CITY OF LODI

COUNCIL COMMUNICATION

AGENDA TITLE: Conduct public hearing to consider the Planning Commission's recommendation of approval to the City Council for an Annexation, General Plan Amendment and Prezoning for 13814 Lower Sacramento Road and a 4-acre portion of 302 East Highway 12. The General Plan Amendment for 13814 Lower Sacramento Road is from PR, Planned Residential to LDR, Low Density Residential, and the prezoning from R-VL (County), Residential Very Low Density to R-LD, Residential Low Density. The General Plan Amendment for 302 East Highway 12 is from PR, Planned Residential to PQP, Public/Quasi Public, and the prezoning from AU-20 (County), Agriculture-Urban Reserve to PUB, Public. The request also includes a recommendation that the City Council certify Negative Declaration ND-02-07 as adequate environmental documentation for this project.

MEETING DATE: November 6, 2002

PREPARED BY: Mark Meissner, Associate Planner

RECOMMENDED ACTION: That the City Council approve the Planning Commission's recommendation for an Annexation, General Plan Amendment and Prezoning for 13814 Lower Sacramento Road and a 4-acre portion of 302 East Highway 12. The General Plan Amendment for 13814 Lower Sacramento Road is from PR, Planned Residential to LDR Low Density Residential, and the prezoning from R-VL (County), Residential Very Low Density to R-LD, Residential Low Density. The General Plan Amendment for 302 East Highway 12 is from PR, Planned Residential to PQP, Public/Quasi Public, and the prezoning from AU-20 (County), Agriculture-Urban Reserve to PUB, Public. There is also the request that the City Council approve the recommendation of the Planning Commission to certify Negative Declaration ND-02-07 as adequate environmental documentation for this project.

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 from the City Council of the requested actions above. At this meeting staff explained that the proposed areas of annexation include two non-contiguous parcels with separate requests and separate applicants. The two items were presented to the Planning Commission as one in order to reduce the application fees charged by the City and by the Local Agency Formation Commission (LAFCO), whose jurisdiction it is to approve annexations.

The first of the two project areas is referred to as the Van Ruiten and Zunino (VR&Z) parcel. The VR&Z property is a 3.92-acre parcel at 13814 Lower Sacramento Road, which is approximately 1,000-feet north of the intersection of Harney Lane on the east side of the road. This project site is bounded by the DeBenedetti Park to the north, an existing rural residence and cherry orchard across Lower Sacramento Road in the County to the west, a future Lodi Unified Elementary School to the east, and the Sunnyside Estates single-family residential subdivision in the County to the south.

The General Plan Amendment will change the existing General Plan designation of PR, Planned Residential, to LDR, Low Density Residential for the VR&Z property. The subsequent zoning change will be from R-VL, Residential Very Low Density to R-LD, Residential Low Density. This zoning designation would be consistent with the General Plan.

APPROVED: _____
H. Dixon Flynn -- City Manager

The second project area is a City-owned property that the City's Electrical Utility Department will be developing as an electrical substation, and is referred to in this document as the City property. This property is a 4-acre parcel at 320 East Highway 12, which is approximately a quarter-mile west of the intersection of Lower Sacramento Road on the south side of the highway. This project site is bounded by undeveloped agricultural land across Hwy. 12 in the County to the north, undeveloped agricultural land in the County to the west and south, and a future shopping center in the City to the east and northeast.

The General Plan Amendment will change the existing designation of PR, Planned Residential, to PQP, Public/Quasi Public for the substation property. The zoning designation for the substation would change from AU-20, Agriculture Urban Reserve to PUB, Public. The PUB zoning designations is consistent with their proposed General Plan land use designation for the site.

No other policies of the General Plan will be impacted by either of the proposed amendments. The proposed development of the VR&Z property on Lower Sacramento Road is residential at a density at or less than 7-units per acre or a maximum of 27 dwelling units, and the City property on Kettleman Lane will develop as an electrical substation.

The two project areas share the same General Plan designation of PR, Planned Residential which is defined 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 and PQP, Public/Quasi Public amendments are consistent with PR as defined. In addition, we find that the subsequent zoning designations of R-LD, residential low density and PUB, Public are consistent with the proposed General Plan land use designations.

One of the recommended actions of the City Council is to certify that the attached negative declaration is adequate environmental documentation for this project. The California Environmental Quality Act (CEQA) 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 no significant impacts. Statements to attest to this are provided in the attached document.

The Planning Commission found that that the proposed annexations are logical extensions of the City's boundary's, that the project areas are contiguous to the existing City limits, and that the City has anticipated annexing the land from the County as evidenced by its PR, Planned Residential General Plan land use designation. Furthermore, that the City has planned and is prepared to provide services to these areas.

FUNDING: None required

Konradt Bartlam
Community Development Director

Prepared by: Mark Meissner, Associate Planner

MEMORANDUM, City of Lodi, Community Development Department

To: Planning Commission

From: Community Development Department

Date: September 12, 2002

Subject: The request of VR&Z Partnership and the City of Lodi Electric Utility Department for the Planning Commission's recommendation of approval to the City Council for an Annexation, General Plan Amendment and Prezoning for 13814 Lower Sacramento Road and 4-acre portion of 302 East Highway 12. The General Plan Amendment for 13814 Lower Sacramento Road is from PR, Planned Residential to LDR, Low Density Residential, and the prezoning from R-VL (County), Residential Very Low Density to R-LD, Residential Low Density. The General Plan Amendment for 302 East Highway 12 is from PR, Planned Residential to PQP, Public/Quasi Public, and the prezoning from AU-20 (County), Agriculture-Urban Reserve to PUB, Public. The request also includes a recommendation that the City Council certify Negative Declaration ND-02-07 as adequate environmental documentation for this project.

SUMMARY

The proposed areas of annexation include two non-contiguous parcels in the County totaling 7.92 acres. The Van Ruiten & Zunino (VR&Z) property is a 3.92-acre parcel at 13814 Lower Sacramento Road, which is approximately 1,000-feet north of the intersection of Harney Lane on the east side of the road. This project site is bounded by the DeBenedetti Park to the north, an existing rural residence and cherry orchard across Lower Sacramento Road in the County to the west, a future Lodi Unified Elementary School to the east, and the Sunnyside Estates single-family residential subdivision in the County to the south.

The City of Lodi substation property is a 4-acre parcel at 320 East Highway 12, which is approximately a quarter-mile west of the intersection of Lower Sacramento Road on the south side of the highway. This project site is bounded by undeveloped agricultural land across Hwy. 12 in the County to the north, undeveloped agricultural land in the County to the west and south, and a future shopping center in the City to the east and northeast.

The General Plan Amendments will change the existing General Plan designation of PR, Planned Residential, to LDR, Low Density Residential for the VR&Z property, and PQP, Public/Quasi Public for the City property. The subsequent zoning changes will be from R-VL, Residential Very Low Density to R-LD, Residential Low Density for the VR&Z property, and AU-20, Agriculture Urban Reserve to PUB, Public for the City property. Both R-LD and PUB zoning designations are consistent with their proposed General Plan land use designations. The proposed development of the VR&Z property is residential at a density at or less than 7-units per acre or a maximum of 27 dwelling units, and the City property will develop as an electrical substation (See Vicinity Map.)

BACKGROUND

As stated in a previous staff report memo, 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 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 was also adopted in 1991. This ordinance has designated the VR&Z property with a Priority Area 2 status and the City property as Priority Area 3, which is inconsequential because the City property will not develop as residences. As you may already know, the priority areas are established based on a land areas ability to connect to existing utilities and its adjacency to existing or planned development. There are three levels of priority, one being the highest and three being the lowest.

