



CITY OF LODI

COUNCIL COMMUNICATION

AGENDA TITLE: Conduct Public Hearing to consider the Planning Commission's recommendation of approval to the City Council for a General Plan Amendment and Rezoning for 1243, 1301, 1335, & 1477 East Harney Lane. The General Plan Amendment is from PR, Planned Residential to LDR, Low Density Residential, and the rezoning from San Joaquin County AU-20 to R-2, Single Family Residential; the request also includes a recommendation that the City Council certify Negative Declaration ND-02-04 as adequate environmental documentation for the project; and to initiate annexation of the properties into the City of Lodi.

MEETING DATE: November 6, 2002

PREPARED BY: Community Development Director

RECOMMENDED ACTION: That the City Council approve the Planning Commission's recommendation of approval for a General Plan Amendment and Rezoning for 1243, 1301, 1335, & 1477 East Harney Lane. The General Plan Amendment is from PR, Planned Residential to LDR, Low Density Residential, and the rezoning from San Joaquin County AU-20 to R-2, Single Family Residential. That the City Council also approves the recommendation to certify Negative Declaration ND-02-04 as adequate environmental documentation for the project and initiate annexation of the properties into the City of Lodi.

BACKGROUND INFORMATION: The Planning Commission at its Public Hearing of September 12, 2002 reviewed and approved the recommendations of staff for a recommendation of approval of the requested actions above to the City Council. At this meeting staff explained that the proposed area of annexation includes four parcels totaling 28.15 acres near the southwest corner of Lodi bounded by the developing Century Meadows IV single family residential subdivision to the north, the recently approved Legacy Estates single family subdivision to the west, the developing Century Meadows II subdivision to the east, and a number of rural residences across Harney Lane to the south. Please note that there is a fifth property in the project area at 1443 East Harney Lane that is not included in this action. The owner of the property was sent notification on more than one occasion regarding the pending actions and their was no response.

The recommended General Plan Amendment changes the existing General Plan designation of PR, Planned Residential, to LDR, Low Density Residential and the subsequent zoning change is from AU-20, Agriculture Urban Reserve (County zoning), to R-2, Single-Family Residential. The R-2 zoning designation was found by the Planning Commission to be consistent with the Low-Density Residential General Plan land use designation. The eventual development of the four properties is anticipated to be single-family residences at approximately 5-units per acre, which amounts to approximately 141 homes.

The General Plan defines PR, Planned Residential as follows: "This designation provides for single family detached and attached homes, secondary residential units, multifamily residential units, parks, open space, public and quasi-public uses, and similar and compatible uses and is applied to largely undeveloped areas in the unincorporated area of the GP." Planned Residential is anticipated to be re-designated during the annexation process. The Planning Commission found that the proposed LDR, Low Density Residential is consistent with PR as defined. In addition,

APPROVED: _____


H. Dixon Flynn -- City Manager

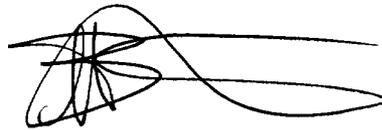
they found that the proposed zoning designation of R-2, single-family residential is consistent with the proposed General Plan land use designation and the surrounding R-2 zoning to the west, north and east.

The City's Growth Management Ordinance requires staff to appropriately time the annexation of new land for residential development; staff finds that this request is appropriate. The area of annexation is ranked the second most desirable for development by the Growth Management Ordinance, or what is know as "Priority Area 2." The developed and developing areas adjacent to the north and east are within either Priority Area 1 or 2. In fact, there is no additional Priority Area 1 land left in or around the project area that does not already have an approved development on it. Given that Priority Areas are ranked based on availability of utilities and adjacency to existing development, this land could be considered Priority 1.

Staff finds that the proposed annexation is a logical extension of the City's boundary. The four properties are contiguous to the existing City limits on three sides and the City has anticipated annexing this land from the County as evidenced by the existing PR, Planned Residential General Plan land use designation. Furthermore, the City has planned and is prepared to provide services to this area pending the completion of the Harney Lane wastewater lift station and other routine utility extensions into the project area.

The California Environmental Quality Act requires that projects be reviewed for their potential to create environmental impacts. The process requires that potential areas of impact are identified and a level of significance assessed. This project was found to have impacts that could be found significant if not mitigated. Statements and specific mitigations are provided in the attached mitigated negative declaration (ND-02-04) which has been reviewed by the Planning Commission and found to adequately address and mitigate potential environmental impacts of the project.

FUNDING: None required



Konradt Bartlam
Community Development Director

Prepared by: Associate Planner, Mark Meissner

MM

Attachments



MEMORANDUM, City of Lodi, Community Development Department

To: Planning Commission

From: Community Development Department

Date: September 12, 2002

Subject: The request of L.P. Properties, LLC for the Planning Commission's recommendation of approval to the City Council for a General Plan Amendment and Rezoning for 1243, 1301, 1335, & 1477 East Harney Lane. The General Plan Amendment is from PR, Planned Residential to LDR, Low Density Residential, and the rezoning from San Joaquin County AU-20 to R-2, Single Family Residential. The request also includes a recommendation that the City Council certify Negative Declaration ND-02-04 as adequate environmental documentation for the project.

SUMMARY

The request of the applicant for a General Plan Amendment and Rezoning of the subject parcels is the first step in the annexation process. The proposed area of annexation includes four parcels totaling 28.15 acres near the southwest corner of Lodi bounded by the developing Century Meadows IV single family residential subdivision to the north, the recently approved Legacy Estates single family subdivision to the west, the developing Century Meadows II subdivision to the east, and a number of rural residences across Harney Lane to the south.

The General Plan Amendment will change the existing General Plan designation of PR, Planned Residential, to LDR, Low Density Residential. The subsequent zoning change will be from AU-20, Agriculture Urban Reserve (County zoning), to R-2, Single-Family Residential. The R-2 zoning designation is consistent with the Low-Density Residential General Plan land use designation. The proposed development of the three properties is single-family residences at approximately 5-units per acre, which amounts to approximately 141 homes. (See Vicinity Map)

BACKGROUND

The City's General Plan is required by State Law to provide information and analysis of seven different aspects of development; these aspects are referred to as elements. The required elements include Land Use, Circulation, Housing, Conservation, Open Space, Noise, and Safety. The City's General Plan includes these required elements and has added Growth Management and Urban Design and Cultural Resources. Each element of the General Plan is required to be equally weighted, integrated, internally consistent, and compatible. The two most relative elements to the annexation process are the Land Use Element, which in this case is being amended to establish a permanent designation, and the Growth Management Element, which provided direction leading to the establishment of the City's Growth Management Ordinance.

When Lodi's General Plan was adopted by the City Council in 1991 the subject properties were designated in the Land Use Element to be PR, Planned Residential. The City's Growth Management Ordinance, also adopted in 1991, has designated this area for residential development with a "Priority Area 2" status. Priority Area 2 is the middle of three statuses, established based on the ability of a land area to connect to existing City utilities.

The Planning Commission may have noticed the increased activity within the areas immediately to the north and east of the project site. This activity is due to previously approved developments that have been waiting for an improved housing market, and for the projects to the east, the installation of the sewer lift station at Mills Avenue and Harney Lane. The sewer lift station is under construction and should be completed within the next few months to service the area of annexation, the areas to the east and west, and portions of the City's residential reserve to the south of Harney Lane.

The Century Meadows IV single-family residential subdivision is adjacent to the north of the proposed annexation. Century Meadows IV is under development and should be completed within the next year. To the east the Century Meadows III single-family subdivision across the recently completed extension of Mills Avenue to Harney Lane is developing the remainder of its project area to Harney Lane. Moving east, Century Meadows II is showing no signs of developing, but could develop at any time given its approved tentative subdivision map. Finally, Century Meadows I, adjacent to the WID canal, is grading for roadway improvements and development within the very near future.

In general the northern halves of Century Meadows I-III subdivisions are completed while the southern halves are now developing or will be in the near future. Their completion will provide the widening and frontage improvements at Harney Lane between the WID canal on the east and the extension of Mills Avenue. The entire area bounded by Lower Sacramento Road, Century Boulevard, Harney Lane and the Woodbridge Irrigation Canal on the east is identified in the General Plan to develop as residences.

The area of annexation is adjacent to the east of the recently approved Legacy Estates, Unit I subdivision. The Planning Commission may remember their concern over the connection of Legacy Way and Heavenly way. Staff explained that these two roads would not connect in order to reduce traffic and speed in the neighborhood and around the school, and because the City's street design standards prohibited long straight residential streets when between existing thoroughfares designed to handle heavy traffic demands. Staff also explained that a traffic analysis recommended that traffic from the Legacy Estates project would connect with roadways to the north after first traveling eastward to Mills Avenue. The connection to the east is conditioned upon development of the proposed K-6 elementary school. The two larger properties of this annexation are the ones that will provide the land necessary to make the connection of Legacy Estates and elementary school with Mills Avenue.

ANALYSIS

The General Plan defines PR, Planned Residential as follows: "This designation provides for single family detached and attached homes, secondary residential units, multifamily residential units, parks, open space, public and quasi-public uses, and similar and compatible uses and is applied to largely undeveloped areas in the unincorporated area of the GP." Planned Residential is anticipated to be re-designated during the annexation process. Staff finds that the proposed LDR, Low Density Residential is consistent with PR as defined. In addition, we find that the proposed zoning designation of R-2, single-family residential is consistent with the proposed General Plan land use designation.

The City's Growth Management Ordinance requires staff to appropriately time the annexation of new land for residential development; staff finds that this request is appropriate. As stated above, the area of annexation is within "Priority Area 2." Century Meadows IV and the fully developed northern portions of the Century Meadows I-III subdivisions are all within "Priority Area 1," the

southern portions that are approved and pending development are within "Priority Area 2." There is no additional "Priority Area 1" land left within the project area that does not already have an approved development on it. For all intents and purposes, with the completion of the sewer lift station and the immediate adjacency of existing development, this land could be considered "Priority Area 1."

As stated in the summary, annexation is the first step in the development process for this land. The Planning Commission will have the opportunity to review the development of the project site separately when application is made for growth management development plan review and building permit allocation request, and also at the tentative subdivision map review.

Staff finds that the proposed annexation is a logical extension of the City's boundary. The three properties are contiguous to the existing City limits on three sides and the City has anticipated annexing this land from the County as evidenced by the existing PR, Planned Residential General Plan land use designation. Furthermore, the City has planned and is prepared to provide services to this area pending the completion of the sewer lift station and routine utility extensions into the project area.

The California Environmental Quality Act requires that projects be reviewed for their potential to create environmental impacts. The process requires that potential areas of impact are identified and a level of significance assessed. This project was found to have impacts that could be found significant if not mitigated. Statements and specific mitigations are provided in the attached document. In conclusion, staff finds that the attached mitigated negative declaration (ND-02-04) adequately addresses and mitigates potential environmental impacts of the project.

RECOMMENDATION

Staff recommends that the Planning Commission recommend approval to the City Council of the request of L.P. Properties, LLC for a General Plan Amendment and Rezoning for 1243, 1301, 1335, & 1477 East Harney Lane, and a recommendation that the City Council certify Negative Declaration ND-02-04 as adequate environmental documentation for the project. The recommendations shall be subject to the conditions listed in the attached resolutions.

ALTERNATIVE PLANNING COMMISSION ACTIONS

- Approve the Requests with Alternate Conditions
- Deny the Requests
- Continue the Requests

Respectfully Submitted,



Mark Meissner
Associate Planner

Reviewed and Concur,



J.D. Hightower
City Planner

MGM

**CITY OF LODI
PLANNING COMMISSION
Staff Report**

MEETING DATE: September 12, 2002

APPLICATION NO'S: Lackyard Annexation, AX-02-01
Rezone No. Z-02-03
General Plan Amendment, GPA-LU-02-03.

REQUEST: The request of L.P. Properties, LLC for the Planning Commission's recommendation of approval to the City Council for a General Plan Amendment and Rezoning for 1243, 1301, 1335, and 1477 East Harney Lane. The General Plan Amendment is from PR, Planned Residential to LDR, Low Density Residential, and the rezoning from San Joaquin County AU-20 to R-2, Single Family Residential. The request also includes a recommendation that the City Council certify Negative Declaration ND-02-04 as adequate environmental documentation for the project.

