy 99
Signature Address 059-10-008 3.42
GUS PARISEP ~~2~~ 059-10-017 .45
Print Name APN Acres

[Signature] 12732 N West Lane
Signature Address

[Signature] 12732 N West Lane
Print Name APN Acres

[Signature] 12732 N West Lane
Signature Address

[Signature] 12732 N West Lane
Print Name APN Acres

[Signature] 4130 Armstrong 1.15
Signature Address

HUNG TRAN 059-10-033
Print Name APN Acres

[Signature] 4180 E ARMSTRONG RD
Signature Address

Kelby Reising 059-10-034 1.14784
Print Name APN Acres

[Signature] 3680 SCOTTSDALE RD
Signature Address

ROBERT SCHOCK 058-11-016 8.91
Print Name APN Acres

[Signature] 3754 E Scottsdale Rd
Signature Address

JOHN MONDAVI 058-12-001 5
Print Name APN Acres

Dora J. Scott 11808 N Ham Ln
Signature Address

DORA Y. SCOTT 059-23-0127
Print Name APN Acres

Bernice Klemm 11854 N Ham Ln
Signature Address

BERNICE KLEMM 1.08563 059-23-008
Print Name APN Acres

Ruben Cortez 11794 N Ham Ln 1. 059-23-013
Signature Address

EDDIE LUCCHESI 1150 METTLER RD.
Print Name APN Acres

Eddie Lucchesi 059-04-048 7.78
Signature Address

Robert E. Carloni ~~20~~ 059 04 029 14.53
Print Name APN Acres

Robert E. Carloni ~~20~~ 059 04 030 5.01
Signature Address

Richard C. Sues 934 Mettler rd 21 059 04 035 2.14
Print Name APN Acres

Richard C. Sues 934 Mettler
Signature Address

Don Sues 957 Mettler Rd 059 04 016 19.55
Print Name APN Acres

Don Sues 957 Mettler Rd
Signature Address

Salvia Ulmer 879 Mettler Rd 20
Print Name APN Acres

Roger Ulmer 879 Mettler Rd. 059-04-037
Signature Address

Roger & Salvia Ulmer 879 Mettler Rd
Print Name APN Acres

Steve Fujinaka 2016 E Amstery Rd ~~20~~ 059-22-003 13.16
Signature Address

Steve Fujinaka 11941 ~~11941~~ N Ham Ln 059-22-004 10.75
Print Name APN Acres

J. Mark VanNess 3817 Scottsdale Rd
Signature Address

J. Mark VanNess 058-12-002 1
Print Name APN Acres

Gordon N. JTA 3942 SCOTTSDALE RD
Signature Address

GORDON N. JTA 058-11-017 10
Print Name APN Acres

Charlie R. Gooden 3944 SCOTTSDALE RD.
Signature Address

CHARLIE R. GOODEN 058-11-005 1.42
Print Name APN Acres

B. Mike Rishwain 3909 Scottsdale
Signature Address

B. Mike Rishwain 058-11-018 2
3909 SCOTTSDALE
Print Name APN Acres

Betty J. Owen 3651 Scottsdale Rd. Lodi CA.
Signature Address

Betty J. OWEN 058-11-015 10.77
Print Name APN Acres

Angie M. Ferrero 11871 N. Hwy 99 - Lodi, CA
Signature Address

ANGIE FERRERO 1208. 059-10-040
Print Name APN Acres

Susan Ferrero 11785 N. Hwy 99, Lodi, CA 95240
Signature Address

SUSAN FERRERO 059-12-005 .37
Print Name APN Acres

Barbara Huecksteadt 4052 Scottsdale Rd Lodi CA
Signature Address

Barbara Huecksteadt 058-12-007 4.84
Print Name APN Acres

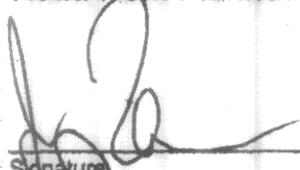
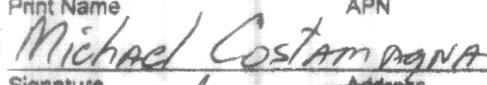
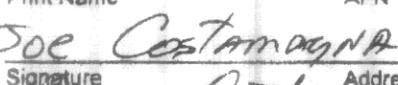
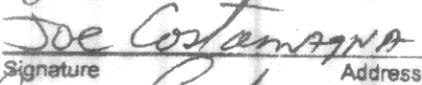
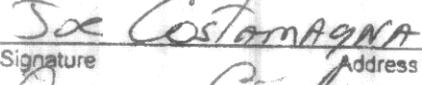
Signature Address