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 and PQP, Public/Quasi Public amendments are consistent with PR as defined. In addition, we find that the subsequent zoning designations of R-LD, residential low density and PUB, Public are consistent with the proposed General Plan land use designations.

Residential Low Density (R-LD) zoning may not be familiar to the Planning Commission because low-density projects are usually approved under an R-1 or R-2 zoning designation. The difference is that R-LD zoning allows one family to four family dwellings with the stipulation that for every multi-family structure there is at least one single family home. Furthermore, the whole development could be single-family homes if desired. The density or placement of multi family units is established during the subdivision map approval, and may not exceed seven units per acre as restricted by the Low Density Residential General Plan land use designation. Staff finds this zoning to be an effective way of increasing density and providing a variety of housing types and opportunities within a development. The few existing developments in Lodi that are zoned R-LD can be found on Kenway Court on the west side of South Mills Avenue just north of West Lodi Avenue, the western half of the Mokelumne Village subdivision north of East Turner Road at the north end of Stockton Street, and on Huntington Drive just west of South Ham Lane off of West Tokay Street.

The City's Growth Management Ordinance requires staff to appropriately time the annexation of new land for residential development; staff finds the VR&Z project area request is appropriate. This land has been designated Priority Area 2 and is adjacent to pending development on two sides and existing development on its south side. With the small amount of undeveloped acreage left in either priority 1 or 2, further development of land within priority area 2 is more likely, and development within priority area 3 is imminent. As lands within Priority Area 1 develop, the infrastructure required to develop land within Priority Areas 2 and 3 become available.

In the case of the VR&Z property, its development is contingent on the completion of the wastewater lift station being installed at the intersection of Mills Avenue and Harney Lane and the widening of Lower Sacramento Road between Kettleman Lane and Harney Lane to 4 lanes with a raised median. The widening is scheduled for July of 2003 as well as the connection of Century Boulevard to Lower Sacramento Road.

Annexation is the first step in the development process for this parcel. The Planning Commission will have the opportunity to review the development of the project site in detail when application is made for growth management development plan review and building permit allocation request, and subsequently

during tentative subdivision map review. The soonest the City can accept an application for growth management development plan review and allocation is May of 2003. Typically, development plans are approved and allocated November of the same year, and the tentative subdivision maps are approved early the following year. With the typical time frame, the earliest staff would expect this site to develop is around the middle of 2004. During that time, development of the school site to the east and DeBenedetti Park to the north should be under way with the improvements to Lower Sacramento Road completed.

As far as the City property is concerned, the electrical substation parcel is within a rapidly urbanizing area of Lodi. The City of Lodi is currently processing plans for a large shopping center immediately east of this site. To the north, across Kettleman Lane, the City is reviewing plans for another large shopping center and a single-family subdivision. These developments are within the Westside Facilities Master Plan a public facilities plan for 390 acres of planned growth in Lodi. As such, the substation is strategically located to accommodate Lodi's planned growth in this area of its current Sphere of Influence.

The California Environmental Quality Act (CEQA) 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 no significant impacts. Statements to attest to this are provided in the attached document.

The loss of agricultural land classified as Prime Farmland is a concern of Lodi's; however, the development of both parcels is considered less than significant under the Land Evaluation and Site Assessment model (LESA) developed by the State Department of Conservation. Therefore, no mitigation is required for either project area. Staff finds that the attached negative declaration (ND-02-07) is adequate environmental documentation for the project.

Staff finds that the proposed annexations are logical extensions of the City's boundary's. The project areas are contiguous to the existing City limits and the City has anticipated annexing the land from the County as evidenced by its PR, Planned Residential General Plan land use designation. Furthermore, the City has planned and is prepared to provide services to these areas.

RECOMMENDATION

Staff recommends that the Planning Commission recommends approval to the City Council of the request of VR&Z Partnership and the City of Lodi Electric Utility for their requested Annexations, General Plan Amendments, and Prezonings for 13814 Lower Sacramento Road and 320 East Highway 12, and a recommendation that the City Council certify Negative Declaration ND-02-07 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: Van Ruiten & Zunino Annexation, AX-02-02
Rezone No. Z-02-05
General Plan Amendment, GPA-LU-02-05.

REQUEST: The request of VR&Z Partnership and the City of Lodi Electric Utility Department for the Planning Commission's recommendation of approval to the City Council for an Annexation, General Plan Amendment and Prezoning for 13814 Lower Sacramento Road and 4-acre portion of 302 East Highway 12. The General Plan Amendment for 13814 Lower Sacramento Road is from PR, Planned Residential to LDR, Low Density Residential, and the prezoning from R-VL (County), Residential Very Low Density to R-LD, Residential Low Density. The General Plan Amendment for 302 East Highway 12 is from PR, Planned Residential to PQP, Public/Quasi Public, and the prezoning from AU-20 (County), Agriculture-Urban Reserve to PUB, Public. The request also includes a recommendation that the City Council certify Negative Declaration ND-02-07 as adequate environmental documentation for this project.

LOCATION: 13814 Lower Sacramento Road & 320 East Highway 12 (058-230-03, & 058-030-07)

APPLICANT:

VR&Z Partnership
4240 East Acampo Road
Acampo, CA 95220

Lodi Electric Utility
1331 South Ham Lane
Lodi, CA 95242

OWNERS:

Parcel (058-230-03)
VR&Z Partnership
4240 East Acampo Road
Acampo, CA 95220

Parcel (058-030-07)
City of Lodi
c/o Office of the City Clerk
221 West Pine Street
Lodi, CA 95240

Site Characteristics: The VR&Z Partnership property is a 3.92-acre lot on the east side of Lower Sacramento Road, approximately 1,000 feet north of the intersection of Harney Lane. This property is currently improved with a single family dwelling unit and related farm buildings. The property is contiguous to the existing City of Lodi city limits to the east and north.

The City of Lodi Electrical Utility District substation site is a four-acre site on the south side of Highway 12/Kettleman Lane, approximately 1290 feet west of the intersection of Lower Sacramento Road. This site is adjacent to Lodi city limits to the west. The property is currently vacant.

General Plan Designation: VR&Z Property: PR, Planned Residential (City); R-VL, Residential Very Low Density (County)
City Property: PR, Planned Residential (City); AU-20, Agricultural Urban Reserve (County).

Zoning Designation: VR&Z Property: R-VL, Residential Very Low Density (County)
City Property: AU-20, Agricultural Urban Reserve (County)

Property Size: Two non-contiguous parcels totaling 7.92 acres.

Adjacent Zoning and Land Use:

North: VR&Z Property: PUB, Public (City)
City of Lodi Site: AU-20, Agricultural Urban Reserve (County) & C-S, Commercial Shopping (City)

South: VR&Z Property: R-VL, Residential Very Low Density (County)
City of Lodi Site: AU-20, Agricultural Urban Reserve (County)

East: VR&Z Property: R-2, Single Family Residential (City)
City of Lodi Site: AU-20, Agricultural Urban Reserve (County)

West: VR&Z Property: AU-20, Agricultural Urban Reserve (County)
City of Lodi Site: AU-20, Agricultural Urban Reserve (County)

Neighborhood Characteristics:

VR&Z property: To the south of the project site is an urban subdivision, Sunnyside Estates that is currently under San Joaquin County jurisdiction. Urban development is taking place immediately to the east of the site with a planned Lodi Unified School District elementary school. To the north is the planned DeBenedetti Park site that will be a forty-nine acre active park.

City of Lodi site: This parcel is within a rapidly urbanizing area of Lodi. The City of Lodi is currently processing plans for a large shopping center immediately east of this site. To the north, across Kettleman Lane, the City is reviewing plans for another large shopping center and a single-family subdivision. These developments are within the Westside Facilities Plan a public facilities plan for 390 acres of planned growth in Lodi.