LOCATION: 1243, 1301, 1335, & 1477 East Harney Lane (058-230-14, 13, 22, & 21)

APPLICANT: L.P. Properties, LLC
6280 Amanda Court
Stockton, CA 95212

OWNERS:

Parcel (058-230-14) Kenneth C. Tate, Jr. 1243 East Harney Lane Lodi, CA 95240	Parcel (058-230-13) Raymond Everitt c/o Pamela Anundson 1320 East Harney Lane Lodi, CA 95240
Parcel (058-230-22) Guiseppe Nepote c/o Susan Lackyard 1477 East Harney Lane Lodi, CA 95240	Parcel (058-230-21) Susan Lackyard 1477 East Harney Lane Lodi, CA 95240

Site Characteristics: The subject properties sit within San Joaquin County and are generally located north of Harney Lane, south of the Century Boulevard, east of Lower Sacramento Road, and west of Mills Avenue. The properties are relatively flat with no unusual or extraordinary topographic features. Parcel 13 is 8.4-acres of vacant land, Parcel 22 is a 17.35-acre vineyard with a rural residence fronting Harney lane, Parcel 14 is a 1.4-acre rural residence, and Parcel 21 is a 1.23-acre rural residence with the north half being an old vineyard.

General Plan Designation: PR, Planned Residential (City); R-L, Residential Low Density (County)

Zoning Designation: AU-20, Agricultural Urban Reserve (San Joaquin County zoning designation)

Property Size: Four parcels totaling 28.15 acres.

Adjacent Zoning and Land Use:

- North:** R-2, Residential Single-Family; LDR, Low Density Residential.
South: AG-40, General Agriculture (County). PRR, Planned Residential Reserve.
East: R-2, Residential Single-Family; LDR, Low Density Residential.
West: R-2, Residential Single-Family; LDR, Low Density Residential.

Neighborhood Characteristics:

The project site is south of the existing and developing Century Meadows 4 residential subdivision, southeast of the undeveloped DeBenedetti City Park, east of a 13.6 acre Lodi Unified School District K-6 elementary School and the recently approved 77-lot Legacy Estates residential subdivision, west of Mills Avenue and the developing Century Meadows 3 residential subdivision, and north of a number of rural residences across Harney Lane.

ENVIRONMENTAL ASSESSMENTS:

Negative Declaration ND-02-04 has been prepared in accordance with CEQA. This document adequately addresses possible adverse environmental effects of this project. No significant impacts are anticipated.

PUBLIC HEARING NOTICE:

Legal Notice for the Annexation, General Plan Amendment, and Prezone was published on August 31, 2002. A total of 21 notices were sent to all property owners of record within a 300-foot radius of the subject property.

RECOMMENDATION:

Staff recommends that the Planning Commission recommend approval to the City Council of the request of L.P. Properties, LLC for a General Plan Amendment and Rezoning for 1243, 1301, 1335 & 1477 East Harney Lane, and a recommendation that the City Council certify Negative Declaration ND-02-04 as adequate environmental documentation for the project. The recommendations shall be subject to the conditions listed in the attached resolutions.

ALTERNATIVE PLANNING COMMISSION ACTIONS:

- Approve the Requests with Alternate Conditions
- Deny the Requests
- Continue the Requests

ATTACHMENTS:

1. Vicinity Map
2. Negative Declaration
3. Draft Resolutions

LOWER SACF
14320

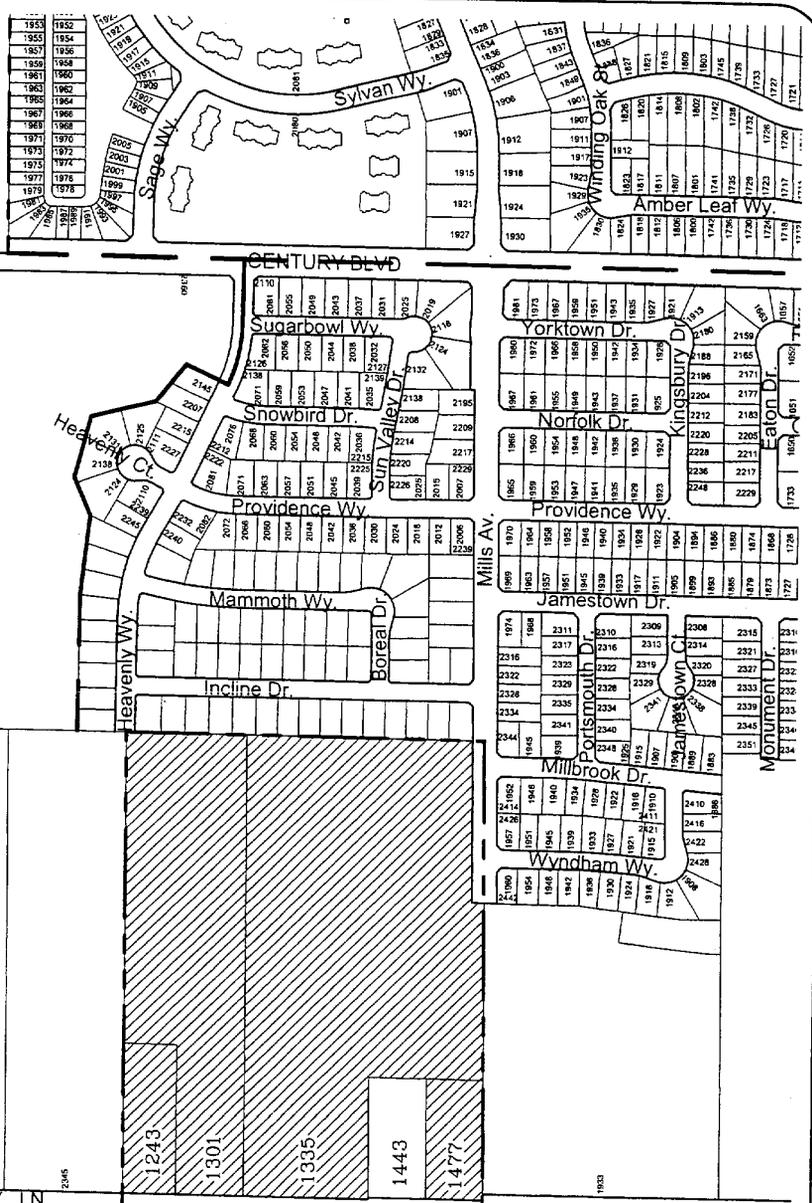
LOWER SACRAMENTO RD
14102

G
Basin

Knsten Ct.
Hartley Ln.
Iehama Dr.

HARNEY LN

VICINITY MAP



NEGATIVE DECLARATION NO. 02-04

FOR

Lackyard Annexation

APPLICANT: L.P. Properties L.L.C.

PREPARED BY:

CITY OF LODI
Community Development Department
P.O. BOX 3006
LODI, CA 95241

May, 2002

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CITY OF LODI

The Lackyard Annexation

PROJECT DESCRIPTION

The Lackyard Annexation is a proposal to annex, amend the general plan land use designation, and pre-zone two properties totaling 25.75-acres near the southwest corner of Lodi. There is also the potential to annex, amend the general plan land use designation, and pre-zone three additional adjacent properties totaling 3.63-acres. All five properties are located at 1243, 1301, 1335, 1443, and 1477 East Harney Lane, Assessor Parcel Numbers: (058-230-14, 13, 22, 17, & 21).

At present, the subject parcels are outside the City of Lodi boundaries in San Joaquin County. The properties have a San Joaquin County General Plan Designation of R/L, Residential Low Density, and a County Zoning designation of AU-20, Agriculture Urban Reserve.

In order to develop within the City of Lodi, L.P. Properties has applied for Annexation, a General Plan Amendment, and for Pre-zoning. The General Plan Amendment will change the existing City General Plan designation of PR, Planned Residential, to the more specific designation of LDR, Low Density Residential. The subsequent zoning will be established as R-2, Single-Family Residential. The R-2 zoning designation is consistent with the proposed LDR, low-density residential General Plan land use designation. The proposed development of the two primary properties is single-family residences at approximately 5-units per acre, which amounts to approximately 129 homes. The three smaller properties have the potential to be included as part of the larger project and could contribute an additional 18 units.

ENVIRONMENTAL CHECKLIST FORM

1. **Project title:**
The Lackyard Annexation
2. **Lead agency name and address:**
City of Lodi-Community Development Department
Box 3006, Lodi, CA 95241
3. **Contact person and phone number:**
Mark Meissner
Associate Planner
(209) 333-6711
4. **Project location:**
San Joaquin County, CA.;
Addresses and Parcel Numbers listed above in Project Description
Lodi, CA 95240.
5. **Project sponsor's name and address:**
L.P. Properties L.L.C.
6280 Amanda Court
Stockton, CA 95212
6. **General plan designation:** PR, Planned Residential
7. **Zoning:** AU-20 Agricultural Urban Reserve, (County Zoning).
8. **Description of project:** See "Project Description" section above.
Surrounding land uses and setting: The subject properties are within San Joaquin County and are generally located north of Harney Lane, south of the existing City Limits, east of Lower Sacramento Road, and west of the future extension of Mills Avenue to Harney Lane. More specifically the project site is south of the existing developing Century Meadows 4 single-family residential subdivision, east of the Luckey single-family residential development and future K-6 elementary school site, west of the developing Century Meadows 3 single-family residential subdivision, and north of a few rural residences north of and across Harney Lane. The properties are relatively flat with no unusual or extraordinary topographic features. Parcel 13 is 8.4-acres of vacant land, Parcel 22 is a 17.35-acre vineyard with a rural residence fronting Harney lane, Parcel 14 is a 1.4-acre rural residence, Parcel 17 is 1.23-acres with the northern half vineyard and a rural residence fronting Harney lane, and Parcel 21 is 1-acre also with the northern half vineyard and a rural residence fronting Harney lane.
9. **Other public agencies whose approval is required:**
San Joaquin County Local Agency Formation Commission (LAFCO)

ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED:

The environmental factors checked below would be potentially affected by this project, involving at least one impact that is a ("Potentially Significant Impact" by the checklist on the following pages.

- | | | |
|---|--|---|
| <input checked="" type="checkbox"/> Land Use and Planning | <input checked="" type="checkbox"/> Transportation/Circulation | <input checked="" type="checkbox"/> Public Services |
| <input type="checkbox"/> Population and Housing | <input checked="" type="checkbox"/> Biological Resources | <input checked="" type="checkbox"/> Utilities and Service Systems |
| <input checked="" type="checkbox"/> Geological Problems | <input type="checkbox"/> Energy and Mineral Resources | <input type="checkbox"/> Aesthetics |
| <input checked="" type="checkbox"/> Water | <input type="checkbox"/> Hazards | <input type="checkbox"/> Cultural Resources |
| <input checked="" type="checkbox"/> Air Quality | <input type="checkbox"/> Noise | <input type="checkbox"/> Recreation |
| | | <input type="checkbox"/> Mandatory Findings of Significance |

ENVIRONMENTAL IMPACTS:

	Potentially Significant Impact	Potentially Significant Unless mitigation Incorporated	Less than Significant Impact	No Impact
I. LAND USE AND PLANNING. <i>Would the proposed:</i>				
a) Conflict with general plan designation or zoning?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b) Conflict with applicable environmental plans or policies adopted by agencies with jurisdiction over the project?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Be incompatible with existing land use in the vicinity?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Affect agricultural resources or operations (e.g., impacts to soils or farmlands, or impacts from incompatible land uses)?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) Disrupt or divide the physical arrangement of an established community (including a low-income or minority community)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
II POPULATION AND HOUSING. <i>Would the proposal:</i>				
a) Cumulatively exceed official regional or local population projections?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Induce substantial growth in an area either directly or indirectly (e.g., through projects in an undeveloped area or extension of major infrastructure)?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Displace existing housing, especially affordable housing?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
III. GEOLOGIC PROBLEMS. <i>Would the proposal result in or expose people to potential impacts involving:</i>				
a) Fault rupture?	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Seismic ground shaking?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c) Seismic ground failure, including liquefaction?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Seiche, tsunami, or volcanic hazard?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) Erosion, changes in topography or unstable soil conditions from excavation, grading or fill?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
g) Subsidence of land?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
h) Expansive soils?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
i) Unique geologic or physical features?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