Print Name APN Acres

Armstrong Road Property Owners

12609 N. West Ln., Lodi, CA 95240

We as property owners in the affected area are opposed to the City of Lodi's proposed amendment to expand its General Plan Area (Sphere of Influence) to 1/2 mile South of Armstrong Road between Hwy 99 and approximately 1/8 mile West of Lower Sacramento Road. The area would be designated Greenbelt/ Agriculture. We are also opposed to the City's proposal to change the designation of the area 1/2 mile North of Armstrong Road from Planned Residential Reserve to Greenbelt/Agriculture.

	<u>708 W. ARMSTRONG RD</u>		
Signature	Address		
<u>JOE YAMURA</u>	<u>05902008</u>	<u>40</u>	
Print Name	APN	Acres	
	<u>11920 N. Ham Ln</u>		
Signature	Address		
<u>Michael Costamagna</u>	<u>05923011</u>	<u>14</u>	
Print Name	APN	Acres	
	<u>11906 N. Ham Ln</u>		
Signature	Address		
<u>Joe Costamagna</u>	<u>05923002</u>	<u>9.84</u>	
Print Name	APN	Acres	
	<u>11906 N. Ham Ln</u>		
Signature	Address		
<u>Joe Costamagna</u>	<u>05923005</u>	<u>6.87</u>	
Print Name	APN	Acres	
	<u>11906 N. Ham Ln</u>		
Signature	Address		
<u>Joe Costamagna</u>	<u>05923003</u>	<u>3.03</u>	
Print Name	APN	Acres	
	<u>11906 N. Ham Ln</u>		
Signature	Address		
<u>Joe Costamagna</u>	<u>05922005</u>	<u>11.41</u>	
Print Name	APN	Acres	

William R. Ross 1931 METTLER RD
Signature Address

WILLIAM R. ROSS 05924005 3
Print Name APN Acres

[Signature] 1471 METTLER ROAD
Signature Address

MARTHA BRADBEC 15 059-04-032
Print Name APN Acres

G. Charles Jagir 2061 E Mettler Rd hedi
Signature Address

Shashi Jagir 2061 " " " "
Print Name APN Acres

059 22 007 11.13
Signature Address

059 06 087 3
Print Name APN Acres

059 06 088 29.57
Signature Address

Print Name APN Acres

FROM :

We the business interests in the Lodi Community are concerned about the direction of the Lodi City Council in the expanded Sphere of Influence and General Plan Amendment application and its impact to our agricultural customers. We believe that it will negatively impact their businesses and in turn ours as well. We are deeply concerned about the philosophical mindset of the current council and their disregard for those in our farm community who without this community would not exist. It is important to recognize that the value of their business is attached to the land just like the value of ours is connected to goodwill. If by council action you rob them of their value, you also steal from our futures. Please rethink this process, learn from past mistakes and go forward in a more cooperative effort.

COMPANY	Signature
Robert Wood Group	[Signature]
Chick's Garage Doors	[Signature]
Statesman Realty	Richard Mahoney
RIGHT WAY, INC.	James J. Versepunt
C. Edward Jones & Co Inc	Edward Jones
Lawnee Bookkeeping	Jeanne Jones
VISION Flooring & Interiors	Jandy Hottel
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____

We the business interests in the Lodi Community are concerned about the direction of the Lodi City Council in the expanded Sphere of Influence and General Plan Amendment application and its impact to our agricultural customers. We believe that it will negatively impact their businesses and in turn ours as well. We are deeply concerned about the philosophical mindset of the current council and their disregard for those in our farm community who without this community would not exist. It is important to recognize that the value of their business is attached to the land just like the value of ours is connected to goodwill. If by council action you rob them of their value, you also steal from our futures. Please rethink this process, learn from past mistakes and go forward in a more cooperative effort.

COMPANY	Signature
Lodi Rebuilders	Ed Miora
Lodi Automotive Supply	Bill McPherson
A-1 Saw & Mower, Inc.	John [Signature]
John Foulke Auto Repair	John Foulke
Lodi Performance	[Signature]
Stockton Auto Glass	[Signature]
Plaza Liquors	Jack [Signature]
Don's Muffler	Gary [Signature]
Robinson's FEED Co	Rex Olson
Pickup OUTFITTERS	[Signature]
E. F. Klutt & Sons	E. F. Klutt
_____	_____
_____	_____

FROM :

FAX NO. :365-9265

Nov. 20 2006 10:47AM P2

BUSINESS OWNERS OF LODI, PLEASE READ AND SIGN IF YOU AGREE.