ENVIRONMENTAL ASSESSMENTS:

Negative Declaration ND-02-07 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 24 notices were sent to all property owners of record within a 300-foot radius of the subject property.

RECOMMENDATION:

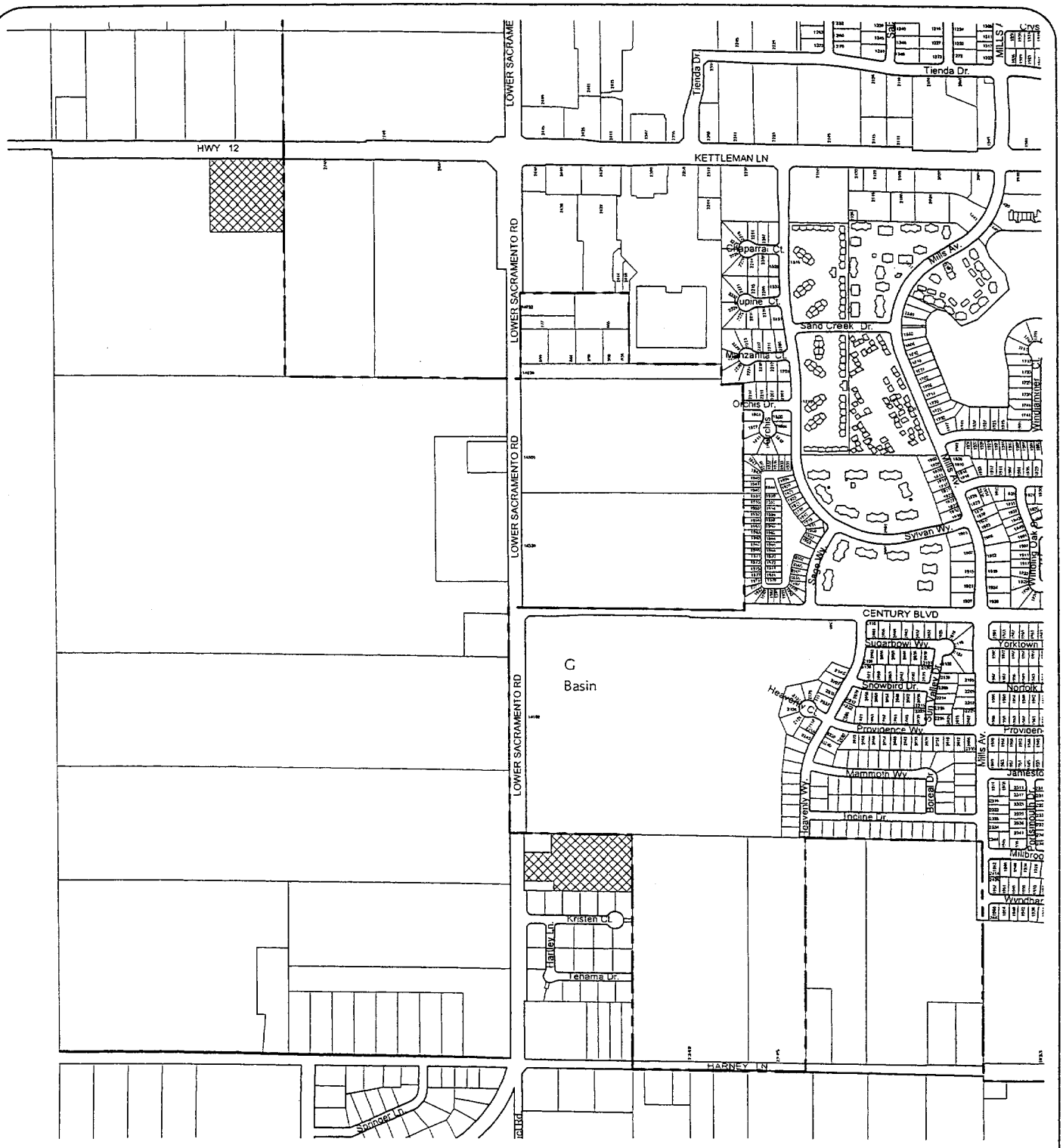
Staff recommends that the Planning Commission recommends approval to the City Council of the request of VR&Z Partnership and the City of Lodi Electric Utility for their requested Annexations, General Plan Amendments, and Prezonings for 13814 Lower Sacramento Road and 320 East Highway 12, and a recommendation that the City Council certify Negative Declaration ND-02-07 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



VICINITY MAP

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NEGATIVE DECLARATION NO. ND-02-07

FOR

The annexation of the VR&Z Property and future site of the Lodi Electrical Utility District Substation

File No.: AX 02-02

APPLICANT: VR&Z Partnership and City of Lodi

PREPARED BY:

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

Date July 18, 2002

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PROJECT DESCRIPTION FOR THE VR&Z PARTNERSHIP AND CITY OF LODI ELECTRICAL UTILITY DISTRICT ADDITION TO LODI

The VR&Z Partnership and City of Lodi Electrical Utility District Addition to Lodi comprises the annexation of two separate, non-contiguous properties to the City of Lodi. Taken together, this proposed annexation total is 7.92 acres.

The VR&Z Partnership property is a 3.92 acre lot on the east side of Lower Sacramento Road, approximately 100 feet north of the intersection of Kristen Court. The property has a General Plan designation of Planned Residential with a maximum density of 7.0 dwelling units to the acre. This property is currently improved with a single family dwelling unit and related farm buildings. The property is contiguous to the existing City of Lodi city limits to the east and north. To the south is an urban subdivision, Sunnyside Estates, that is currently under San Joaquin County jurisdiction. Urban development is taking place immediately to the east of the site with a planned Lodi Unified School District elementary school being located adjacent to the site. To the north is the planned DeBenedetti Park site that will be a forty-nine acre active park. All needed utilities are located in Lower Sacramento Road. Thus, the annexation of the VR&Z property is a logical annexation with all needed services in the immediate area.

The City of Lodi Electrical Utility District substation site is a four acre site on the south side of Highway 12/Kettleman Lane, approximately 1290 feet west of the intersection of Lower Sacramento Road. This property, like the VR&Z property, has a General Plan designation of Planned Residential. This site adjacent to Lodi city limits to the west. The property is currently vacant. However, this parcel is within a rapidly urbanizing area of Lodi. The City of Lodi is currently processing plans for a large shopping center immediately east of this site. To the north, across Kettleman Lane, the City is reviewing plans for another large shopping center and a single family subdivision. These developments are within the Westside Facilities Plan a public facilities plan for 390 acres of planned growth in Lodi. As such the substation is strategically located to accommodate Lodi's planned growth in this area of its current Sphere of Influence.

Accompanying the annexation are General Plan Amendments and Pre-zoning for these sites. The VR&Z site is proposed to have a General Plan Designation of Low Density Residential and a Pre-Zoning designation of Residential -- Low Density (R-LD) which is the implementing zone of the Low Density Residential General Plan Designation. The substation site is proposed with a General Plan Designation of Public/Quasi-Public (PQP) with a Pre-Zoning of Public (PUB). The Public zoning district is the implementing zone of the Public/Quasi-Public General Plan designation. Thus the proposed Pre-Zonings are consistent with the adopted City of Lodi Land Use Element of the General Plan.