	Potentially Significant Impact	Potentially Significant Unless mitigation Incorporated	Less than Significant Impact	No Impact
IV. WATER. <i>Would the proposal result in:</i>				
<i>All "No" - Reference Source: See Project Description</i>				
a) Changes in absorption rates, drainage patterns, or the rate and amount of surface runoff?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Exposure of people or property to water related hazards such as flooding?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Discharge into surface waters or other alteration of surface water quality (e.g., temperature, dissolved oxygen or turbidity)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Changes in the amount of surface water in any water body?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Changes in currents, or the course or direction of water movements?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) Change in the quantity of ground water, either through direct additions or withdrawals, or through interception of an aquifer by cuts or excavation or through substantial loss of ground water recharge capability?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
g) Altered direction or rate of flow of groundwater?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
h) Impacts to groundwater quality?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
I) Substantial reduction in the amount of groundwater otherwise available for public water supplies?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
V. AIR QUALITY. <i>Would the proposal:</i>				
<i>All "No" Reference Source: Appendix H, #25 & Environmental Setting, Sec. 3.3:</i>				
a) Violate any air quality standard or contribute to an existing or projected air quality violation?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b) Expose sensitive receptors to pollutants?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Alter air movement, moisture, or temperature, or cause any change in climate?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Create objectionable odors?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
VI. TRANSPORTATION/CIRCULATION. <i>Would the proposal result in:</i>				
<i>All "No" Reference Source: See Project Description</i>				
a) Increased vehicle trips or traffic congestion?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b) Hazards to safety from design feature, (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Inadequate emergency access or access to nearby uses?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Insufficient parking capacity onsite or offsite?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Hazards or barriers for pedestrians or bicyclists?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) Conflicts with adopted policies supporting alternative transportation (e.g., bus turnouts, bicycle racks)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
g) Rail, waterborne or air traffic impacts?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Potentially Significant

	Potentially Significant Impact	Unless mitigation Incorporated	Less than Significant Impact	No Impact
VII. BIOLOGICAL RESOURCES. Would the proposal result in impacts to:				
a) Endangered, threatened or rare species or their habitats (including but not limited to plants, fish, insects, animals, and birds)?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Locally designated species (e.g., heritage trees)?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Locally designated natural communities (e.g., oak forest, coastal habitat, etc.)?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) Wetland habitat (e.g., marsh, riparian, and vernal pool)?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) Wildlife dispersal migration corridors?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
VIII. ENERGY AND MINERAL RESOURCES. Would the proposal:				
a) Conflict with adopted energy conservation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Use nonrenewable resources in a wasteful and inefficient manner?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Result in the loss of availability of a known mineral resource that would be of future value to the region and the residents of the State?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
IX. HAZARDS. Would the proposal involve:				
a) A risk of accidental explosion or release of hazardous substances (including, but not limited to, oil, pesticides, chemicals, or radiation)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Possible interference with an emergency response plan or emergency evacuation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) The creation of any health hazard or potential health hazard?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Exposure of people to existing sources of potential health hazards?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Increased fire hazard in areas with flammable brush, grass, or trees?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
X. NOISE. Would the proposal result in:				
a) Increase in existing noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Exposure of people to severe noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
XI. PUBLIC SERVICES. Would the proposed have an effect upon, or result in a need for new or altered government services in any of the following areas:				
a) Fire protection?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Police protection?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Schools?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
d) Maintenance of public facilities, including roads?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Other government services?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

XII. UTILITIES AND SERVICE SYSTEMS. *Would the proposal result in a need for new systems or supplies, or substantial alterations to the following utilities:*

	Potentially Significant Impact	Potentially Significant Unless mitigation Incorporated	Less than Significant Impact	No Impact
a) Power or natural gas?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Communications systems?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Local or regional water treatment or distribution facilities?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) Sewer or septic tanks?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) Storm water drainage?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
f) Solid waste disposal?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
g) Local or regional water supplies?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

XIII. AESTHETICS. *Would the proposal:*

a) Affect a scenic vista or scenic highway?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Have a demonstrable negative aesthetic effect?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
c) Create light or glare?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

XIV. CULTURAL RESOURCES. *Would the proposal:*

a) Disturb paleontological resources?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Disturb archaeological resources?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Have the potential to cause a physical change which would affect unique ethnic cultural values?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
d) Restrict existing religious or sacred uses within the potential impact area?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

XV. RECREATION. *Would the proposal:*

a) Increase the demand for neighborhood or regional parks or other recreational facilities?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Affect recreation opportunities?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

XVI. MANDATORY FINDINGS OF SIGNIFICANCE

	Potentially Significant Impact	Potentially Significant Unless mitigation Incorporated	Less than Significant Impact	No Impact
a) Does the project have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause 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 pre-history?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Does the project have the potential to achieve short-term, to the disadvantage of long-term, environmental goals?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Does the project have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Does the project have environmental effects, which will cause substantial adverse effects on human beings, either directly or indirectly?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

XVII. EARLIER ANALYSES.

Earlier analyses may be used where, pursuant to the tiering, program EIR, or other CEQA process, one or more effects have been adequately analyzed in earlier EIR or negative declaration. Section 15063(c)(3)(D).

Earlier analyses used.

June 1991. City of Lodi General Plan EIR. This area was identified in the Lodi General Plan and discussed in the Environmental Impact Report SCH# 9020206

a) Mitigation measures. See Attached Summary for discussion.

SUMMARY OF POTENTIAL IMPACTS

An explanation of potentially significant impacts follows. Measures included in this summary shall be treated as mitigation where indicated.

LAND USE AND PLANNING

- I. a) The properties in question are currently designated as PR, Planned Residential. The General Plan defines PR as follows: "This designation provides for single family detached and attached homes, secondary residential units, multifamily residential units, parks, open space, public and quasi-public uses, and similar and compatible uses and is applied to largely undeveloped areas in the unincorporated area of the GP area." Planned Residential is intended to be re-designated during the annexation process. The entire project area is to be designated, LDR, Low Density Residential, which is consistent with PR as defined above.

The zoning is currently a San Joaquin County zoning, having a designation of AU-20, Agricultural Urban Reserve, and a County General Plan Designation

of R-L, Low Density Residential. It is the opinion of the Lodi Community Development Department that the City's proposed General Plan designation is consistent with County's, and is essentially the implementation of the County's General Plan.

For consistency with the proposed General Plan designations, the project will be rezoned to R-2, single-family residential. Action by the City Council to make the requested changes will mitigate inconsistencies with the General Plan and Zoning to less than significant levels.

d) The subject properties total approximately 29.38-acres of residential and agricultural land (vineyard).

Page 3-2 of the General Plan Policy Document identifies the conversion of agricultural land as an adverse impact of residential, commercial and industrial development. In order to mitigate the adverse impacts of converting farmland to urban uses, Chapter Three of the General Plan Policy Document specifies on page 3-4, among other things, that the City shall encourage the preservation of agricultural uses surrounding the city and to discourage any premature urbanization of farmland. Specific policies in the Conservation Element are aimed at delaying the loss of prime agricultural lands and facilitating their continued use, including: 1. Designating an open space greenbelt around the urbanized area of the City. The City of Lodi is a participant with the County in establishing a greenbelt area between Stockton and Lodi, for which the Lodi City Council has authorized up to \$25,000 for further study of the area. 2. Support the continuation of agricultural uses on lands designated for urban uses until such time that urban development is imminent. 3. Allow the continuation of viable agricultural activities around the City.

The following statement is quoted from the Lodi Municipal Code Chapter 8.18 "NOTICE OF AGRICULTURAL OPERATIONS AFFECTING OTHER PROPERTY," Section 010 "Policy statement":

"It is the policy of the city to protect, preserve and encourage the use of viable agricultural lands for the production of food and other agricultural products. When nonagricultural land uses extend into or encroach upon agricultural areas, it is likely that conflicts will arise between such land uses and the agricultural operations. These conflicts often result in an involuntary curtailment or cessation of agricultural operations, are detrimental to the local economy, and discourage investment in such agricultural operations. The purpose of this chapter is to reduce the occurrence of conflict between agricultural and non-agricultural land uses within the city."

This section of the Municipal Code requires that the seller of a property near an agricultural area provide a disclosure statement to the buyer that there is agricultural activity nearby and that the buyer sign to the following: "The City of Lodi permits operation of properly conducted agricultural operations within the city limits, including those that utilize chemical fertilizers and pesticides. YOU ARE HEREBY NOTIFIED THAT THE PROPERTY YOU ARE PURCHASING MAY BE LOCATED CLOSE TO AGRICULTURAL

LANDS AND OPERATIONS. YOU MAY BE SUBJECT TO INCONVENIENCE OR DISCOMFORT ARISING FROM THE LAWFUL AND PROPER USE OF CHEMICALS AND AGRICULTURAL CHEMICALS AND PESTICIDES AND FROM OTHER AGRICULTURAL ACTIVITIES, INCLUDING WITHOUT LIMITATION, CULTIVATION, PLOWING, SPRAYING, IRRIGATION, PRUNING, HARVESTING, BURNING OF AGRICULTURAL WASTE PRODUCTS, PROTECTION OF CROPS AND ANIMALS FROM DEPREDATION, AND OTHER ACTIVITIES WHICH OCCASIONALLY GENERATE DUST, SMOKE, NOISE, AND ODOR. Consequently, depending on the location of your property, it may be necessary that you be prepared to accept such inconveniences or discomfort as a normal and necessary aspect of living in an agriculturally active region.”

Annexing the Lackyard Annexation project area will take roughly 29.38-acres of agricultural land out of production; however, its proximity to land within the City limits on three of four sides reduces its suitability for continued farming. Inappropriate and premature conversion of productive agricultural land would occur if “leap frog” development were taking place, involving development of land not adjacent to the existing City limits. Annexing and developing the subject land as a residential subdivision is in keeping with the City’s General Plan policies and ordinances promoting orderly and planned growth. Through continued efforts of the City to establish a greenbelt, continued participation in the San Joaquin County Multi-Species Habitat Conservation and Open Space Plan, continued implementation of the City’s Growth Management practices, and continued enforcement of the City’s “Right to Farm” ordinance, the City will remain the most compact city in County, and one of the most compact cities in the State.

The San Joaquin County Community Development Department has submitted comments regarding the project as related to loss of agricultural land. Please see the attached response from the City of Lodi.

Impacts associated with the conversion of the subject property from agricultural to urban uses are deemed less than significant.

GEOLOGIC PROBLEMS

- III b) The Project area is located in the San Joaquin Valley portion of the Central Valley of California. A sequence of sedimentary rocks up to 60,000 feet thick has filled the valley. Basement rocks composed of meta-sediments, volcanics, and granites underlie these deposits. The Midland Fault Zone is the nearest seismic area, and lies approximately 20 miles west of Lodi. Based upon the inactive status of this fault, the area has not been identified as a Special Studies Zone within the definitions of the Alquist-Priolo Act. However, appropriate construction standards will be utilized to conform to Seismic Zone 3 requirements.

WATER

IV. f & i) This project by itself will not substantially reduce the amount of groundwater available for public water supplies; however, approval of the Lackyard Annexation for low density residential development will contribute to the existing decline in the quantity of ground water by creating additional demand on the groundwater basin. According to the City's "Urban Water Management Plan, June 2001," the City of Lodi obtains all of its fresh water supply from 24 existing water wells that pump groundwater from the Longer San Joaquin Valley Groundwater Basin. The Plan states that the City has been over drafting the groundwater basin, which is the cause of the gradual but continued decrease in groundwater levels. "Overall, the average annual decrease in groundwater levels from 1927 to 2000 has been 0.35 feet per year. Generally, groundwater elevations have decreased with the increase in population and water production."

At the time the General Plan was drafted in 1987, water demand stood at 13.7 MGD. In 1991, it had grown to 14.1 MGD. According to estimates prepared in 1991, development provided for by the General Plan would create demand for approximately 7.8 MGD of water, or 76 percent more than the current amount. The "Urban Water Management Plan" provides many recommendations the City could implement to ensure that the City maintains an adequate supply of fresh water. These recommendations include: Developing a conjunctive use program to reduce overall pumping of groundwater, recycling waste water, continuing current water conservation efforts, and adopting many "Best Management Practices" (BMP) water conservation processes established by the California Urban Water Conservation Council. The basic finding of the report is that if the City is going to continue its sole reliance on groundwater, it must establish additional conservation programs or the City will eventually run out of groundwater.

The land of the Lackyard Annexation is anticipated to develop in the near future as a low-density residential subdivision similar to those projects to the west, north, and east. Prior to development the City will require a development plan review as provided by the City's Growth Management Program. Because of this program, growth within the City of Lodi has not exceeded the limit of providing housing for a 2% population increase per year. In fact, population growth has occurred at an average rate of 1.2% per year since the establishment of the Growth Management Program in 1991. This has reduced the anticipated per capita consumption of water. In addition, increased water conservation efforts by the City beginning in 1995 have also reduced the per capita consumption of water to less than expected levels.