We the business interests in the Lodi Community are concerned about the direction of the Lodi City Council in the expanded Sphere of Influence and General Plan Amendment application and its impact to our agricultural customers. We believe that it will negatively impact their businesses and in turn ours as well. We are deeply concerned about the philosophical mindset of the current council and their disregard for those in our farm community who without this community would not exist. It is important to recognize that the value of their business is attached to the land just like the value of ours is connected to goodwill. If by council action you rob them of their value, you also steal from our futures. Please rethink this process, learn from past mistakes and go forward in a more cooperative effort.

COMPANY

Signature

~~Bear Creek Winery~~

~~[Signature]~~

Danz Jewelers

[Signature]

Teresi Trucking Inc

[Signature]

SECURITY LOCK & KEY

[Signature]

BURTON'S SHOES

[Signature]

We the business interests in the Lodi Community are concerned about the direction of the Lodi City Council in the expanded Sphere of Influence and General Plan Amendment application and its impact to our agricultural customers. We believe that it will negatively impact their businesses and in turn ours as well. We are deeply concerned about the philosophical mindset of the current council and their disregard for those in our farm community who without this community would not exist. It is important to recognize that the value of their business is attached to the land just like the value of ours is connected to goodwill. If by council action you rob them of their value, you also steal from our futures. Please rethink this process, learn from past mistakes and go forward in a more cooperative effort.

COMPANY

MLP Co

Signature

[Handwritten Signature]

Blank lines for additional company names and signatures.

~~Mark Chandler~~
~~Bruce Burlington~~
~~Bob Dangel~~
~~Jim Dismitt Farms~~
~~Jim Dismitt Farms~~

~~Mark Chandler~~
~~Bruce Burlington~~
~~Bob Dangel~~
~~Jim Dismitt Farms~~
~~Jim Dismitt Farms~~

Signature

company

We the business interests in the Lodi Community are concerned about the direction of the Lodi City Council in the expanded Sphere of Influence and General Plan Amendment application and its impact to our agricultural customers. We believe that it will negatively impact their businesses and in turn ours as well. We are deeply concerned about the philosophical mindset of the current council and their disregard for those in our farm community who without this community would not exist. It is important to recognize that the value of their business is attached to the land just like the value of ours is connected to goodwill. If by council action you rob them of their value, you also steal from our futures. Please rethink this process, learn from past mistakes and go forward in a more cooperative effort.

Dr. Robert E. & Mari J. Carloni

1123 E. Mettler Rd.

Lodi, CA 95242

Nov. 28, 2006

Lodi City Council

City of Lodi

P.O. Box 3006

Lodi, CA 95241

Attn: Randy Hatch, Director of Community Development

Community Development Department

RE: Greenbelt/Separator

Dear City Council Members:

With all the problems facing us—not only the world and state issues that affect us but the local issues of importance that affect the lives of Lodians, such as energy costs, water costs, infrastructure and city maintenance costs. With these most important concerns, here we are discussing a Separator between Lodi and Stockton.

As the Negative Declaration Amendment Proposal notes, the Separator is necessary and important to Lodi and Lodians because:

1. The Separator visually defines and enhances Lodi, and
2. The Separator provides Lodi residents with a sense of place.

There is nothing in the proposal which indicates any possible or probable harm,

now or in the future, which will be borne by Lodi residents, if the Greenbelt is never established. Therefore, Lodi wishes the Landowners to forfeit their rights for the convenience of "Visual Enhancement", and the emotional comfort of a Separator to create a "Sense of Place".

I have a hard time believing the people of Lodi would ask their farming neighbors to sacrifice Part of our property rights for such superficial and selfish reasons. This proposal has been spearheaded by Mayor Hitchcock, but the idea of a Separator has been around for many years. Unfortunately, this idea to be **segregated** from our Stockton neighbors was a bad idea when it was first conceived, but over the years it has taken on a life of its own. So now, and in recent years Council members have, for the most part, gone along with this idea. To be in opposition to the greenbelt has become synonymous with being an unpatriotic Lodian. Unfortunately, the very heart of this issue has never been dissected to get at the true underlying and driving forces which created and perpetuated this negative idea of a separator between people.