ENVIRONMENTAL CHECKLIST FORM

1. **Project title:**
   VR&Z/City of Lodi Electrical Utility Addition to Lodi
2. **Lead agency name and address:**
   City of Lodi-Community Development Department
   Box 3006, Lodi, CA 95241
3. **Contact person and phone number:**
   J.D. Hightower
   (209) 333-6711
4. **Project location:**
   Lodi, San Joaquin County, CA.;
   Two sites, one site is on the east side of Lower Sacramento Road approximately 100 feet north of the intersection of Kristen Court; second site is on the south side of Highway 12 approximately 1290 feet west of the intersection of Lower Sacramento Road.
5. **Project sponsor's name and address:**
   VR&Z Partnership, 12620 North Davis Road, Lodi, CA 95242
   City of Lodi, Electrical Utility District, 221 West Pine Street, Lodi, CA 95241
   6. General Plan designation: Both properties are currently "Planned Residential" (PR). The VR&Z site is proposed to be amended to Low Density Residential under the Land Use Element and the substation site is proposed to be amended to a Public/Quasi-Public desigation.
7. **Zoning: VR&Z prezone to Low Density Residential (R-LD); City of Lodi prezone to PUB.**
8. **Description of project: See attached "Project Description"**
9. **Surrounding land uses and setting: VR&Z property: north future park site, south existing low density residential land use currently under county jurisdiction, east future park site, west existing single family residential under county jurisdiction and Planned Residential. City of Lodi site: vacant land uses to north, south and east, agricultural vineyard/winery operation to west.**
10. **Other public agencies whose approval is required: 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.

☐ **Land Use and Planning**	☐ **Transportation/Circulation**	☐ **Public Services**
☐ **Population and Housing**	☐ **Biological Resources**	☐ **Utilities and Service Systems**
☐ **Geological Problems**	☐ **Energy and Mineral Resources**	☐ **Aesthetics**
☐ **Water**	☐ **Hazards**	☐ **Cultural Resources**
☐ **Air Quality**	☐ **Noise**	☐ **Recreation**
	☐ **Mandatory Findings of Significance**	

ENVIRONMENTAL IMPACTS:

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

IV. WATER. *Would the proposal result in:* *All "No" – Reference Source: See Project Description*	Potentially Significant Impact	Potentially Significant Unless mitigation Incorporated	Less than Significant Impact	No Impact
a) Changes in absorption rates, drainage patterns, or the rate and amount of surface runoff?	☐	☐	☐	☑
b) Exposure of people or property to water related hazards such as flooding?	☐	☐	☐	☑
c) Discharge into surface waters or other alteration of surface water quality (e.g., temperature, dissolved oxygen or turbidity?	☐	☐	☐	☑
d) Changes in the amount of surface water in any water body?	☐	☐	☐	☑
e) Changes in currents, or the course or direction of water movements?	☐	☐	☐	☑
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?	☐	☐	☐	☑
g) Altered direction or rate of flow of groundwater?	☐	☐	☐	☑
h) Impacts to groundwater quality?	☐	☐	☐	☑
I) Substantial reduction in the amount of groundwater otherwise available for public water supplies?	☐	☐	☐	☑

V. AIR QUALITY. *Would the proposal:* *All "No" Reference Source: Appendix H, #25 & Environmental Setting, Sec. 3.3:*				
a) Violate any air quality standard or contribute to an existing or projected air quality violation?	☐	☐	☐	☑
b) Expose sensitive receptors to pollutants?	☐	☐	☐	☑
c) Alter air movement, moisture, or temperature, or cause any change in climate?	☐	☐	☐	☑
d) Create objectionable odors?	☐	☐	☐	☑

VI. TRANSPORTATION/CIRCULATION. *Would the proposal result in:* *All "No" Reference Source: See Project Description*				
a) Increased vehicle trips or traffic congestion?	☐	☐	☐	☑
b) Hazards to safety from design feature, (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?	☐	☐	☐	☑
c) Inadequate emergency access or access to nearby uses?	☐	☐	☐	☑
d) Insufficient parking capacity onsite or offsite?	☐	☐	☐	☑
e) Hazards or barriers for pedestrians or bicyclists?	☐	☐	☐	☑
f) Conflicts with adopted policies supporting alternative transportation (e.g., bus turnouts, bicycle racks)?	☐	☐	☐	☑
g) Rail, waterborne or air traffic impacts?	☐	☐	☐	☑

VII. BIOLOGICAL RESOURCES. Would the proposal result in impacts to:	Potentially Significant Impact	Potentially Significant Unless mitigation Incorporated	Less than Significant Impact	No Impact
a) Endangered, threatened or rare species or their habitats (including but not limited to plants, fish, insects, animals, and birds?	☐	☐	☐	☑
b) Locally designated species (e.g., heritage trees)?	☐	☐	☐	☑
c) Locally designated natural communities (e.g., oak forest, coastal habitat, etc.)?	☐	☐	☐	☑
d) Wetland habitat (e.g., marsh, riparian, and vernal pool)?	☐	☐	☐	☑
e) Wildlife dispersal migration corridors?	☐	☐	☐	☑
VIII. ENERGY AND MINERAL RESOURCES. *Would the proposal:*				
a) Conflict with adopted energy conservation plan?	☐	☐	☐	☑
b) Use nonrenewable resources in a wasteful and inefficient manner?	☐	☐	☐	☑
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?	☐	☐	☐	☑
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)?	☐	☐	☐	☑
b) Possible interference with an emergency response plan or emergency evacuation plan?	☐	☐	☐	☑
c) The creation of any health hazard or potential health hazard?	☐	☐	☐	☑
d) Exposure of people to existing sources of potential health hazards?	☐	☐	☐	☑
e) Increased fire hazard in areas with flammable brush, grass, or trees?	☐	☐	☐	☑
X. NOISE. *Would the proposal result in:*				
a) Increase in existing noise levels?	☐	☐	☐	☑
b) Exposure of people to severe noise levels?	☐	☐	☐	☑
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?	☐	☐	☐	☑
b) Police protection?	☐	☐	☐	☑
c) Schools?	☐	☐	☐	☑
d) Maintenance of public facilities, including roads?	☐	☐	☐	☑
e) Other government services?	☐	☐	☐	☑

XII. UTILITIES AND SERVICE SYSTEMS. *Would the proposal result in a need for new systems or supplies, or substantial alterations to the following utilitie:s*	Potentially Significant Impact	Potentially Significant Unless mitigation Incorporated	Less than Significant Impact	No Impact
a) Power or natural gas?	☐	☐	☐	☑
b) Communications systems?	☐	☐	☐	☑
c) Local or regional water treatment or distribution facilities?	☐	☐	☐	☑
d) Sewer or septic tanks?	☐	☐	☐	☑
e) Storm water drainage?	☐	☐	☐	☑
f) Solid waste disposal?	☐	☐	☐	☑
g) Local or regional water supplies?	☐	☐	☐	☑
XIII. AESTHETICS. *Would the proposal:*				
a) Affect a scenic vista or scenic highway?	☐	☐	☐	☑
b) Have a demonstrable negative aesthetic effect?	☐	☐	☐	☑
c) Create light or glare?	☐	☐	☐	☑
XIV. CULTURAL RESOURCES. *Would the proposal:*				
a) Disturb paleontological resources?	☐	☐	☐	☑
b) Disturb archaeological resources?	☐	☐	☐	☑
c) Have the potential to cause a physical change which would affect unique ethnic cultural values?	☐	☐	☐	☑
d) Restrict existing religious or sacred uses within the potential impact area?	☐	☐	☐	☑
XV. RECREATION. *Would the proposal:*				
a) Increase the demand for neighborhood or regional parks or other recreational facilities?	☐	☐	☐	☑
b) Affect recreation opportunities?	☐	☐	☐	☑

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 of 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?	☐	☐	☐	☑
b) Does the project have the potential to achieve short-term, to the disadvantage of long-term, environmental goals?	☐	☐	☐	☑
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)	☐	☐	☐	☑
d) Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly.	☐	☐	☐	☑

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 an earlier EIR or negative declaration. Section 15063(c)(3)(D). In case a discussion should identify the following or attached sheets.

a) Earlier analyses used.