Even with the existing efforts of the City, water usage of existing homes, businesses, and industry are continuing to overdraft the groundwater basin. For this reason, the City is actively pursuing each of the recommendations cited in the Urban Water Management Plan; however, these recommended efforts are comprehensive to the City as a whole. At this time the City has

not established a mechanism to mitigate by compensation or other means the cumulative impact on the City's fresh water supply at the individual project level. For this reason the City of Lodi finds that future development of the Lackyard Annexation project area shall, at the time of establishment of the mechanism for compensation, be required to compensate the City on a "fair share" basis for the difference in water consumption between the original use of the land and a low density residential development. We find that the preceding sentence as well as the continuing effort of the City to regulate water usage and promote water conservation, shall suffice as mitigation to reduce the impacts of the future development of the Lackyard Annexation project area on groundwater supply to less than significant.

AIR QUALITY

- V.a) The ultimate conversion of the project site to a 5-unit per acre single-family residential subdivision may cause a small decrease in ambient air quality standards and increase air emissions. Increased vehicle trips and emissions in the project area could be considered a substantial impact to an area that was relatively vacant property. Chapter 15, Air Quality, of the City of Lodi General Plan Environmental Impact Report states that "the City of Lodi will coordinate development project review with the San Joaquin County APCD in order to minimize future increases in vehicle travel and to assist in implementing any indirect source regulations adopted by the APCD."

The City of Lodi shall implement a number of impact reducing measures prescribed by the San Joaquin Valley Unified Air Pollution Control District in order to reduce the potential impact from fugitive dust due to earth moving and other construction activities. The measures are listed as follows:

- All material excavated or graded should be sufficiently watered to prevent excessive amounts of dust. Watering should occur at least twice a day with complete coverage, preferably in the late morning and after work is done for the day.
- All clearing, grading earth moving or excavation activities shall cease during periods of high winds greater than 20 mph average over one hour.
- All material transported off-site shall be either sufficiently watered or securely covered to prevent excessive amounts of dust.
- The area disturbed by clearing, earth moving, or excavation activities, should be minimized at all times.
- On-site vehicle speed shall be limited to 15 mph.

By implementing the measures above, the temporary impacts from construction on air quality will be reduced to less than significant levels.

In addition, the City is reducing impacts from vehicle emissions by implementing programs for alternate transportation. Programs such as the City's Dial-A-Ride system, which is a door to door service; or the Grape Line, which is a fixed route transit system; or the City's Bicycle Transportation Master Plan; or even the recent introduction of Amtrak rail

service to the City's Multi-Modal station will help to reduce vehicle emissions. The City's programs along with the programs at the Federal, State, and County levels will help to reduce vehicle emissions created by this project to less than significant levels.

TRANSPORTATION/CIRCULATION

- VI. a) Additional vehicle trips will effect transportation patterns relative to existing traffic loads and street capacity in the immediate project area. In order to reduce impacts from additional traffic, "The City shall review new developments for consistency with the General Plan Circulation Element and the Capital Improvements Program. Those developments found to be consistent with the Circulation Element shall be required to pay their fair share of traffic impact fees. Those developments found to be generating more traffic than that assumed in the Circulation Element shall be required to prepare a site-specific traffic study and fund needed improvements not identified in the capital improvements program in addition to paying their fair share of the traffic impact fees." The traffic impact fee will be used to finance future improvements such as traffic signals and street widening projects for older intersections and streets congested by new development.

The entire project site was originally designated in the City's General Plan as PR, Planned Residential so its circulation needs were projected for residential development, which is what is proposed. According to the City's Traffic Engineering of the Public Works Department, the trip rate for single-family residential dwelling units is 10 trips per dwelling unit. The 29.38-acre site could contain as many as 7-units per acre or 206 dwelling units, but will more realistically be around 5-units per acre or 147 dwelling units. This number of homes will generate around 1,470 daily trips.

Harney Lane adjacent to the south and Mills Avenue to the east are the main access points to the project area. Harney Lane is planned in the City's Street Master Plan as a minor arterial and Mills Avenue is planned as a Major Collector. Both are designed to accommodate the anticipated residential development of the remaining vacant land in this area. Planned improvements to Harney Lane include right-of-way dedications that will increase the width to four lanes, parking, curb, gutter, sidewalk, landscaping, and reverse frontage wall. Planned improvements to Mills Avenue include right-of-way dedications that will increase the width to two lanes with a left turn median, parking, curb, gutter, sidewalk, and landscaping. These improvements will take place generally along the frontages of the project site. Included in the Street Master Plan are improvements to the remainder of Harney Lane; however, these improvements typically only take place upon development of properties fronting the street being improved.

We believe that implementation of the City's Circulation Master Plan based on the General Plan Circulation Element and EIR, specifically the items as listed above, will adequately reduce traffic impacts in the immediate area to less than significant levels.

BIOLOGICAL RESOURCES

- VII. The proposed project is consistent with the San Joaquin County Multi-Species Habitat Conservation and Open Space Plan (SJMSCP), as amended, as reflected in the conditions of project approval for this proposal. Pursuant to the Final EIR/EIS for the San Joaquin county Multi-Species Habitat Conservation and Open Space Plan (SJMSCP), dated November 15, 2000, and certified by the San Joaquin Council of Governments on December 7, 2000, implementation of the SJMSCP is expected to reduce impacts to biological resources resulting from the proposed project to a level of less-than-significant. That document is hereby incorporated by reference and is available for review during regular business hours at the San Joaquin Council of Governments (6 S. El Dorado St., Suite 400/Stockton, CA 95202) or online at: www.sjcog.org.

PUBLIC SERVICES

- XI. a), b) The change from County agricultural land to the eventual development of single-family homes will generate the need for additional fire and/or police services. The Citywide Development Impact Mitigation Fee schedule was adopted to insure that new development generates sufficient revenue to maintain specified levels of service in town.

Page 9-5 of the General Plan Policy Document states that the City shall add personnel, equipment, or facilities necessary to maintain a minimum three (3) minute travel time for fire calls. Page 9-6 of the Policy Document goes on to state that the City shall also strive to maintain a staff ratio of 3.1 police officers per 1,000 population with response times averaging three (3) minutes for emergency calls and 40 minutes for non emergency calls. Impact fees are calculated on new development to generate enough revenue to preserve these service levels, thereby mitigating any potential adverse impacts on fire and/or police protection to less than significant levels.

UTILITIES AND SERVICE SYSTEMS

- XII. d) The General Plan EIR points out on page 10-2 that at the time the General Plan was prepared in 1989, there was a design treatment capacity of 6.2 MGD. A planned (and later completed) expansion increased capacity to 8.5 MGD in 1991. Assuming that residential growth was going to continue at the planned two (2) percent annual rate, and that flows would increase at a proportionate rate, the City's White Slough Water Pollution Control Facility (WSWPCF) has adequate capacity for the life of the 20 year plan. In fact, residential growth has not reached the two (2) percent mark since the plan was adopted. Over the last five (5) years, growth has averaged 1.63%. This being the case, there is estimated to be excess carrying capacity at the WSWPCF, enough to mitigate any impacts of the new homes and school site to less than significant levels.
- e) The General Plan EIR, page 10-3 outlines the City's storm water collection, distribution, and disposal system. In Lodi, storm water is discharged to the Mokelumne River and the Woodbridge Irrigation District

(WID) Canal. Due to the project area's adjacency to the DeBenedetti Park/G-Basin drainage basin, the drainage will flow to this facility. The G-Basin was engineered with a capacity to handle storm water runoff from a 48-hour, 100-year storm. Storm runoff from the development of the project site will not impact the City's existing drainage basins, which reduces impacts to less than significant.

g) Page 10-1 of the General Plan EIR explains that the water supply for the entire City is provided by a groundwater aquifer, tapped into by a system of interconnected City wells. According to Lodi standards, one water well shall be maintained per each 2,000 population. New wells are drilled as necessary to provide an adequate supply commensurate with growth. At the time the General Plan was drafted in 1987, water demand stood at 13.7 MGD. In 1991, it had grown to 14.1 MGD. According to estimates prepared in 1991, development provided for by the General Plan would create demand for approximately 7.8 MGD of water, or 67 percent more than the current amount.

As stated previously in this Negative Declaration, due to the affect of the City's Growth Management Program, growth has not reached the levels anticipated in 1991, reducing the anticipated per capita consumption of water. In addition, increased water conservation efforts by the City beginning in 1995 have also reduced the per capita consumption of water to less than expected levels. With 26 water wells currently in operation there is estimated to be a sufficient supply of water.

Considering the aforementioned mitigating factors, any impacts on the water supply created as a result of the Lackyard Annexation/reorganization are reduced to less than significant levels.

DETERMINATION:

On the basis of this initial evaluation:

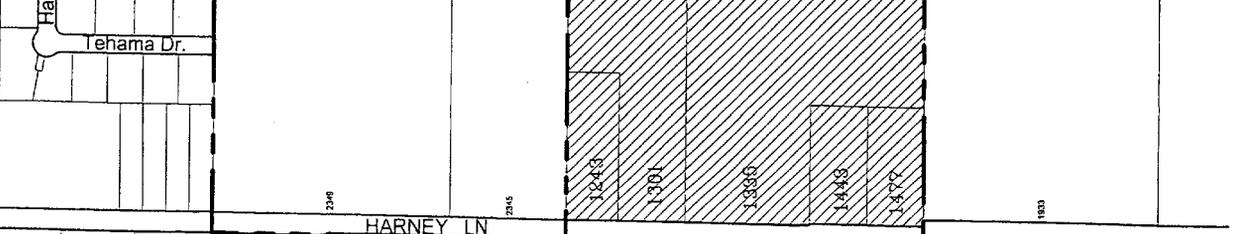
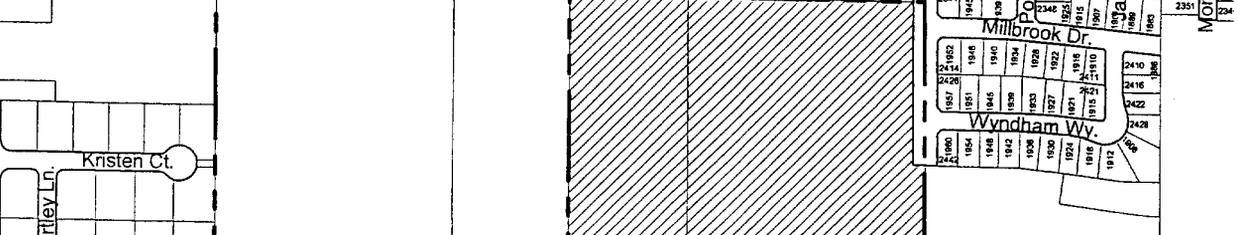
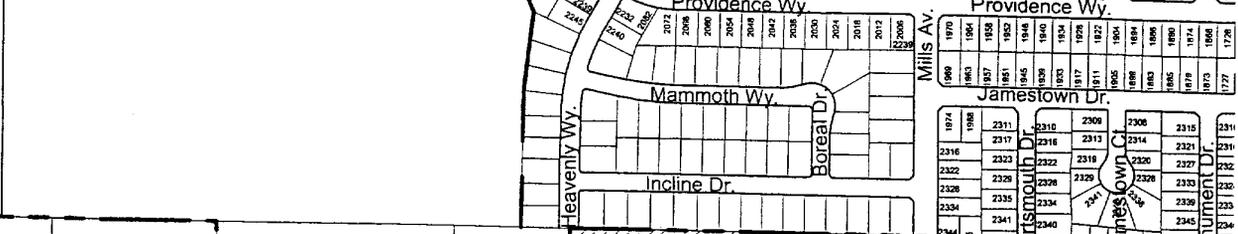
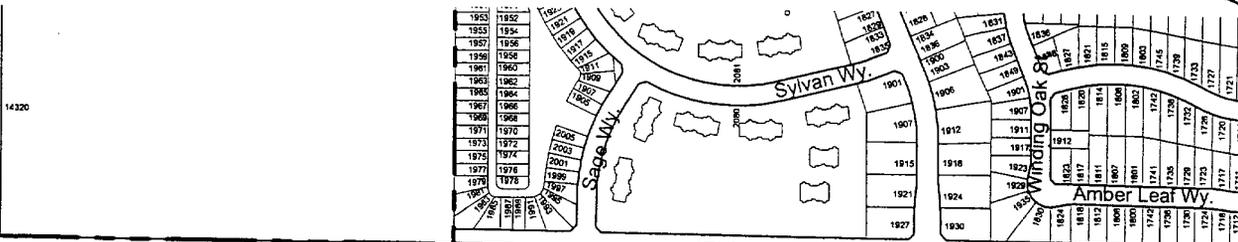
- I find that the proposed project **COULD NOT** have a significant effect on the environment, and a **NEGATIVE** declaration will be prepared.
- I find that although the proposed project could have a significant effect on the environment, there will not be a significant effect in this case because the mitigation measures described on an attached sheet have been added to the project. A **NEGATIVE DECLARATION** will be prepared.
- I find that the proposed project **MAY** have a significant effect on the environment, and an **ENVIRONMENTAL IMPACT REPORT** is required.
- I find that the proposed project **MAY** have a significant effect(s) on the environment, but at least one effect 1) has been adequately analyzed in an earlier document pursuant to applicable legal standards, and 2) has been addressed by mitigation measures based on the earlier analysis as described on attached sheets' if the effect is a "potentially significant impact" or "potentially significant unless mitigated."
- I find that although the proposed project could have a significant effect on the environment, there **WILL NOT** be a significant effect in this case because all potentially significant effects (a) have been analyzed adequately in an earlier EIR pursuant to applicable standards, and (b) have been avoided or mitigated pursuant to that earlier EIR, including revisions or mitigation measures that are imposed upon the proposed project