I would suggest that if the Council Members would honestly evaluate the driving forces and feelings which have pushed this issue, they would find racism, elitism, bigotry, and unfortunately a segregationist attitude and agenda. I strongly urge Council Members to rethink and reevaluate this issue. **It is a Bad Idea.**

This Neg/Dec/Amendment notes in Policy LU B2 that "the City shall establish a continuous Ag/Greenbelt around the urbanized area of Lodi, ..." The question begs to be asked. Does a continuous Ag/Greenbelt encircling Lodi, mean Lodi plans to stop growing? Apparently so, given this proposal. The next question to be asked is: How does Lodi maintain its retail and tax base with no growth? Lodi has tried no growth in

the past and it led into financial, tax, and retail base problems.

If growth is to occur, if our state economy prospers, Lodi has no choice but to grow to acquire Lodi's share of the tax and retail base. To isolate will be very destructive to Lodi and Lodians. Therefore, if this area grows, do not attempt to change the natural course and patterns of growth for the immature and irresponsible reasons stated in the proposal. The most important question to ask is, "Does Lodi really need to be separated from Stockton by a mile of land?"

A few years ago a survey was made and it was reported that the general opinion acquired from the survey was that Lodians wanted a separator. Unfortunately, the survey was answered by a small number of the total population and a much more inclusive survey should have been undertaken. Are we to assume that if 2000 people out of a population of 65,000 want something that the City Council should work so diligently to achieve this purpose for 3 percent of the people?

Did the fact that only 3 percent responded favorably to the Separator idea mean that 97% are either opposed or do not care enough about a Separator that they did not bother to respond? But most importantly the survey placed no real value on this project. The survey lacks credibility since it did not ask in realistic terms how important and what Lodians might be willing to pay for such a valuable resource—the Greenbelt/Separator.

A responsible survey would have asked each Lodi homeowner how much they would be willing to have assessed on their property for the privilege of having a "beautiful visually defined sense of place". What did this survey prove? That if you put kids in a candy store and tell them they can have all the candy they want, they will take lots of candy.

There are some people who want no growth. They are usually people my age or older who are in the last part of our lives. Unfortunately as we grow older, insecurity creeps in and we want to stop progress, stop change because things changing around us are a constant reminder that we are not as individually powerful and vibrant as we once were. Change makes it appear as though we are faster approaching our mortality. This is why progress and change are so feared and threatening to some people as they age. This fear is part of what has fueled the Greenbelt Separator plan.

I am sure you have all come to the conclusion by now, that I do not see the need for a Separator between Lodi and Stockton.

If growth occurs in the future and Lodi and Stockton are separated by a street, I see no harm. I see neighbors who happen to have different city addresses. I have a hard time believing someone living on Elm Street is going to be threatened by the fact that Lodi and Stockton are separated by a street, 4 miles away. That if Lodi and Stockton some day share a street as a common boundary, that this will somehow create turmoil and people living in Lodi are going to suffer some deprivation, lose of enhancement and lose of their sense of place.

Although I see no problem with eventual urban development in the proposed area and am personally against the idea of a Separator, I find it most unusual, that Lodi is attempting to move forward with this proposal to control this area of land. Stockton has just amended their plan and the City of Stockton's boundaries are not projected for fill in for 30 to 50 years, and that's if there is good growth. So why the hurry for Lodi to control an area, which Lodi says it doesn't want to develop and which Stockton has no plans of expanding into?

The farmers have presented a plan for Ag 5 zoning, and this plan would prevent urban development. In regard to the 5 acre plan, Mayor Hitchcock was recently quoted in the Stockton Record, saying. **“We support the plan they submitted and we’re proceeding in that direction. Allowing 5 acre lots is compensation. Otherwise it would be years out before they could develop.”** This quote was a revelation to us landowners, since there has not been any real work by the City with the landowners in preparing and planning an Ag 5 rezoning effort to present to the County. I for one would be interested to know how all the members of the Council feel about this Ag 5 proposal. I would like to know who exactly are the Council members that Major Hitchcock referred to as the “WE” in her quote, who apparently support the Ag 5 plan?

Even though the aforementioned quote by Major Hitchcock appeared in yesterday's Stockton Record, there are no guarantees that if Lodi controls this area that Ag 5 zoning would be allowed by Lodi. If Major Hitchcock is truly in support of the Ag 5 plan, and as she indicated other Council members are too, then why not show good faith and work with the landowners in the creation of the Ag 5 plan first, then discuss whether or not there is a need for Lodi to control this area. Why put the cart before the horse.