1. June 1991. City of Lodi General Plan EIR
2. January 1993. Helmle Addition, Negative Declaration, File No., ND-93-01
3. February 1997. Sunwest XIV, Unit No. 1, Negative Declaration, File No., ND-97-01

b) Mitigation measures. See attached Summary for discussion.

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:** July 30, 2002

Printed Name: **For:** City of Lodi

Discussion of Land Use and Planning Finding

No Impact (a, b, c, e)

Both projects are consistent with their respective General Plan Designation of Planned Residential in that the VR&Z project site is proposed to be prezoned "Low Density Residential" (R-LD) while the City of Lodi Electrical Utility District site is proposed to be prezoned as "Public Facility" (PUB). The VR&Z property is foreseen as being developed within the density limit of 7 dwelling units per acre as mandated by the General Plan. No variance from established City of Lodi adopted policies or standards are being proposed by the project. Therefore, land use impacts created by the project are expected to by minimal. The City of Lodi Electric Utility substation site is approximately 4 acres in size within the Planned Residential designation of the General Plan. The Public Facility zone classification is allowed within this General Plan designation as this document specifies that public and quasi-public uses are permissibel in Planned Residential areas. Both proposed project areas would be compatible with adjacent land uses in that the VR&Z property is adjacent to existing single family dwelling units and a planned public park while the electrical substation site will be adjacent to planned residential and commercial land uses. No structures are present on either site, therefore, the projects are not expected to disrupt or divide the physical arrangement of an established community. Some conflicts could arise from urban and agricultural operations, however, in both cases this conflict will be less than significant. Minimizing this impact on the VR&Z property is the City of Lodi's Right to Farm Ordinance which requires full disclosure of agricultural operations to perspective homeowners. The electrical substation site is considered compatible with planned residential land and commercial land uses that are immediately existing agricultural operations. Thus the impact upon agricultural operations resulting from the project is expected to be less than significant.

Less than Significant (d)

Both sites are located on land identified as Prime Farmland by the United States Department of Agriculture. The soil types for the VR&Z property is evenly split amongst Tokay fine sandy loam and Tokay fine sandy loam, hardpan substratum. The soil at the City of Lodi Electrical Utility District substation is classified as Tokay fine sandy loam. Although this loss of a non-renewable resource is notable, the loss of this soil type is less than significance for these particular cases. One factor reducing this impact is the scale of the individual projects. At 3.92 and 4 acres respectively, neither project site is capable of sustainable agricultural production. This non-sustainability is due to the already present development pressure on these sites and urban/rural land use conflicts that will make agricultural production infeasible in the future. The economic yield on a small acre farm, tends to make capital investment necessary for continued agricultural operations infeasible. Further protecting agricultural resources in the area is Lodi's historic efficient use of land that minimizes loss of farmland. According to the 2000 Census, Lodi has 1,747 dwelling units per square mile and 4,657.9 people per square mile, well above the county-wide averages of 1,163 and 3,430.2 respectively. This relatively intensive growth

pattern has and will continue to protect agricultural resources in the general area. To insure sustainable agricultural interests in the area, the City of Lodi is in the process of studying the formation of a community separator program with San Joaquin County. It is anticipated that this effort will provide the necessary framework for long-term agricultural production in the Lodi area. Thus, in these particular cases, the combined loss of 8.92 acres of Prime Farmland soil is expected to be less than significant.

Discussion of Population and Housing Finding

No Impact (a, b, c)

Both projects are consistent with the General Plan designation of Planned Residential. The VR&Z property will be developed at a maximum density of 7 dwelling units per acre, or a maximum of 27 dwelling units on the site. The Electrical Utility District substation site will not have an impact upon existing housing but rather will insure service delivery in the area. Therefore, the project will not exceed regional or local population projections. Due relatively small scale of these project sites with a combined theoretical limit of 27 units and the existing development in the area, no new major infrastructure extension will be needed to service the VR&Z project site. Therefore, neither project will induce substantial growth in the Lodi area either directly or indirectly. There are no dwelling units on the substation site, however, there is one on the VR&Z project site. No determination has been made as to whether this dwelling unit would be destroyed to facilitate future development of the site. The annexation in itself will not require demolition of this dwelling unit. Therefore, neither project site is foreseen as displacing or dividing a community.

Discussion of Geologic Problems Finding

No Impact: a, b, c, d, e, f, g, h, i

In general Lodi is considered to be an area of relatively low seismicity in a state characterized by moderate-to-high seismic activity. There are several fault zones within San Joaquin County and neighboring counties that could affect proposed project. These include the concealed Tracy-Stockton Fault approximately 12 miles to the southwest and the concealed Midland Fault zone, approximately 20 miles to the west. The Melones Fault is 36 miles to the east, and the Green Valley-Concord and Hayward faults are 46 and 52 miles, respectively to the west. Therefore, no impacts created by fault rapture are expected as a result of the project. The project area is located in Seismic Area 3 pursuant to the Uniform Building Code. Pursuant to the routine implementation of City of Lodi policy, all proposed structures shall be built in accordance with the Uniform Building Code for this seismic area. Therefore no impacts resulting from ground shaking is expected as a result of this project. The soil type within the project area is classified as Tokay fine sandy loam, hardpan substratum. This soil classification has a fair strength value according to the AASHO standard. Therefore, no seismic ground failure is expected as a result of this project. The nearest waterbody to the project site is the Mokelumne River, approximately 2 miles north of the site. Therefore, no impacts associated with the risk of upset created

by seiche, tsunami or volcanic hazards are expected as a result of this project. In addition to a fair AASHO strength standard, the Tokay fine sandy loam in the area has a low shrink-swell potential, making the soil suitable for cutting or filling. Given the close proximity of the Mokelumne River, no impacts created by the subsidence of land are expected with this project. Neither the Tokay fine sandy loam or Tokay fine sandy loam with hardpan substrate are expansive soil types nor are there any unique geologic or physical features present on either project site.

Discussion of Water Finding

No Impact: b, c, d, e, f, g, h, I

Both sites are within Zone X of the Federal Emergency Management Agency Flood Map, Community Panel Number 060300 0001 E prepared on May 7, 2002. Zone X reflects areas within the 500 year flood; areas of 100 year flood with average depths of less than 1 foot. This reflects the distance from the Mokelumne River which is approximately 2 miles north of substation site and 3 miles from the VR&Z project site. Thus neither project is expected to expose people or property to water related hazards such as flooding. Both project sites will drain into the "G" Basin for storm water management. This basin allows for storm water collection and then pumps the storm water through a meter into Woodbridge Irrigation District canals which in turn transports the water to the San Joaquin Delta. This process aerates the water and removes turbidity without an increase in the temperature of the water. Therefore, the project is not expected to alter the surface water quality of the Delta. Because stormwater is metered into Woodbridge Irrigation District pipelines, the project is not expected to change the amount of surface water in any water body. There is no water body present on either site, therefore, the projects will not result in the change of currents or the course or direction of water movement. Because of the relatively small size of the two projects 3.92 and 4 acres respectively, the projects will have an imperceptible change of the quantity of groundwater available in the area. The substation site will only use ground water for landscape irrigation while the VR&Z site could foreseeably require up to approximately 3,240 gallons of water per day (120 gallons per dwelling unit per day X 27 maximum dwelling units). The City of Lodi' water system currently has capacity to service these requirements. Therefore, no impact to the quantity of ground water is expected as a result of this project. Although cumulatively these impacts may be significant, the water supply available to the City of Lodi has matched the historic growth rate of 1% over the past twenty years. The groundwater basin in the area generally flows towards the south because of the over-drafting of water in the Stockton area. This project will not alter this general movement of groundwater. Adherence to standard engineering practice will reduce the risk factor associated with hazardous waste and quality impacts associated with storm water runoff. Expected storm run-off quantities are expected to be mitigated though the scrubbing process associated with the city's storm water collection system. Therefore, no impacts to groundwater quality are expected as a result of this project. Because of the project's consistency with the general plan, the project is not expected to result in a substantial reduction in the amount of groundwater otherwise available for public use.