Signature:  Date: 6-13-2002
Printed Name: Mark Meissner For: City of Lodi

LOWER SAC

LOWER SACRAMENTO RD

Shattuck Tract Rd



VICINITY MAP



RESOLUTION NO. P.C. 02-34

**A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF LODI
RECOMMENDING APPROVAL OF THE REQUEST OF L.P. PROPERTIES, LLC FOR PREZONING
Z-02-03 TO THE LODI CITY COUNCIL.**

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

WHEREAS, the properties are located at 1243, 1301, 1335, & 1477 East Harney Lane, Lodi, CA 95242, Assessor's Parcel No's: 058-230-14, 13, 22 & 21;

WHEREAS, the project proponents are L.P. Properties, LLC, 6280 Amanda Court, Stockton, CA 95212;

WHEREAS, the property has a Zoning designation of AU-20, Agricultural Urban Reserve (San Joaquin County);

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

NOW, THEREFORE, BE IT FOUND, DETERMINED AND RESOLVED by the Planning Commission of the City of Lodi as follows:

1. Negative Declaration File No. ND-02-04 has been prepared in compliance with the California Environmental Quality Act of 1970, as amended, and the Guidelines provided there under. Further, the Commission has reviewed and considered the information contained in said Negative Declaration with respect to the project identified in this Resolution.
2. It is found that the parcels to be prezoned are the parcels located at 1243, 1301, 1335, & 1477 East Harney Lane, Lodi, CA 95242, Assessor's Parcel No's: 058-230-14, 13, 22 & 21.
3. It is found that the requested prezoning of R-2, Residential Single Family is not in conflict with adopted plans or policies of the General Plan of the City and will serve sound Planning practice.
4. It is further found that the land of the proposed rezone is physically suitable for the development of a single-family residential subdivision.
5. The Planning Commission of the City of Lodi hereby recommends approval of Rezone Z-02-03 to the City Council of the City of Lodi.

Dated: September 12, 2002

I hereby certify that Resolution No. 02-34 was passed and adopted by the Planning Commission of the City of Lodi at a special meeting held on September 12, 2002, by the following vote:

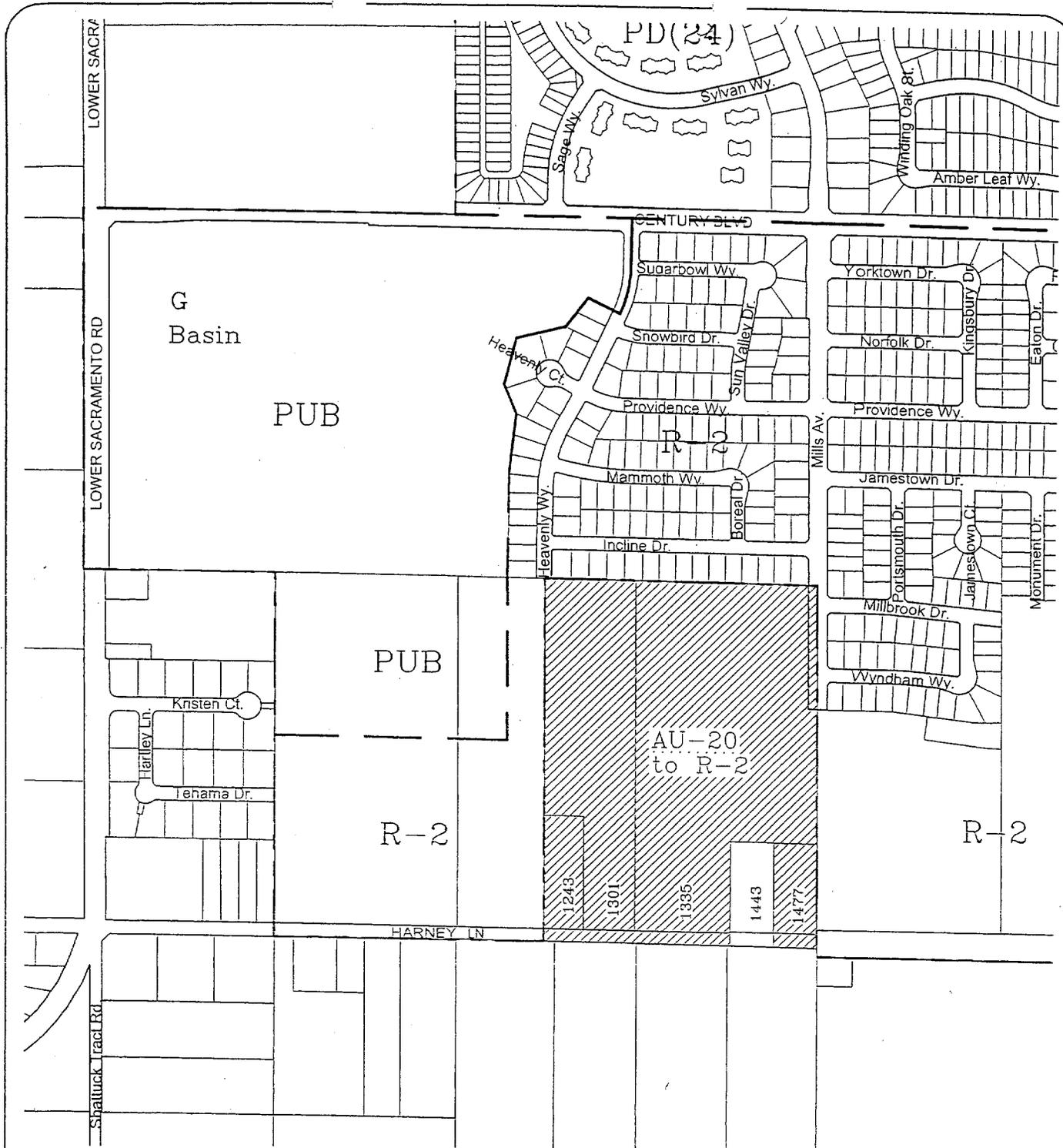
AYES: Commissioners: Crabtree, Haugan, Mattheis, White, and Heinitz

NOES: Commissioners: Beckman and Phillips

ABSENT: Commissioners:

ABSTAIN: Commissioners:

ATTEST: _____
Secretary, Planning Commission



PROPOSED ZONING MAP

LEGEND

- RESIDENTIAL ZONES:**
- R-1 - SINGLE FAMILY
 - R-2 - SINGLE FAMILY
 - R-2D - LOW DENSITY
 - R-CA - GARDEN APARTMENT
 - R-MD - MEDIUM DENSITY (APARTMENT)
 - R-HD - HIGH DENSITY (APARTMENT)
 - P-D - PLANNED DEVELOPMENT
 - R-1A - SINGLE-FAMILY (EASTSIDE)
- COMMERCIAL ZONES:**
- R-CP - PROFESSIONAL OFFICES
 - R-OP - PROFESSIONAL OFFICES (EASTSIDE)
 - C-1 - NEIGHBORHOOD
 - C-2 - GENERAL
 - C-3 - SHOPPING CENTER
- OTHER ZONES:**
- U-H - UNCLASSIFIED HOLDING
 - F - FLOOD PLAIN
 - PUB - PUBLIC

RESOLUTION NO. P.C. 02-35

**A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF LODI
RECOMMENDING APPROVAL OF THE REQUEST OF L.P. PROPERTIES, LLC FOR
GENERAL PLAN LAND USE AMENDMENT 02-03 TO THE LODI CITY COUNCIL.**

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

WHEREAS, the properties are located at 1243, 1301, 1335, & 1477 East Harney Lane, Lodi, CA 95242, Assessor's Parcel No's: 058-230-14, 13, 22, & 21;

WHEREAS, the project proponents are L.P. Properties, LLC, 6280 Amanda Court, Stockton, CA 95212;

WHEREAS, the properties have a General Plan designation of PR, Planned Residential;

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

NOW, THEREFORE, BE IT FOUND, DETERMINED AND RESOLVED by the Planning Commission of the City of Lodi as follows:

1. Negative Declaration File No. ND-02-04 has been prepared in compliance with the California Environmental Quality Act of 1970, as amended, and the Guidelines provided there under. Further, the Commission has reviewed and considered the information contained in said Negative Declaration with respect to the project identified in this Resolution.
2. It is found that the parcels to be re-designated are the parcels located at 1243, 1301, 1335 & 1477 East Harney Lane, Lodi, CA 95242, Assessor's Parcel No's: 058-230-14, 13, 22, & 21.
3. It is found that the requested General Plan Land Use Amendment from PR, Planned Residential to LDR, Low Density Residential provides for the orderly development of the City and will serve sound Planning practice.
4. The proposed amendment to the Land Use Diagram of the General Plan is consistent with all Elements of the General Plan; specifically the proposed amendment implements the following policies:
 - a. Land Use and Growth Management Element - Goal C, Policy 1, in that the project will annex 28.15 acres of residential land to the City, which is necessary to maintain an adequate supply to accommodate the City's 2 percent per year housing growth rate.
 - b. Housing Element - Goal A, Policy 9, in that the project is the first step of the adopted approval process for this residential development.
 - c. Circulation Element - Goal A, Policy 6, in that the projects future circulation system will further advance adequate access for emergency response to the area.
 - d. Noise Element - Goal A, Policy 7, in that the area is not impacted by unacceptable noise levels as illustrated on figure 6-3.
 - e. Conservation Element - Goal C, Policy 1, in that the project is surrounded on three sides by annexed land that is scheduled for residential development.

- f. Safety Element - Goal C, Policy 7, in that the nearest fire station is located at Ham & Beckman Park that is within a 3 minute response time.
 - g. Urban Design and Cultural Resources Element - Goal F, Policy 1, in that the pre-zoning of the site to R-2 will insure that the scale of development is consistent with surrounding land uses.
- 5. It is hereby found that the project site is physically suitable for the proposed type of development.
 - 6. The Planning Commission of the City of Lodi hereby recommends approval of General Plan Land Use Amendment 02-03 to the City Council of the City of Lodi.
 - 7. No variance from any City of Lodi adopted code, policy or specification is granted or implied by the approval of this resolution.