Mr. Bruce Baracco, LAFCO executive director stated in the Record, that “ He doesn't know of any similar effort by a city elsewhere in the state to add property under its control for open space.” Mr. Baracco, farther stated, “That a normal sphere program would commit an area to development and in this case it's designed to commit an area to agriculture and open space.”

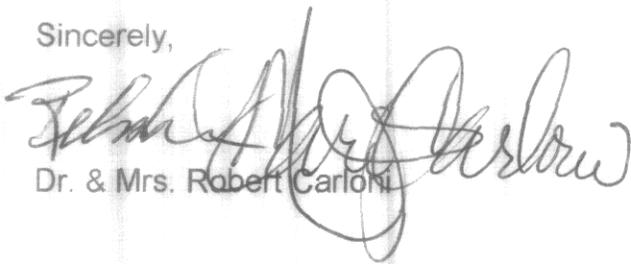
I have a hard time believing that LAFCO would approve such a dangerous

precedent. This would be a precedent that would allow a larger group of people to circumvent the rights of a smaller group, for what constitutes an emotional convenience. Council Members, do not let this small group in Lodi rule this issue especially when their motives are fueled by selfishness, ignorance, and fear which allows for racism, segregation and bigotry. This proposal is callous, selfish and contrary to the American ideals of justice and freedom.

To continue with this project in complete opposition to the landowners, will create more mistrust and more adversarial positioning. It is time for Lodi to reject the negative emotions that have fueled this Separator issue. I sincerely hope Council members will rethink and have the courage to change directions on this issue.

California is a progressive and dynamic place. It is the greatest melting pot of humanity in the world. This diversity is why we are so progressive and successful—not because of isolating and separating from other people. Segregation is never an answer and isolating is destructive. The way to prosperity and peace is through understanding and embracing our differences. **PLEASE REJECT THIS PROPOSAL!**

Sincerely,



Dr. & Mrs. Robert Carloni



**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 A GENERAL PLAN
AMENDMENT AND SPHERE OF INFLUENCE AMENDMENT TO ESTABLISH
AN AGRICULTURE/GREENBELT**

LEGAL AD

PUBLISH DATE: SATURDAY, NOVEMBER 18, 2006

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: THURSDAY, NOVEMBER 16, 2006

ORDERED BY: RANDI JOHL
CITY CLERK


JENNIFER M. PERRIN, CMC
DEPUTY CITY CLERK

DANA R. CHAPMAN
ADMINISTRATIVE CLERK

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

Faxed to the Sentinel at 369-1084 at 3:20pm (time) on 11/16/06 (date) 2 (pages)
LNS _____ Phoned to confirm receipt of all pages at _____ (time) _____ JLT _____ DRC _____ JMP (initials)



DECLARATION OF POSTING

PUBLIC HEARING TO CONSIDER A GENERAL PLAN AMENDMENT AND SPHERE OF INFLUENCE AMENDMENT TO ESTABLISH AN AGRICULTURE/GREENBELT

On Friday, November 17, 2006, in the City of Lodi, San Joaquin County, California, a copy of a Notice of Public Hearing to consider a General Plan amendment and Sphere of Influence amendment to establish an agriculture/greenbelt (attached hereto, marked Exhibit "A") was posted at the following four 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 November 17, 2006, at Lodi, California.

ORDERED BY:

**RANDI JOHL
CITY CLERK**


JENNIFER M. PERRIN, CMC
DEPUTY CITY CLERK

DANA CHAPMAN
ADMINISTRATIVE CLERK



DECLARATION OF MAILING

PUBLIC HEARING TO CONSIDER A GENERAL PLAN AMENDMENT AND SPHERE OF INFLUENCE AMENDMENT TO ESTABLISH AN AGRICULTURE/GREENBELT

On November 17, 2006, in the City of Lodi, San Joaquin County, California, I deposited in the United States mail, envelopes with first-class postage prepaid thereon, containing Notice of Public Hearing to consider a General Plan amendment and Sphere of Influence amendment to establish an agriculture/greenbelt, attached hereto Marked Exhibit A. The mailing list for said matter is attached hereto, marked Exhibit B.

There is a regular daily communication by mail between the City of Lodi, California, and the places to which said envelopes were addressed.

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

Executed on November 17, 2006, at Lodi, California.

ORDERED BY:

RANDI JOHL
CITY CLERK, CITY OF LODI


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: November 29, 2006

Time: 7:00 p.m.