Discussion of Air Quality Finding

Less than Significant: a, b, c, d

The proposed substation is not expected to generate less than one trip per day, as the only trips generated by this use will be for maintenance purposes only. The proposed VR&Z annexation would at the maximum lead to the construction of 27 dwelling units and 270 projected Average Daily Trips. This figure falls under the threshold of the Small Project Analysis Level set by the San Joaquin Valley Unified Air Pollution Control District. In the Guide for Assessing and Mitigating Air Quality Impacts, Table 5-2, the District sets a standard of 1,453 Average Daily Trips; and Table 5-3 sets a standard of 152 units as the threshold for projects that require further investigation and evaluation. Therefore, neither proposed project is expected to have a less than significant impact to the existing air quality violation that the District currently experiences with Ozone and PM_{10} standards. The proposed project is further from any of the listed uses on Table 4-2 of the Guidelines, therefore, the project is not expected to expose people to pollutants or odors. Neither project is expected to significantly alter air movement patterns as the resulting height and bulk of structures in both project areas will not be significant. Ambient temperature levels could raise due to heat generated by electrical transformers and paving of streets in the area. However, substation will have significant landscaping around the perimeter of the site helping reduce ambient heat. The VR&Z Partnership project could lead to the paving of new streets which in turn could increase the ambient heat of the immediate area. The routine implementation of the City of Lodi street standards that specify street trees as part of the routine construction of new streets. The shading created by the street trees is expected to reduce the temperature change to a level of less than significant. Neither of the proposed project is expected to create any objectionable odors.

Discussion of Traffic/Circulation Finding

No Impact: a, b c, d, e, f, g

Neither project will generate a significant amount of traffic. The electrical substation will generate less than one average daily trip as the only trips generated by the site will be maintenance related. The VR&Z Partnership project will produce at maximum 270 average daily trips. Neither project will create situations that violate driver expectations nor create traffic hazards. The project is approximately two miles from Fire Station #3 and 1.3 miles from Fire Station #4. The Fire Department has a response time goal of three minutes and this site is within a three minute response time from either of these two stations. The Lodi Police Department provides beat service to the area and has a service goal of 3 to 40 minutes. The routine implementation of the City of Lodi Police and Fire fee ordinances will mitigate any impact to these emergency response providers. Therefore the project will not result in inadequate emergency access or prevent emergency access to other nearby uses. The substation will be accessible from Kettleman Lane and maintenance vehicles will be able to park to maintain the station. However, no striped and dedicated off-street parking spaces are required for this use. The parking demand created by the foreseeable development of the VR&Z project site will be mitigated through the routine implementation of the Zoning Ordinance. City standards require two off-street parking spaces for each

dwelling unit, these spaces plus the driveway provide each lot with four off-street parking spaces. Therefore, the project will not result in insufficient parking capacity either onsite or offsite. Routine implementation of the City of Lodi traffic standards will mitigate pedestrian circulation impacts created by each project. The substation is not seen as an activity generator, hence routine street frontage improvements that include curb, gutter and sidewalk will mitigate any impacts to pedestrian circulation or create transit demand. The VR&Z project area is directly serviced by SMART Route #20 and is adjacent to a future park site. Thus the VR&Z project, by complying with adopted City policies, will not impact pedestrian circulation. This area is serviced by existing transit service and complies with City of Lodi alternative transportation policies. There are no rail or waterborne transportation facilities in the area, thus no conflicts are expected with these forms of transportation. The substation site is not a noise sensitive receptor, and the VR&Z project site is not located within a noise contour or regular flight path of an airport. Therefore, no impacts to air traffic is expected as a result of this project.

Discussion of Biological Resources Finding

Less than Significant Impact: a, b, c, d, e

The proposed projects are 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. The substation is located within pay area "C" while the VR&Z Partnership project is within an exempt pay zone.

Discussion of Energy and Mineral Resources Finding

No Impact a, b, c

The electrical substation is consistent with the master electrical utility plan for Lodi. As such, the substation is consistent with local energy conservation plans. The routine implementation of Title 24 of the California Administrative Code insure that the proposed dwelling units, that are a foreseeable result of the VR&Z Partnership project, are consistent with energy conservation standards of the City of Lodi. The conversion of agricultural land represents a loss of a non-renewable resource, however, this loss was anticipated within the General Plan of the City and the project proposes a maximum density of 7.0 dwelling units per acre. Therefore, the loss of a non-renewable resource is not in a wasteful or inefficient manner. There are no known mineral deposits on either site, therefore, the project will not result in a loss of availability of any known mineral resource.

Discussion of Hazards Finding

No Impacts: a, b, c, d, e

The design of the electrical substation adhere to best engineering practices and be constructed to all federal, state and local codes. The routine implementation of design and construction standards are expected to manage the risk factors associated with electrical operations to a level beneath significant. The VR&Z proposed annexation could potentially result in the construction of 27 dwelling units. These dwelling units are not expected to result in an increase of risk associated with an explosion or release of hazardous substances. The routine implementation of the Police and Fire impact fee will insure that the VR&Z project will not interfere with emergency response plans in the area. Upset conditions may arise from periodic flood conditions resulting from the Mokelumne River, however this river is approximately three miles north of both sites and neither project is not expected to impact an identified evacuation route.

Discussion of Noise Finding

No Impact: b

The electrical substation is not a noise sensitive receptor or a significant noise generator. The VR&Z project is located off of Lower Sacramento Road. The annexation in itselt will not generate additional ambient noise in the area. The Noise Element of the General Plan states that the noise level on Lower Sacramento Road is expected to be 65 to 70 dB 100 feet from the centerline of Lower Sacramento Road. After dedicated improvements, the centerline of Lower Sacramento Road will be 85 feet from the nearest property. After taking into account the required 20 foot setback from property line in the residential zoning district, the nearest structure will be approximately 95 to 105 feet from the centerline of Lower Sacramento Road. This makes the proposed residential land use normally unacceptable pursuant to the Noise Element of the General Plan. However, there is an existing residence on the property and future development may or may not require this structure to be demolished or relocated. The Noise Element requires that the City find that the proposed residential land use "will not create or significantly contribute to noise problems on other properties." In this case, there is an existing residence on the property and there are existing residential land uses immediately south of the project site on Lower Sacramento Road, therefore, the project will not significantly contribute to noise problems in the area and will not expose people to severe noise levels.

Discussion of Public Services Finding

No Impact a, b, c, d, e

The routine implementation of City of Lodi ordinances regarding the construction and/or payment of appropriate facilities and impact fees will insure that adequate public services are available at the time of occupancy of the first permit on the VR&Z property. The electrical substation is not seen as increasing the demand for any public service.

Discussion of Utilities and Service Systems Finding

No Impact: a, b, c, d, e, f, g

The electrical substation is consistent with the master facilities plan for the Electrical Utility District. The facility is necessary to insure consistent service delivery. As such the substation plays an important role in the overall customer service plan for the City of Lodi. The VR&Z annexation is located on the east side of Lower Sacramento Road. The annexation in itself will not generate a need for additional utilities in the area. The foreseeable impact created by a maximum of 27 units is expected to be less than significant. This is because all utilities are present in Lower Sacramento Road with existing urban land uses taking place immediately north and south of the site. Pacific Gas and Electric provides gas in the area; Pacific Bell supplies communications; AT&T provides cable television while the City of Lodi provides all other utility services either directly or through contractual services. Therefore, no substantial alterations to utility systems will be required as a result of this project.