Dated: September 12, 2002

I hereby certify that Resolution No. 02-35 was passed and adopted by the Planning Commission of the City of Lodi at a special meeting held on September 12, 2002, by the following vote:

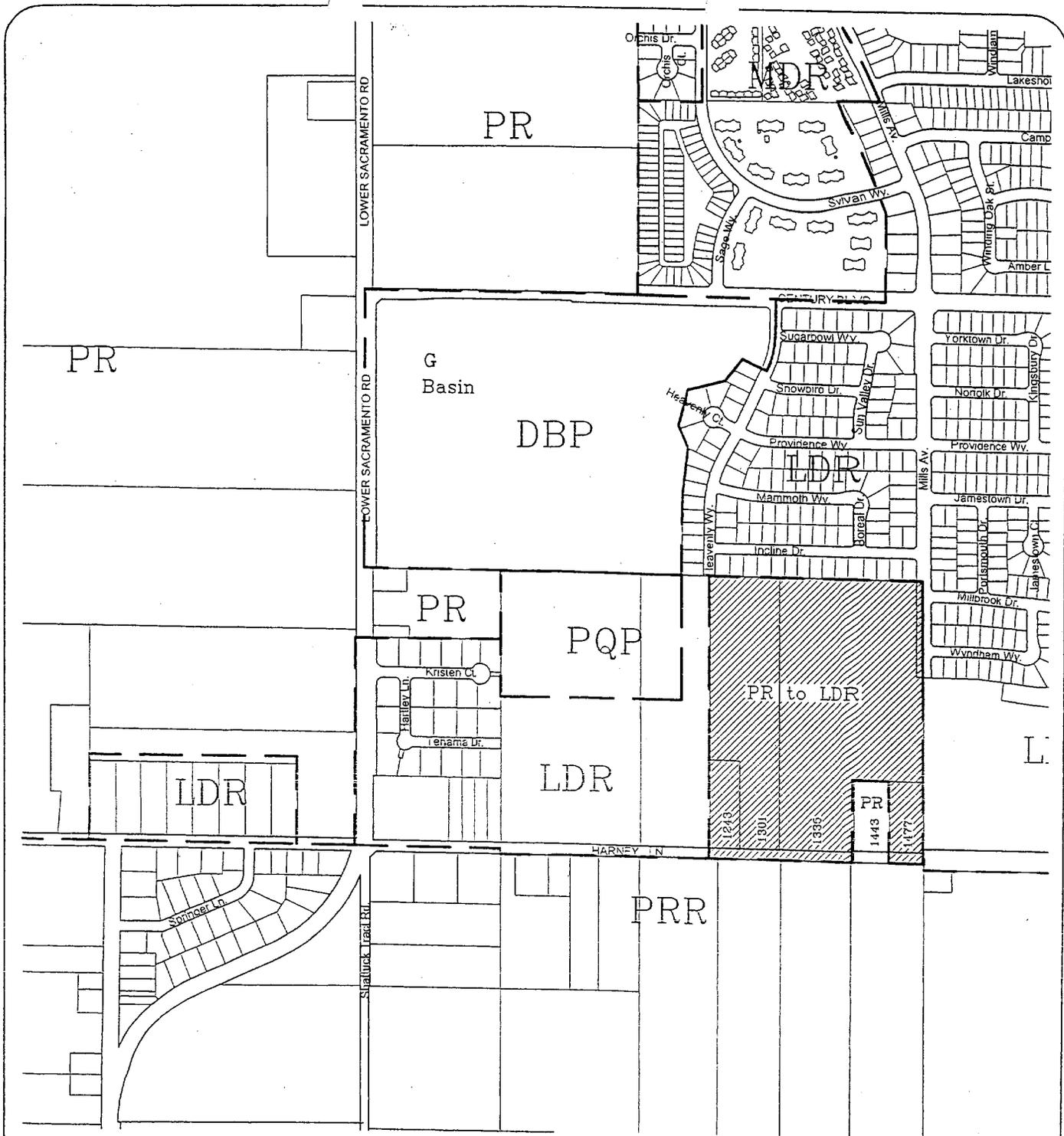
AYES: Commissioners: Crabtree, Haugan, Mattheis, White and Heinitz

NOES: Commissioners: Beckman and Phillips

ABSENT: Commissioners:

ABSTAIN: Commissioners:

ATTEST: 
Secretary, Planning Commission



PROPOSED GENERAL PLAN LAND USE DIAGRAM

LEGEND

- RESIDENTIAL:**
- LDR - LOW DENSITY RESIDENTIAL
 - MDR - MEDIUM DENSITY RESIDENTIAL
 - HDR - HIGH DENSITY RESIDENTIAL
 - ER - EASTSIDE RESIDENTIAL
 - PR - PLANNED RESIDENTIAL
- COMMERCIAL:**
- NCC - NEIGHBORHOOD/COMMUNITY COMMERCIAL
 - GC - GENERAL COMMERCIAL
 - DC - DOWNTOWN COMMERCIAL
 - O - OFFICE
- OTHER:**
- POP - PUBLIC/QUASI PUBLIC
 - DBP - DETENTION BASINS AND PARKS
 - A - AGRICULTURE



Minutes from September 12, 2002

The request of L.P. Properties, LLC for the Planning Commission's recommendation of approval to the City Council for a General Plan Amendment and Rezoning for 1243, 1301, 1335, & 1477 East Harney Lane. The General Plan Amendment is from PR, Planned Residential to LDR, Low Density Residential, and the Rezoning from San Joaquin County AU-20 to R-2, Single Family Residential. The request also includes a recommendation that the City Council certify Negative Declaration ND-02-04 as adequate environmental documentation for the project.

Associate Planner Meissner presented the matter to the Commission. The subject area is made up of 4 parcels totaling 28.15 acres in the southwest corner of Lodi fronting onto Harney Lane. The development of the parcels is for single family homes at 5 units per acre, which amounts to 141 homes. The proposed rezoning and General Plan designations are both consistent with the General Plan. Since there was no additional Priority Area 1 land remaining around the project, the land while being a Priority Area 2 could be considered Priority 1. After the annexation process, there will be an opportunity to review the development of the project at the Growth Management Development Plan stage. Staff felt the proposed annexation was logical and the City was prepared to provide services to the area.

Commissioner Crabtree questioned water issues noted in the Negative Declaration. He wanted to know the status of when the Commission could start to apply water mitigation measures to new projects. Community Development Director Bartlam replied that the City Council had yet to adopt water mitigation measures. The City has an ample water supply through various wells. In a long-term view, additional water supply or decreasing existing water consumption will be necessary.

Commissioner Phillips asked if other cities prepare a Negative Declaration rather than an Environmental Impact Review (EIR) when they annex agricultural lands into the City limits. Mr. Bartlam replied that it was common when the annexation is consistent with the General Plan Policy. The area in question had an EIR done at the time the General Plan was adopted in 1991.

Commissioner Mattheis asked why the property at 1443 E. Harney Lane was not being included in the annexation. City Planner Hightower replied that staff tried to make contact with the owner, but the owner never responded.

Commissioner Heinritz asked for an update on the sewer lift station located on Harney Lane. Mr. Bartlam replied the construction of the lift station was underway and necessary for development of the proposed annexation as well as the properties located both east and west of the subject properties.

Commissioner Phillips asked if the lift station had already been annexed into the City. Mr. Bartlam replied "no," that it did not need to be annexed since it is a public utility and has a very specific use.

Commissioner Crabtree asked when the last possible point in the development process could the Commission approve a project with mitigation to the water issue. Mr. Bartlam replied the appropriate time would be during the development plan stage.

Hearing Opened to the Public

Josh Elson, Project Engineer, Baumbach & Piazza, 323 W. Elm Street. Mr. Elson noted that there had been an extensive traffic study for the area. He was agreeable to the conditions set forth in the resolution.

Hearing Closed to the Public

Commissioner Mattheis felt the project was a logical extension of the area and made a **motion** to approve the request.

Commissioner Beckman voiced concern about the conversion of prime farmland to residential use. He noted that the General Plan directs City policy makers to discourage and delay the loss of prime farmland. He was disappointed that the City Council had not adopted a policy on water issues. He would be more in favor of a medium-density land use, rather than a low-density land use.

Commissioner Phillips agreed with Commissioner Beckman. He did not like seeing the sewer lift station already being constructed on the south side of Harney Lane on farmland. He was also in favor of seeing medium-density housing rather than low-density.

Commissioner Mattheis felt the project would complete the plan for the area. He noted that the sewer lift station was already in place and was not able to be moved. He asked staff to define the difference between low-density and medium-density. Mr. Bartlam replied low-density was 5 units per acre and medium-density was 7 units per acre. He felt at this stage it was not the right time to change from low-density to medium-density since the surrounding developed subdivisions were all zoned as low-density projects.

The Planning Commission on motion of Commissioner Mattheis, Crabtree second, voted to **approve** the request of L.P. Properties, LLC for the Planning Commission's recommendation of approval to the City Council for a General Plan Amendment and Rezoning for 1243, 1301, 1335, & 1477 East Harney Lane. The General Plan Amendment is from PR, Planned Residential to LDR, Low Density Residential, and the Rezoning from San Joaquin County AU-20 to R-2, Single Family Residential. The request also includes a recommendation that the City Council certify Negative Declaration ND-02-04 as adequate environmental documentation for the project by the following vote:

AYES: Commissioners: Crabtree, Haugan, Mattheis, White, and Chairman Heinitz

NOES: Commissioners: Beckman and Phillips

ABSENT: Commissioners:

ABSTAIN: Commissioners

DRAFT

ORDINANCE NO. ____

AN ORDINANCE OF THE LODI CITY COUNCIL AMENDING THE OFFICIAL DISTRICT MAP OF THE CITY OF LODI AND THEREBY PREZONING THE PARCELS LOCATED AT 1243, 1301, 1335, & 1477 EAST HARNEY LANE (APN 058-230-14, 13, 22 & 21) FROM SAN JOAQUIN COUNTY AU-20 TO R-2, SINGLE FAMILY RESIDENTIAL

=====

BE IT ORDAINED BY THE LODI CITY COUNCIL AS FOLLOWS:

Section 1. The Official District Map of the City of Lodi adopted by Title 17 of the Lodi Municipal Code is hereby amended as follows:

The parcels located at 1243, 1301, 1335, and 1477 East Harney Lane (APN 058-230-14, 13, 22 & 21) is hereby prezoned as follows:

28.15-acres – San Joaquin County AU-20 to R-2, Single Family Residential, as shown on the Vicinity Map, on file in the office of the City Clerk.

Section 2. The alterations, changes, and amendments of said Official District Map of the City of Lodi herein set forth have been approved by the City Planning Commission and by the City Council of this City after public hearings held in conformance with provisions of Title 17 of the Lodi Municipal Code and the laws of the State of California applicable thereto.

Section 3 - No Mandatory Duty of Care. This ordinance is not intended to and shall not be construed or given effect in a manner which imposes upon the City, or any officer or employee thereof, a mandatory duty of care towards persons or property within the City or outside of the City so as to provide a basis of civil liability for damages, except as otherwise imposed by law.

Section 4 - Severability. If any provision of this ordinance or the application thereof to any person or circumstances is held invalid, such invalidity shall not affect other provisions or applications of the ordinance which can be given effect without the invalid provision or application. To this end, the provisions of this ordinance are severable. The City Council hereby declares that it would have adopted this ordinance irrespective of the invalidity of any particular portion thereof.

Section 5. All ordinances and parts of ordinances in conflict herewith are repealed insofar as such conflict may exist.

Section 6. This ordinance shall be published one time in the "Lodi News Sentinel", a daily newspaper of general circulation printed and published in the City of Lodi and shall be in force and take effect thirty days from and after its passage and approval.

Approved this ____ day of _____, 2002

PHILLIP A. PENNINO
Mayor

Attest:

SUSAN J. BLACKSTON
City Clerk

State of California
County of San Joaquin, ss.

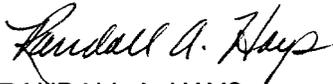
I, Susan J. Blackston, City Clerk of the City of Lodi, do hereby certify that Ordinance No. ____ was introduced at a regular meeting of the City Council of the City of Lodi held November 6, 2002 and was thereafter passed, adopted and ordered to print at a regular meeting of said Council held _____ by the following vote:

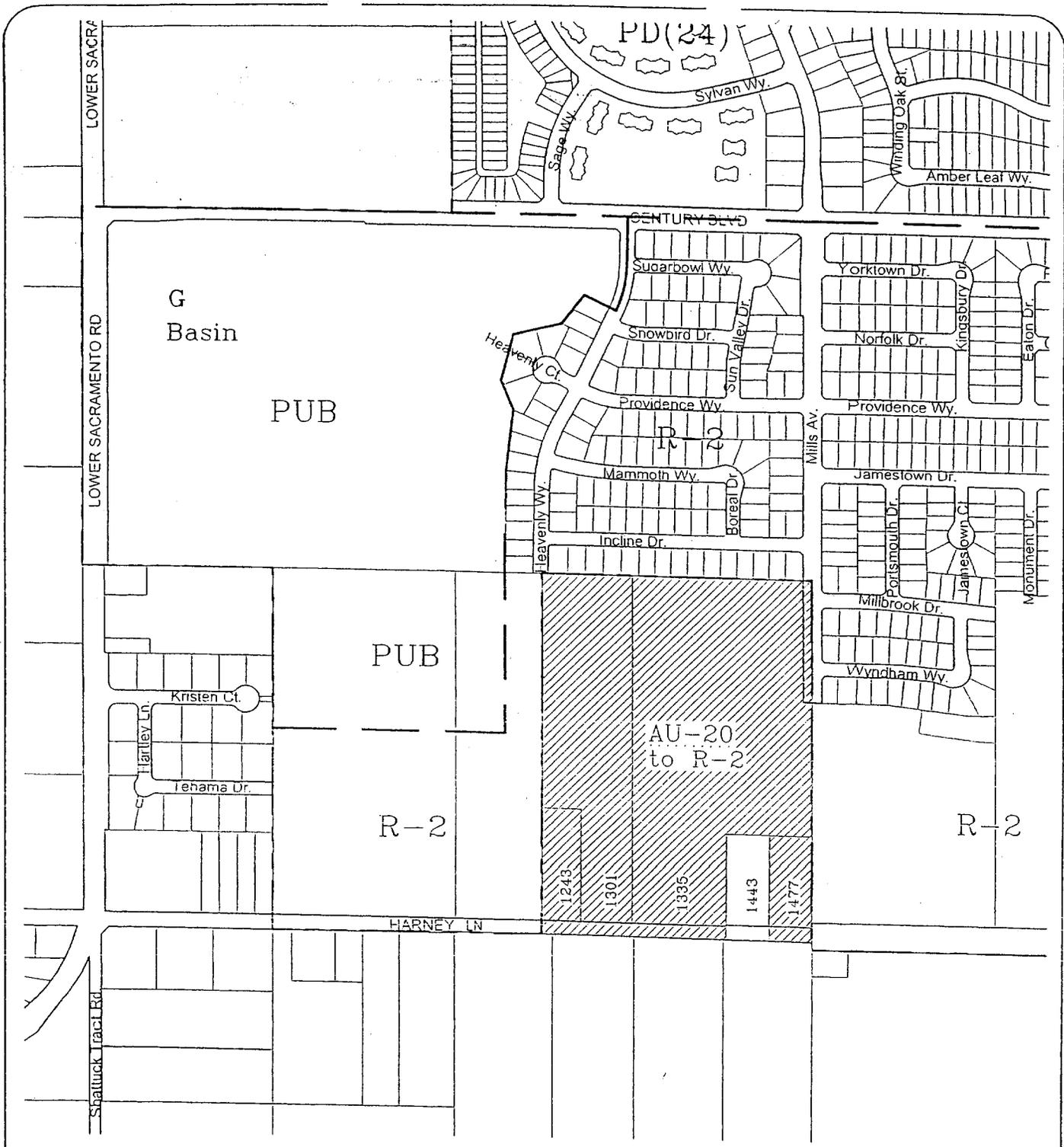
AYES: COUNCIL MEMBERS –
NOES: COUNCIL MEMBERS –
ABSENT: COUNCIL MEMBERS –
ABSTAIN: COUNCIL MEMBERS –

I further certify that Ordinance No. ____ was approved and signed by the Mayor on the date of its passage and the same has been published pursuant to law.

SUSAN J. BLACKSTON
City Clerk

Approved as to Form:


RANDALL A. HAYS
City Attorney



PROPOSED ZONING MAP

LEGEND

- RESIDENTIAL ZONES:**
- R-1 - SINGLE FAMILY
 - R-2 - SINGLE FAMILY
 - R-LD - LOW DENSITY
 - P-GA - GARDEN APARTMENT
 - R-MD - MEDIUM DENSITY (APARTMENT)
 - R-HD - HIGH DENSITY (APARTMENT)
 - P-D - PLANNED DEVELOPMENT
 - R-1* - SINGLE-FAMILY (EASTSIDE)
- COMMERCIAL ZONES:**
- P-CP - PROFESSIONAL OFFICES
 - P-CP* - PROFESSIONAL OFFICES (EASTSIDE)
 - C-1 - NEIGHBORHOOD
 - C-2 - GENERAL
 - C-S - SHOPPING CENTER
- OTHER ZONES:**
- U-H - UNCLASSIFIED HOLDING (AGRICULTURAL)
 - F-P - FLOOD PLAIN
 - PUB - PUBLIC



RESOLUTION NO. 2002-217

A RESOLUTION OF THE LODI CITY COUNCIL AMENDING
THE LAND USE ELEMENT OF THE LODI GENERAL PLAN
BY REDESIGNATING THE 28.15 ACRES LOCATED AT
1243, 1301, 1335, AND 1477 EAST HARNEY LANE
(APN 058-230-14, 13, 22, AND 21) FROM PR, PLANNED
RESIDENTIAL TO LDR, LOW DENSITY RESIDENTIAL

=====

BE IT RESOLVED, by the City Council of the City of Lodi, that the Land Use Element of the Lodi General Plan is hereby amended by redesignating 28.15 acres located at 1243, 1301, 1335, and 1477 E. Harney Lane (APN 058-230-14, 13, 22, and 21) from PR, Planned Residential to LDR, Low Density Residential, as shown on Exhibit "A" attached, which is on file in the office of the Lodi City Clerk; and

BE IT FURTHER RESOLVED that a Negative Declaration ND-02-04 has been prepared in compliance with the California Environmental Quality Act of 1970, as amended, and the Guidelines provided thereunder. Further, the Planning Commission has reviewed and considered the information contained in said Negative Declaration with respect to the project identified in its Resolution Nos. P.C. 02-34 through 02-35.

NOW, THEREFORE, BE IT RESOLVED, that the City Council has reviewed all documentation and hereby certifies the Negative Declaration as adequate environmental documentation for this project located at 1243, 1301, 1335, and 1477 E. Harney Lane.

Dated: November 6, 2002

=====

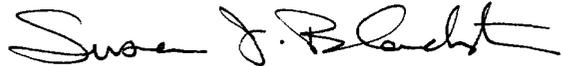
I hereby certify that Resolution No. 2002-217 was passed and adopted by the Lodi City Council in a regular meeting held November 6, 2002 by the following vote:

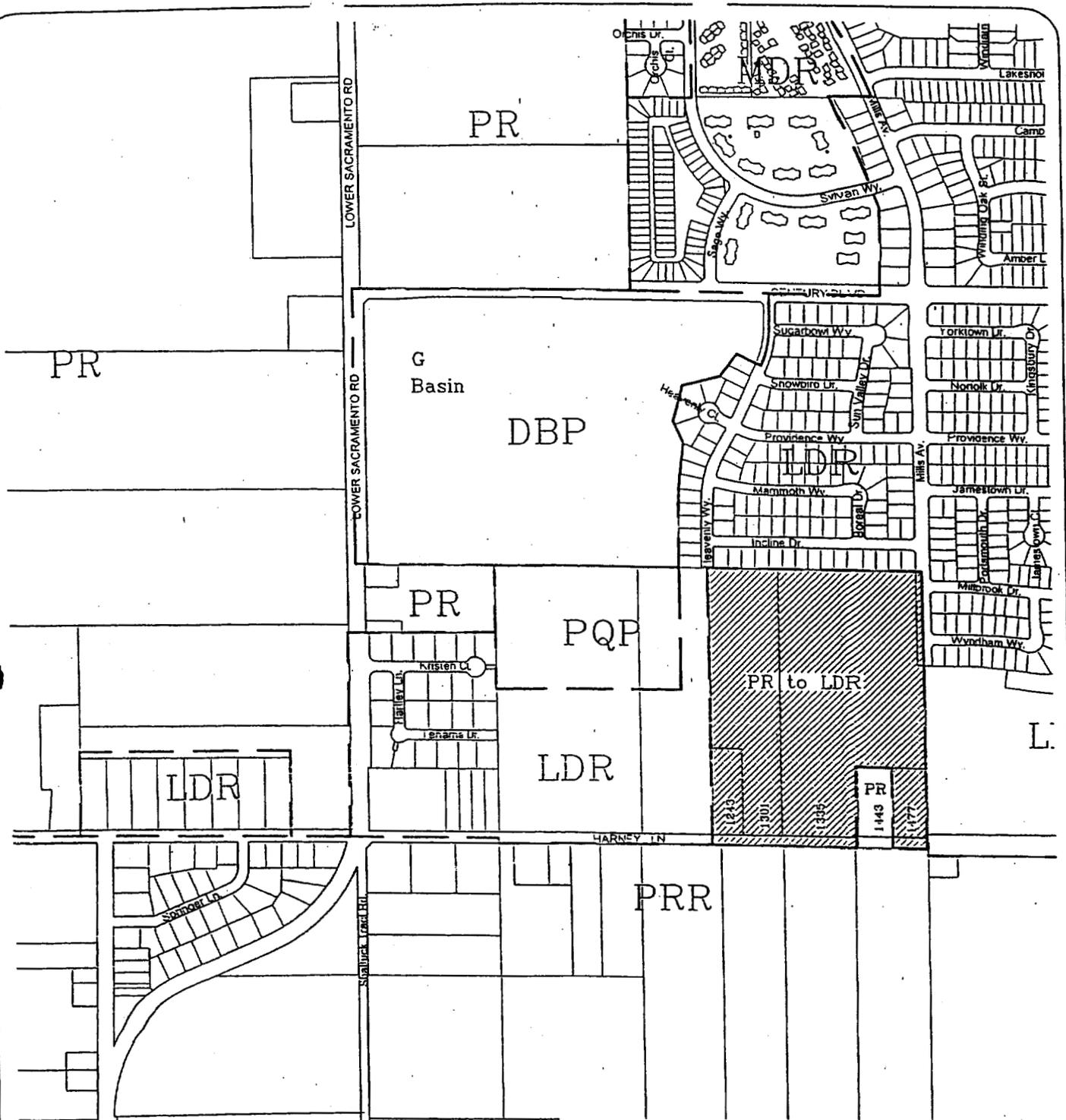
AYES: COUNCIL MEMBERS – Hitchcock, Howard, Land, Nakanishi, and Mayor Pennino

NOES: COUNCIL MEMBERS – None

ABSENT: COUNCIL MEMBERS – None

ABSTAIN: COUNCIL MEMBERS – None


SUSAN J. BLACKSTON
City Clerk



PROPOSED GENERAL PLAN LAND USE DIAGRAM

LEGEND

- RESIDENTIAL:**
- LDR - LOW DENSITY RESIDENTIAL
 - HDR - MEDIUM DENSITY RESIDENTIAL
 - HDR - HIGH DENSITY RESIDENTIAL
 - ER - EASTSIDE RESIDENTIAL
 - PR - PLANNED RESIDENTIAL
- COMMERCIAL:**
- MCC - NEIGHBORHOOD/COMMUNITY COMMERCIAL
 - GC - GENERAL COMMERCIAL
 - DC - DOWNTOWN COMMERCIAL
 - O - OFFICE
- OTHER:**
- POP - PUBLIC/QUASI PUBLIC
 - DBP - DETENTION BASINS AND PARKS
 - A - AGRICULTURE



RESOLUTION NO. 2002-218

A RESOLUTION OF THE LODI CITY COUNCIL FOR APPLICATION TO
THE SAN JOAQUIN COUNTY LOCAL AGENCY FORMATION
COMMISSION IN THE MATTER OF THE LACKYARD ANNEXATION,
INCLUDING THE DETACHMENT OF CERTAIN TERRITORY WITHIN
THE AREA PROPOSED FOR ANNEXATION TO THE CITY OF LODI

=====

WHEREAS, this proposal is made pursuant to the Local Government Reorganization Act; and

WHEREAS, the nature of the proposed change of organization is the annexation to the City of Lodi of an area comprising of 28.15 acres more or less adjacent to the City limits located at 1243, 1301, 1335, and 1477 East Harney Lane; and withdrawal of said 28.15 acres from the Woodbridge Rural Fire Protection District, the Woodbridge Irrigation District, and the San Joaquin County Resource Conservation District, located within the area to be annexed to the City of Lodi, (APN's 058-230-14, 13, 22, and 21), as described in Exhibit A attached hereto and incorporated herein by reference; and

WHEREAS, the subject area proposed to be annexed to the City of Lodi and detached from the Woodbridge Rural Fire Protection District, the Woodbridge Irrigation District, and the San Joaquin County Resource Conservation District is uninhabited; and

WHEREAS, no new districts are proposed to be formed by this reorganization; and

WHEREAS, the reasons for this proposal are as follows:

- (1) The uninhabited subject area is within the urban confines of the City and will generate service needs substantially similar to that of other incorporated urban areas which require municipal government service;
- (2) Annexation to the City of Lodi of the subject area will result in improved economics of scale in government operations while improving coordination in the delivery of planning services;
- (3) The residents and taxpayers of the County of San Joaquin will benefit from the proposed reorganization as a result of savings to the County by reduction of County required services in unincorporated but urban oriented area;
- (4) The subject area proposed to be annexed to the City of Lodi is geographically, socially, economically and politically part of the same urban area of which the City of Lodi is also a part;
- (5) The subject area is within the Lodi Sphere of Influence; and
- (6) Future inhabitants in the subject area will gain immediate response in regard to police and fire protection, unlimited City garbage and trash collection service, street lighting service, a modern sewer system, other municipal services, and improvement of property values.