For information regarding this notice please contact:

Randi Johl

City Clerk

Telephone: (209) 333-6702

EXHIBIT A

NOTICE OF PUBLIC HEARING

NOTICE IS HEREBY GIVEN that on **Wednesday, November 29, 2006**, 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) General Plan amendment and Sphere of Influence amendment to establish an agriculture/greenbelt

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.

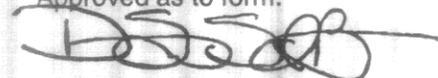
If you challenge the subject matter in court, you may be limited to raising only those issues you or someone else raised at the public hearing described in this notice or in written correspondence delivered to the City Clerk, 221 West Pine Street, at or prior to the close of the public hearing.

By Order of the Lodi City Council:


Randi Johl
City Clerk

Dated: November 15, 2006

Approved as to form:


D. Stephen Schwabauer
City Attorney

Greenbelt General Plan Amendment public hearing mailing list



PN 05801001
UNION PACIFIC RAILROAD COMPANY
416 DODGE ST ROOM 830
OMAHA NE, 68179

APN 05801002
UNION PACIFIC RAILROAD COMPANY
1416 DODGE ST ROOM 830
OMAHA NE, 68179

APN 05801003
UNION PACIFIC RAILROAD COMPANY
1416 DODGE ST ROOM 830
OMAHA NE, 68179

PN 05805014
IAZ, JUAN
2773 LOWER SAC RD
LODI CA, 95242

APN 05805015
CRUZ, FABIAN J & H
12775 N LOWER SAC
LODI CA, 95240

APN 05806023
KANEGAWA, KEITH & LAURA
600 S FAIRMONT AVE
LODI CA, 95240

PN 05806034
AWKINS, AUDREE B TR
260 ENCINA DR
MILLBRAE CA, 94030

APN 05806041
TACHELLA, PHILIP B & KATHLEN C
65 W ARMSTRONG RD
LODI CA, 95242

APN 05806042
NEAL, JOHN R & JANIE
25 W ARMSTRONG RD
LODI CA, 95242

PN 05806043
EAL, JOHN R & JANIE
5 W ARMSTRONG RD
LODI CA, 95242

APN 05806044
CASTELANELLI, LARRY L TR ETAL
401 W ARMSTRONG
LODI CA, 95240

APN 05807023
FAROOQIA ISLAMIC CENTER
12828 N LOWER SAC RD
LODI CA, 95242

PN 05807024
AEHLER DAIRY FARMS PTP
025 E ARMSTRONG RD
LODI CA, 95240

APN 05809001
TAMURA, S T & E TRS ETL
1220 E HARNEY LANE
LODI CA, 95242

APN 05809003
EVERITT, RAYMOND E TR
1320 E HARNEY LN
LODI CA, 95242

PN 05809004
IANASSERO, MICHAEL & PATRICIA
490 E HARNEY LN
LODI CA, 95242

APN 05809005
HAWKINS, AUDREE B TR
1260 ENCINA DR
MILLBRAE CA, 94030

APN 05809006
EYTCHEISON, DANIEL A & PAULETTE
12750 N LOWER SACRAMENTO
LODI CA, 95242

PN 05809007
RAYA, EDUARDO & XIMENA
2732 N LOWER SAC RD
LODI CA, 95242

APN 05809008
ARAYA, EDUARDO & XIMENA
12732 N LOWER SAC RD
LODI CA, 95242

APN 05809009
BADYAL, INDERJIT S
12592 N LOWER SAC RD
LODI CA, 95242

PN 05809010
ADYAL, INDERJIT S ETAL
2592 N LOWER SAC RD
LODI CA, 95242

APN 05809011
VASQUEZ, JONATHAN M & DESIRE
12510 N LOWER SACRAMENTO RD
LODI CA, 95242

APN 05809012
FELTON, MARY P TR
12400 LOWER SAC RD
LODI CA, 95242

PN 05809013
ASJENS, MARLIN
2500 N LWR SAC RD
LODI CA, 95240

APN 05809014
KAEHLER DAIRY FARM PTP
1025 E ARMSTRONG RD
LODI CA, 95242

APN 05809015
KAEHLER DAIRY FARM PTP
1025 E ARMSTRONG RD
LODI CA, 95240

PN 05809016
ORRA, STEPHEN J SR & BEVERLY
301 E ARMSTRONG RD
LODI CA, 95242

APN 05809017
MANASSERO, JOSEPH L & CATHERIN
541 W TURNER RD
LODI CA, 95240

APN 05809018
CASTELANELLI, LARRY L TR ETAL
401 W ARMSTRONG RD
LODI CA, 95240

Greenbelt General Plan Amendment public hearing mailing list

APN 05809019
CASILLAS, CONSUELO
PO BOX 966
LODI CA, 95241

APN 05809020
PAOLETTI, JEANNE E TR
PO BOX 1068
WOODBIDGE CA, 95258

APN 05809021
CASTELANELLI, LARRY L TR ETAL
1080 W HARNEY LN
LODI CA, 95242

APN 05809022
FILIPPI, ANNETTE C LF EST
12125 N LOWER SAC RD
LODI CA, 95242

APN 05809023
METCALF, JOE P & SHARON M
12376 N LOWER SAC RD
LODI CA, 95242

APN 05809024
KELLY, WILSON C & P H
78071 ALLEGRO CT
PALM DESERT CA, 92211

APN 05809025
SKEELS, KATHLEEN A ETAL
3267 TULIPWOOD LN
SAN JOSE CA, 95132

APN 05809027
KAEHLER DAIRY FARM PTP
1025 E ARMSTRONG RD
LODI CA, 95242

APN 05809029
KAEHLER DAIRY FARM PTP
1025 E ARMSTRONG RD
LODI CA, 95242

APN 05809030
KAEHLER DAIRY FARM LP
789 E ARMSTRONG RD
LODI CA, 95242

APN 05810005
D ARRIGO BROS, CO OF CAL CORP
PO BOX 850
SALINAS CA, 93902

APN 05810006
GRANLEES, MICHAEL & GINA
1441 E ARMSTRONG RD
LODI CA, 95242

APN 05810007
ACKEL, WILLIAM A TR ETAL
1434 ARUNDEL CT
LODI CA, 95242

APN 05810010
PUCCINELLI, GRACE