Discussion of Aesthetics Finding

No Impact: a, b

The proposed electrical substation is located approximately 1,290 feet west of the intersection of State Highway 4 and Lower Sacramento Road. As such the substation is in a very visible location of the City. While a electrical substation has a potential to negatively impact the aesthetics of an area, it will not in this particular case. The actual size of the substation will be approximately three acres in size. The four acre parcel was selected so that a significant amount of landscaping could be added around the site. The landscaping will soften the view of the electrical substation and is anticipated to screen from general view the equipment within the substation. Neither of Lower Sacramento Road or State Highway 12 are classified as scenic highways. The general view towards the west from both sites is agricultural with Mount Diablo in the southwest background. From the substation there are existing urban land uses to the east, agricultural land to the north, and agricultural land towards the south. At the VR&Z project the view to the north and east is towards a future park and urban land uses, to the south urban land use. Thus, no impacts to scenic vistas are expected as a result of either project. The annexations will not lead to an increase in ambient light in their respective areas. The electrical substation will have exterior lights for necessary night work. This impact will be mitigated through the landscaping area discussed above. The VR&Z project could foreseeable result in the need for additional lights. The routine implementation of the City of Lodi adopted street lighting standards will mitigate this impact by insuring minimal spillover of light beyond the public right-of-way.

Discussion of Cultural Resources Finding

No Impact: a, b, c, d

Based on available information, it has been determined that no known paleontological or archaeological resources exist on either site. There are no unique geologic conditions on site that would suggest an impact to cultural values or religious or sacred uses that may have occurred on the sites. If buried resources, such as chipped or ground stone, historic debris, building foundations, or human bone, are inadvertently discovered during ground disturbing activities, the routine implementation of City of Lodi standard policy will mitigate impacts to cultural resources to a level less than significant. This standard policy requires that work stop in the immediate area and within 100 feet of the find until a qualified archaeologist can assess the significance of the find. If necessary, the archaeologist will develop appropriate treatment measures in consultation with the City of Lodi Public Works Department, State Office of Historic Preservation, and other appropriate agencies. If human remains of Native American origin are discovered during project construction, it will be necessary to comply with state laws relating to the disposition of Native American burials, which fall within the jurisdiction of the Native American Heritage Commission (NAHC) (Public Resources Code, Section 5097). If any human remains are discovered or recognized in any location other than a dedicated cemetery, there will be no further excavation or disturbance of the site or any nearby area reasonably suspected to overlie adjacent human remains until:

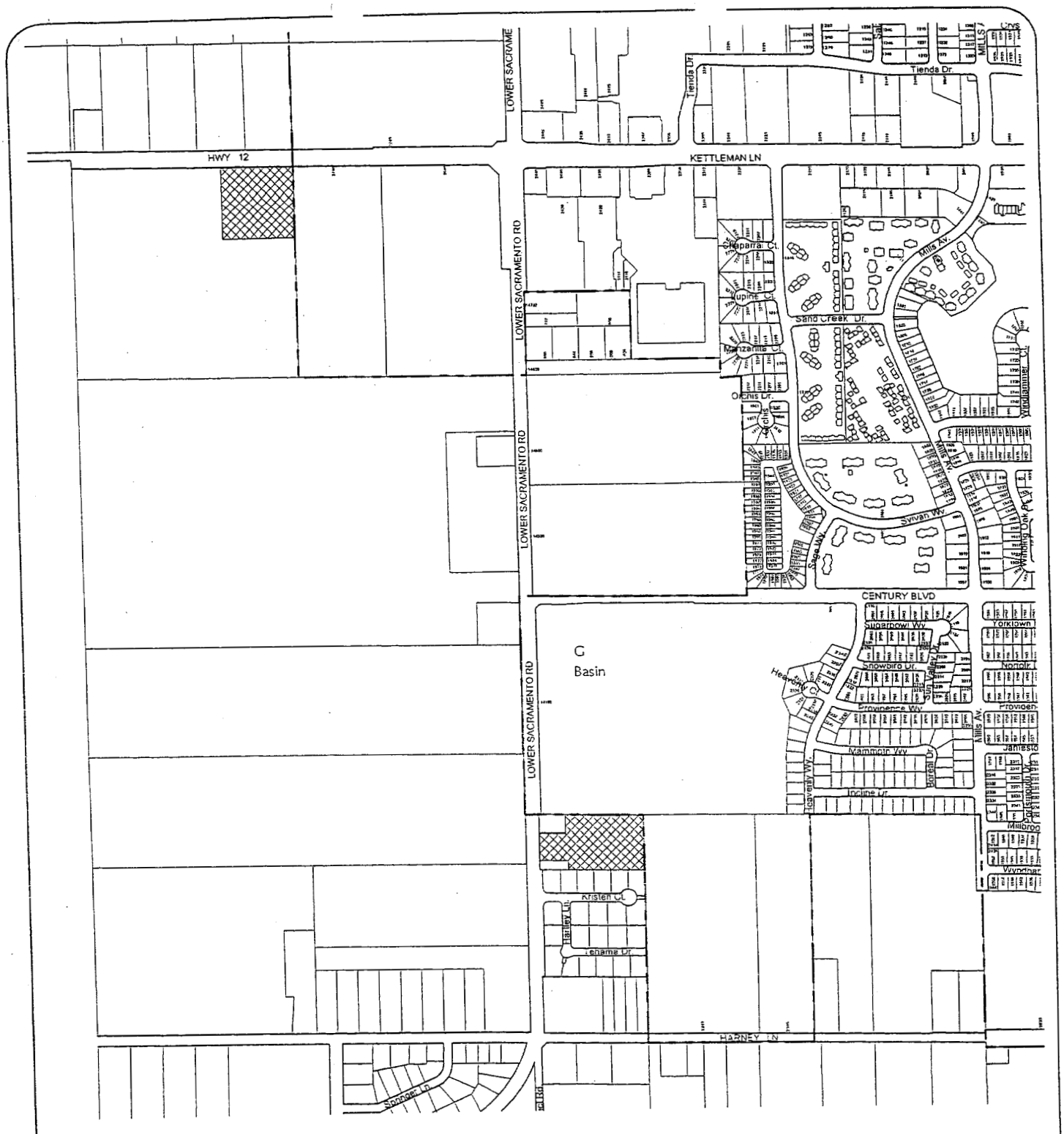
1. The San Joaquin County Coroner has been informed and has determined that no investigation of the cause of death is required; and
2. If the remains are of Native American origin:
    a. The descendents of the deceased Native Americans have made a recommendation to the landowner or the person responsible for the excavation work, for means of treating or disposing of, with appropriate dignity, the human remains and any associated grave goods as provided in Public Resources Code, Section 5097.98; or
    b. NAHC was unable to identify a descendant or the descendant failed to make a recommendation within 24 hours of being notified by the NAHC.

According to California Health and Safety Code, six or more human burials at one location constitute a cemetery (Section 8100), and disturbance of Native American cemeteries is a felony (Section 7052). Section 7050.5 requires that construction or excavation be stopped in the vicinity of discovered human remains until the coroner van determine whether the remains are those of a Native American. If the remains are determined to be Native American, the coroner must contact NAHC. No human remains are known to be located within the project site.

Discussion of Recreation Finding

No Impact: a, b

Neither site is identified as a potential park site within the general plan or any specific plan. The electrical substation will not increase the demand for additional park land. The annexation of the VR&Z property will not increase the demand for parkland. If developed, the routine implementation of the City of Lodi impact fee program will insure that the increased demand for recreational facilities are met. Additionally, the future DeBennedetti Park is immediately adjacent to the site. It is anticipated that this park will provide open space for this future development. Therefore, no impacts to recreational opportunities are expected as a result of this project.