NOW, THEREFORE, BE IT RESOLVED by the Lodi City Council that the San Joaquin County Local Agency Formation Commission is hereby requested to approve the proposed "Lackyard Annexation" which includes annexation of 28.15 acres more or less, and detachment from the Woodbridge Rural Fire Protection District, the Woodbridge Irrigation District, and the San Joaquin County Resource Conservation District as described in Exhibit A attached hereto. This is all subject to the aforementioned terms and conditions.

Dated: November 6, 2002

=====
I hereby certify that Resolution No. 2002-218 was passed and adopted by the City Council of the City of Lodi in a regular meeting held November 6, 2002 by the following vote:

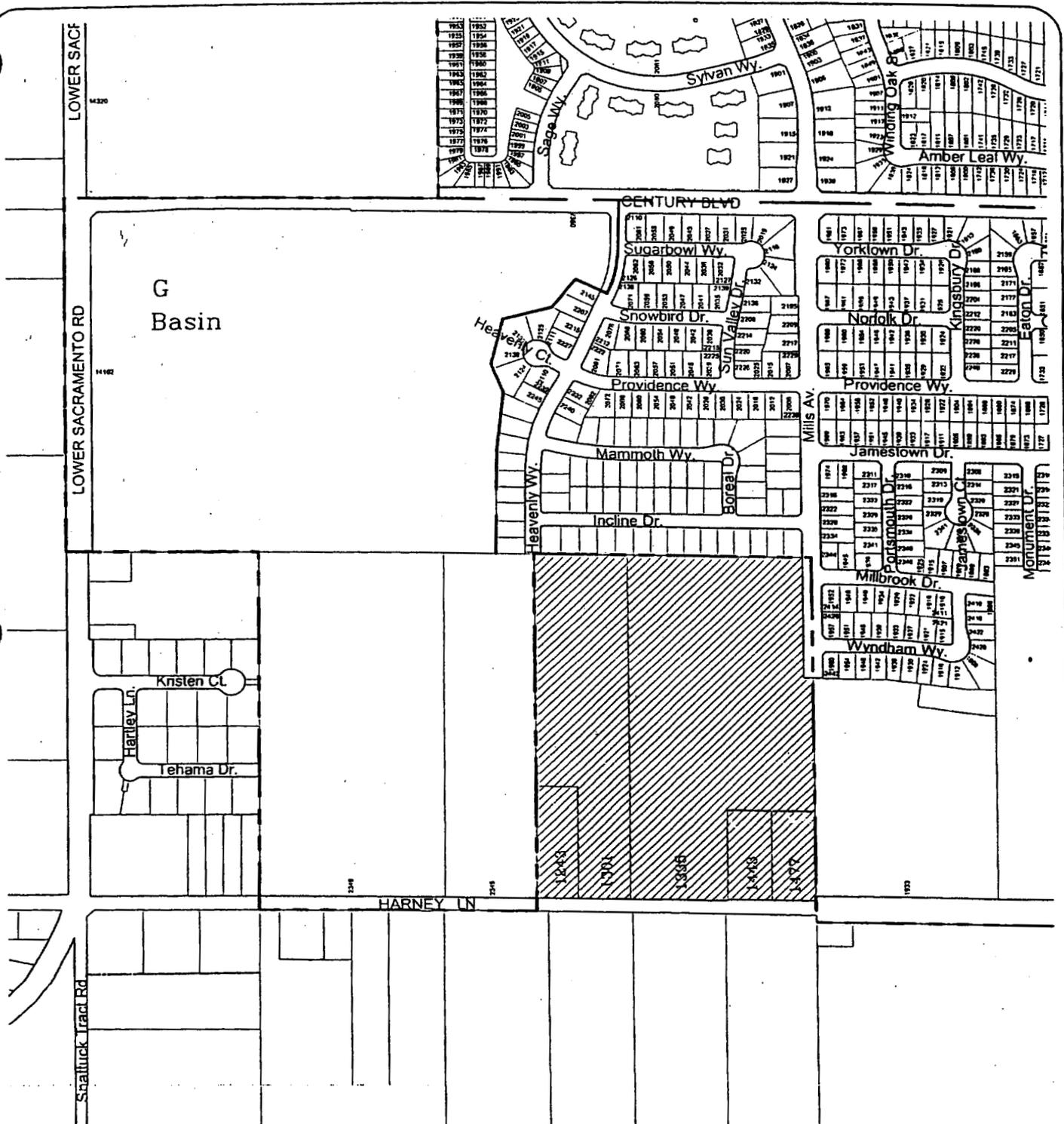
AYES: COUNCIL MEMBERS – Hitchcock, Howard, Land,
Nakanishi, and Mayor Pennino

NOES: COUNCIL MEMBERS – None

ABSENT: COUNCIL MEMBERS – None

ABSTAIN: COUNCIL MEMBERS – None


SUSAN J. BLACKSTON
City Clerk



VICINITY MAP



PROOF OF PUBLICATION

(2015.5 C.C.P.)

STATE OF CALIFORNIA

County of San Joaquin

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

October 19

all in the year.....2002.....

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

Dated at Lodi, California, this19.....day of

.....October.....2002.....

Kelsy Davis
Signature

This space is for the County Clerk's Filing Stamp

RECEIVED
2002 OCT 21 PM
CITY CLERK
CITY OF LODI

Proof of Publication of

Public Hearing-Plan Amendment and

Pre-zoning For 1243, 1301, 1335, and

1477 East Harney Lane

NOTICE OF PUBLIC HEARING

NOTICE IS HEREBY GIVEN that on Wednesday, November 6, 2002 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) Planning Commission's recommendation of approval to the City Council for a General Plan Amendment and Prezoning for 1243, 1301, 1335, and 1477 East Harney Lane; the General Plan Amendment is from PR, Planned Residential to LDR, Low Density Residential, and the Prezoning from San Joaquin County AU-20 to R-2, Single Family Residential; the request also includes a recommendation that the City Council certify Negative Declaration ND-02-04 as adequate environmental documentation for the project and initiate annexation of the properties into the City.

Information regarding this item may be obtained in the office of the Community Development Department Director, 221 West Pine Street, Lodi, California. All interested persons are invited to present their views and comments on this matter. Written statements may be filed with the City Clerk 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 Public Hearing.

By Order of the Lodi City Council:
Susan J. Blackston
City Clerk

Dated: October 16, 2002
Approved as to form:
Randall A. Hays
City Attorney
Oct. 19, 2002



CITY OF LODI
Carnegie Forum
305 West Pine Street, Lodi

NOTICE OF PUBLIC HEARING

Date: November 6, 2002

Time: 7:00 p.m.

For information regarding this notice please contact:

Susan J. Blackston

City Clerk

Telephone: (209) 333-6702

NOTICE OF PUBLIC HEARING

NOTICE IS HEREBY GIVEN that on **Wednesday, November 6, 2002** 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) Planning Commission's recommendation of approval to the City Council for a General Plan Amendment and Rezoning for 1243, 1301, 1335, and 1477 East Harney Lane; the General Plan Amendment is from PR, Planned Residential to LDR, Low Density Residential, and the Rezoning from San Joaquin County AU-20 to R-2, Single Family Residential; the request also includes a recommendation that the City Council certify Negative Declaration ND-02-04 as adequate environmental documentation for the project and initiate annexation of the properties into the City.

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By Order of the Lodi City Council:

Susan J. Blackston
City Clerk

Dated: October 16, 2002

Approved as to form:

Randall A. Hays
City Attorney



DECLARATION OF POSTING

**SET PUBLIC HEARING FOR NOVEMBER 6, 2002 TO CONSIDER THE PLANNING
COMMISSION'S RECOMMENDATION OF APPROVAL TO THE CITY COUNCIL FOR A
GENERAL PLAN AMENDMENT AND PREZONING FOR 1243, 1301, 1335, AND 1477 EAST
HARNEY LANE**

On Thursday, October 17, 2002 in the City of Lodi, San Joaquin County, California, a copy of the Public Hearing Notice referenced above (and 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 October 17, 2002 at Lodi, California.

ORDERED BY:

**SUSAN J. BLACKSTON
CITY CLERK**



Jacqueline L. Taylor
Deputy City Clerk

Patricia Ochoa
Administrative Clerk

Jennifer M. Perrin
Deputy City Clerk



DECLARATION OF MAILING

SET PUBLIC HEARING FOR NOVEMBER 6, 2002 TO CONSIDER THE PLANNING COMMISSION'S RECOMMENDATION OF APPROVAL TO THE CITY COUNCIL FOR A GENERAL PLAN AMENDMENT AND PREZONING FOR 1243, 1301, 1335, AND 1477 EAST HARNEY LANE

On October 17, 2002 in the City of Lodi, San Joaquin County, California, I deposited in the United States mail, envelopes with first-class postage prepaid thereon, containing a notice of public hearing as referenced above, marked Exhibit "A"; said envelopes were addressed as is more particularly shown on Exhibit "B" attached hereto.

There is a regular daily communication by mail between the City of Lodi, California, and the places to which said envelopes were addressed.

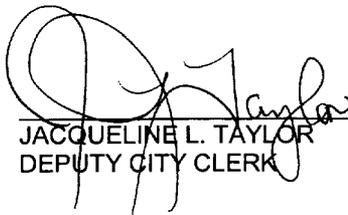
I declare under penalty of perjury that the foregoing is true and correct.

Executed on October 17, 2002, 2002, at Lodi, California.

ORDERED BY:

**SUSAN BLACKSTON
CITY CLERK, CITY OF LODI**

ORDERED BY:



JACQUELINE L. TAYLOR
DEPUTY CITY CLERK

JENNIFER M. PERRIN
DEPUTY CITY CLERK

PATRICIA OCHOA
ADMINISTRATIVE CLERK

1243, 1301, 1335 & 1477 East Harney Lane

- 1) 05823012;NEPOTE, GUISEPPE O EST ;1477 E HARNEY LN ;LODI ;CA;95240
- 2) 05821029;HARNEY DEVELOPMENT LLC ;777 S HAM LN SUITE L ;LODI ;CA;95242
- 3) 05823019;CENTURY BUILDING PARTNERS I LP;3247 W MARCH LN SUITE 220 ;STOCKTON ;CA;95219
- 4) 05842047;RUIZ, STEPHEN D & JOLIE M ;1968 JAMESTOWN DRIVE ;LODI ;CA;95242
- 5) 05842048;BAUMGARTNER, MARY JO ;1974 JAMESTOWN DR ;LODI ;CA;95242
- 6) 05845022;BIANCHI, PATRICIA A ;PO BOX 696 ;GALT ;CA;95632
- 7) 05845023;VILLATA, FRANK J & ONNA LEE ;2329 PORTSMOUTH DR ;LODI ;CA;95242
- 8) 05845024;RODRIGUEZ, RUBEN A ;2323 PORTSMOUTH DR ;LODI ;CA;95242
- 9) 05845025;PRICE, ARTHUR B & BARBARA A ;2317 PORTSMOUTH DR ;LODI ;CA;95242
- 10) 05845026;MEURRIER, MICHELLE ;2316 S MILLS AVE ;LODI ;CA;95242
- 11) 05845027;DIXON, HISAE ;2322 S MILLS AVE ;LODI ;CA;95242
- 12) 05845028;GUERRERO, TINA M ;2328 MILLS AVE ;LODI ;CA;95242
- 13) 05845029;BIAGI, DAVID & LINDA ;2334 S MILLS AVE ;LODI ;CA;95242
- 14) 05823013;ANUNDSON, PAMELA;1320 E HARNEY LN;LODI;CA;95240
- 15) 05809001;TAMURA, S T & E TRS ETL ;1220 E HARNEY LANE ;LODI ;CA;95242
- 16) 05809002;TANABE, JOYCE T ETAL ;1040 W KETTLEMAN LN 1B PMB 308 ;LODI ;CA;95240
- 17) 05809003;EVERITT, RAYMOND E TR ;1320 E HARNEY LN ;LODI ;CA;95242
- 18) 05809004;MANASSERO, MICHAEL & PATRICIA ;1490 E HARNEY LN ;LODI ;CA;95242
- 19) 05810021;PERRIN RANCH LLC ;18989 N DAVIS RD ;LODI ;CA;95242
- 20) 05823017;AWNALLAH, ALI MOSSED ;1443 E HARNEY LA ;LODI ;CA;95240
- 21) L.P Properties, 6280 Amanda Court, Stockton, CA 95212
- 22) Susan Lackyard, 1477 E. Harney Lane, Lodi, CA 95242
- 23) Kenneth Tate Jr., 1243 Harney lane, Lodi, CA 95242