13323 N STOCKTON ST
LODI CA, 95240

APN 05810012
MCCURDY, JOHN R & LAURIE F TR
2015 E ARMSTRONG RD
LODI CA, 95242

APN 05810013
MANASSERO, JOSEPH L & CATHERIN
1490 E HARNEY LN
LODI CA, 95242

APN 05810014
BECK, TOM
2281 E ARMSTRONG RD
LODI CA, 95240

APN 05810015
MOHR ENTERPRISES LTD PTP
PO BOX 97
MT EDEN CA, 94557

APN 05810016
FRY, JERYL R JR & M
12495 N WEST LANE
LODI CA, 95240

APN 05810017
RANDOLPH, LANCE TRUSTEE
3862 PENINSULA CT
STOCKTON CA, 95219

APN 05810018
HARR, DWIGHT A
1969 E ARMSTRONG RD
LODI CA, 95242

APN 05810019
KIHARA, YOICHI TR
1689 E ARMSTRONG RD
LODI CA, 95242

APN 05810021
PERRIN RANCH LLC ETAL
8975 HWY 88
JACKSON CA, 95642

APN 05811006
FAYEQ, RASHID & YUSRA FAYEQ
12732 N WEST LN
LODI CA, 95240

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3680 SCOTTSDALE RD
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APN 05811017
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3771 SCOTTSDALE RD
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APN 05811018
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APN 05811019
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Greenbelt General Plan Amendment public hearing mailing list

PN 05811020
MILARIO, PEDRO D & ESTELA H TR
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APN 05811022
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APN 05811029
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PN 05811030
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APN 05811031
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APN 05811032
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APN 05811039
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APN 05811041
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APN 05812002
VAN NESS, JOHN MARK & JILL L
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PN 05812003
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APN 05812004
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3966 SCOTTSDALE RD
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APN 05812005
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3944 SCOTTSDALE RD
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APN 05812007
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APN 05812009
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Greenbelt General Plan Amendment public hearing mailing list

PN 05812010
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APN 05812011
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APN 05812012
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APN 05812014
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PN 05902013
 REDONYER, LAND CO
 1919 N LOWER SAC
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APN 05902023
 GANDARA, MELCHOR G JR & E TR
 11851 N LOWER SAC RD
 LODI CA, 95242

APN 05902024
 SHINN, VIRGINIA A TR
 176 SAN MARCOS DR
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APN 05902040
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 11869 LOWER SAC RD
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APN 05902041
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APN 05902045
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APN 05902047
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APN 05904025
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 SCHNEWEIS, ALICE S TR
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APN 05910003
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APN 05910008
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PN 05910010
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APN 05910011
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APN 05910033
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APN 05910034
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APN 05910039
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4386 E ARMSTRONG RD
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APN 05910040
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11877 N HWY 99
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APN 05912004
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LODI CA, 95240

APN 05912005
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11785 N HWY 99
LODI CA, 95240

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HUMATE, CAREY & ANGELA R
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APN 05912007
PIKE, JOHN H & DONNA
11747 N HWY 99
LODI CA, 95240

APN 05912008
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APN 05914003
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11374 N MICKE GROVE RD
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PN 05914035
AUTZ, JOHN H & GAIL E
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<p>APN 05920008 ETTENCOURT, JOSEPH L & BETTY PO BOX 2375 LODI CA, 95241</p>	<p>APN 05922002 LOPEZ, FRANK PACO & GUADALUPE 1760 E ARMSTRONG RD LODI CA, 95242</p>	<p>APN 05922003 FUJINAKA, STEVE & BARBARA TR E 2016 E ARMSTRONG RD LODI CA, 95242</p>
<p>APN 05922004 FUJINAKA, STEVE & BARBARA TR E 2016 E ARMSTRONG RD LODI CA, 95242</p>	<p>APN 05922005 COSTAMAGNA, JOE TR 11906 N HAM LN LODI CA, 95240</p>	<p>APN 05922006 BLODGETT, JOHN M III 11845 N HAM LN LODI CA, 95242</p>
<p>APN 05922007 AGIR, GULZARA & SHASHI TR ETA 1061 METTLER RD LODI CA, 95242</p>	<p>APN 05922008 MERIN, GARY WAYNE & NANCY LEE 11769 N HAM LN LODI CA, 95242</p>	<p>APN 05922009 NIETSCHKE, DAVID & MARIDEE ETA PO BOX 1143 LODI CA, 95241</p>
<p>APN 05923001 BATT, EDWARD P TR 2376 E ARMSTRONG RD LODI CA, 95240</p>	<p>APN 05923002 COSTAMAGNA, JOE TR 11906 N HAM LN LODI CA, 95240</p>	<p>APN 05923003 COSTAMAGNA, JOE TR 11906 N HAM LN LODI CA, 95240</p>
<p>APN 05923004 SCHNEIDER, JAMES W & KAREN L 11884 N HAM LN LODI CA, 95242</p>	<p>APN 05923005 COSTAMAGNA, JOE TR ETAL 11906 N HAM LN LODI CA, 95240</p>	<p>APN 05923006 FILLER, MERRIT 11872 N HAM LN LODI CA, 95242</p>
<p>APN 05923007 MCDANNALD, WILLIAM L & LURA M 2433 DRUET LN LODI CA, 95242</p>	<p>APN 05923008 KLEMIN, CLEO & B TRS 11854 N HAM LANE LODI CA, 95242</p>	<p>APN 05923009 NEVIS, SANDY E 2356 E DRUET LANE LODI CA, 95242</p>
<p>APN 05923010 CHRISTOPHERSON, CAROL D TR 2522 E DRUET LN LODI CA, 95242</p>	<p>APN 05923011 COSTAMAGNA, MICHAEL & FLORENCE 11920 N HAM LN LODI CA, 95240</p>	<p>APN 05923012 SCOTT, RUSSELL & D TRS 11808 N HAM LN LODI CA, 95242</p>
<p>APN 05923013 CORTEZ, RUBEN A & E 11794 N HAM LANE LODI CA, 95240</p>	<p>APN 05923014 HERRMANN, ERWIN & INGE TR 11740 N HAM LN LODI CA, 95240</p>	<p>APN 05923017 BANK OF AMERICA NT & SA TRUSTE PO BOX 13519 ARLINGTON TX, 76094</p>
<p>APN 05923018 BANK OF AMERICA NT & SA TRUSTE PO BOX 13519 ARLINGTON TX, 76094</p>	<p>APN 05924001 GILL, JASBIR S & PARAMPAL K PO BOX 8778 STOCKTON-CA, 95208</p>	<p>APN 05924002 GILL, JASBIR S & PARAMPAL K PO BIX 8778 STOCKTON CA, 95208</p>

Greenbelt General Plan Amendment public hearing mailing list

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APN 05924007
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APN 05924008
 PENNISI, VINCENT & D A
 1600 METTLER RD
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PN 05924009
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 564 METTLER RD
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APN 05924010
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 1672 METTLER RD
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APN 05924011
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APN 05924020
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APN 05924021
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PN 05924022
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APN 06109039
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APN 06109040
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