VICINITY MAP

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RESOLUTION NO. P.C. 02-36

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF LODI RECOMMENDING APPROVAL OF THE REQUEST OF VAN RUITEN & ZUNINIO, AND THE CITY OF LODI ELECTRIC UTILITY DEPARTMENT FOR GENERAL PLAN LAND USE AMENDMENT 02-05 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 13814 Lower Sacramento Road & 320 East Highway 12 (058-230-03, & 058-030-07);

WHEREAS, the project proponents are VR&Z Partnership, 4240 East Acampo Road, Acampo, CA 95220 & Lodi Electric Utility, 1331 South Ham Lane, Lodi, CA 95242;

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-02-07 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.

1. It is found that the parcels to be re-designated are the parcels located at 13814 Lower Sacramento Road & 320 East Highway 12 (058-230-03, & 058-030-07).

2. It is found that the requested General Plan Land Use Amendments from PR, Planned Residential to LDR, Low Density Residential & PQP, Public/Quasi Public provides for the orderly development of the City and will serve sound Planning practice.

   The proposed amendment to the Land Use Diagram of the General Plan is consistent with all Elements of the General Plan; specifically the proposed amendments implement the following policies:

   A) Land Use and Growth Management Element - Goal C, Policy 1, in that the project will annex 3.92 acres of residential land, which necessary to maintain an adequate supply of housing to accommodate the City's 2 percent per year housing growth rate.

   B) Land Use and Growth Management Element – Goal H, Policy 3, "The City shall designate adequate, appropriately located land for quasi-public uses such as hospitals, churches, private school facilities, and utility uses."

   C) Housing Element - Goal A, Policy 9, in that the project is the first step of the adopted approval process for this residential development.

   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 has existing or pending development on three sides including the Sunnyside Estates subdivision in the County to

the south, the DeBenedetti park to the north, and the Lodi Unified Elementary School to the east.

F) Safety Element - Goal C, Policy 7, in that the nearest fire station to the VR&Z property 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.

3. It is hereby found that the project site is physically suitable for the proposed type of development.

4. It is hereby found that the projects will have a less than significant impact on Prime Farmland as defined by the Land Evaluation and Site Assessment system of the California State Department of Conservation.

5. The Planning Commission of the City of Lodi hereby recommends approval of General Plan Land Use Amendment 02-05 to the City Council of the City of Lodi.

6. No variance from any City of Lodi adopted code, policy or specification is granted or implied by the approval of this resolution.

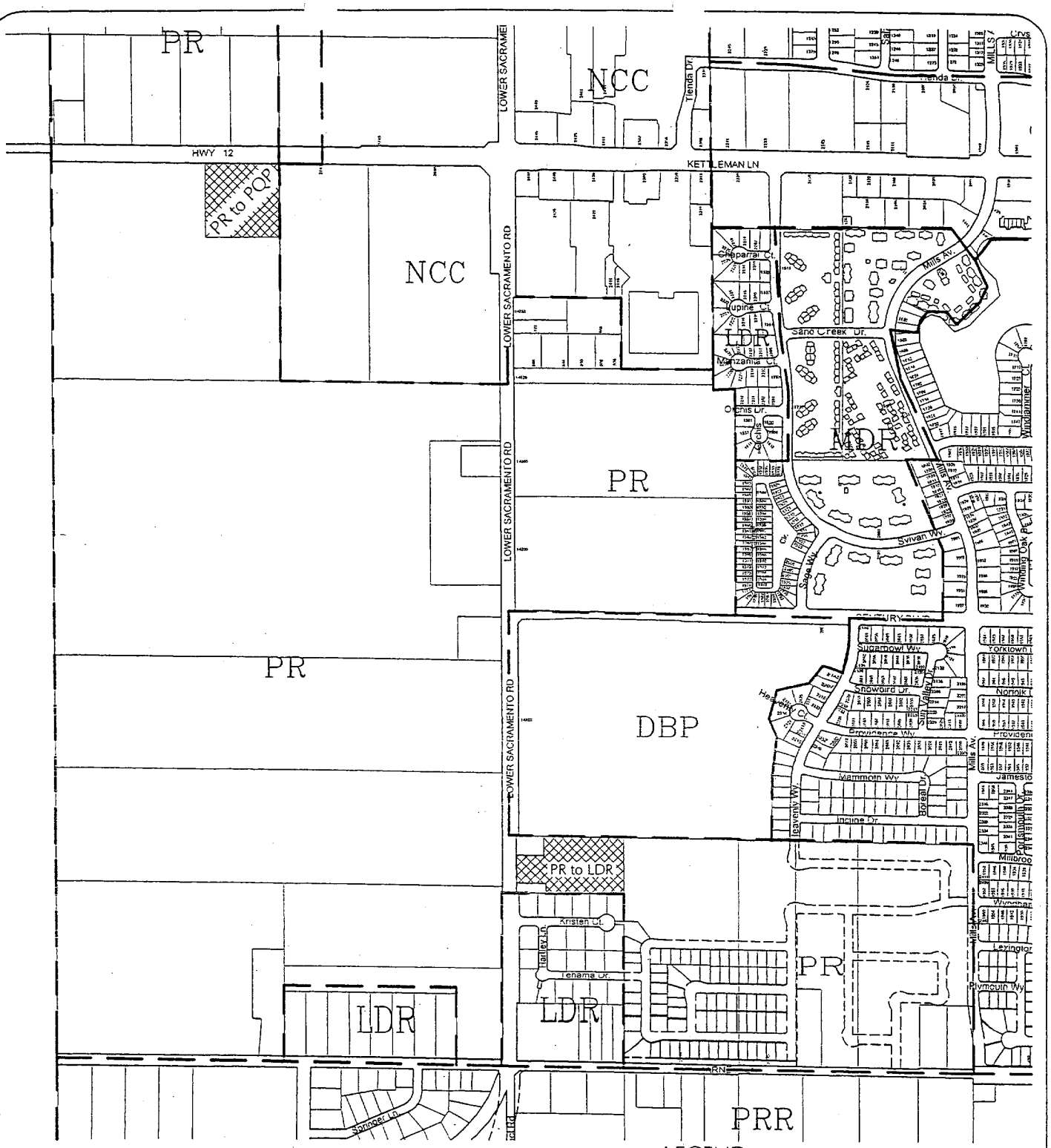
Dated: September 12, 2002

I hereby certify that Resolution No. 02-36 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:	Beckman, Haugan, White, and Chairman Heinitz
NOES:	Commissioners:	Phillips and Mattheis
ABSENT:	Commissioners:	
ABSTAIN:	Commissioners:	Crabtree

ATTEST: _____

Secretary, Planning Commission



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

N

PROPOSED GENERAL PLAN LAND USE DIAGRAM

M:\ZONING\Drawings\GPLU Amend 02-05.dwg, 09/06/2002 11:32:58 AM, 1:0.981622

RESOLUTION NO. P.C. 02-37

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF LODI RECOMMENDING APPROVAL OF THE REQUEST OF VAN RUITEN & ZUNINIO, AND THE CITY OF LODI ELECTRIC UTILITY DEPARTMENT FOR PREZONING Z-02-05 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 13814 Lower Sacramento Road & 320 East Highway 12 (058-230-03, & 058-030-07);

WHEREAS, the project proponents are VR&Z Partnership, 4240 East Acampo Road, Acampo, CA 95220 & Lodi Electric Utility, 1331 South Ham Lane, Lodi, CA 95242;

WHEREAS, the properties have zoning designations of R-VL, Residential Very Low Density, and 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-02-07 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 13814 Lower Sacramento Road & 320 East Highway 12 (058-230-03, & 058-030-07).

3. It is found that the requested prezoning of R-LD, Residential Low Density and PUB, Public are 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 parcels of the proposed rezoning are physically suitable for the development of a residential subdivision and electrical substation.

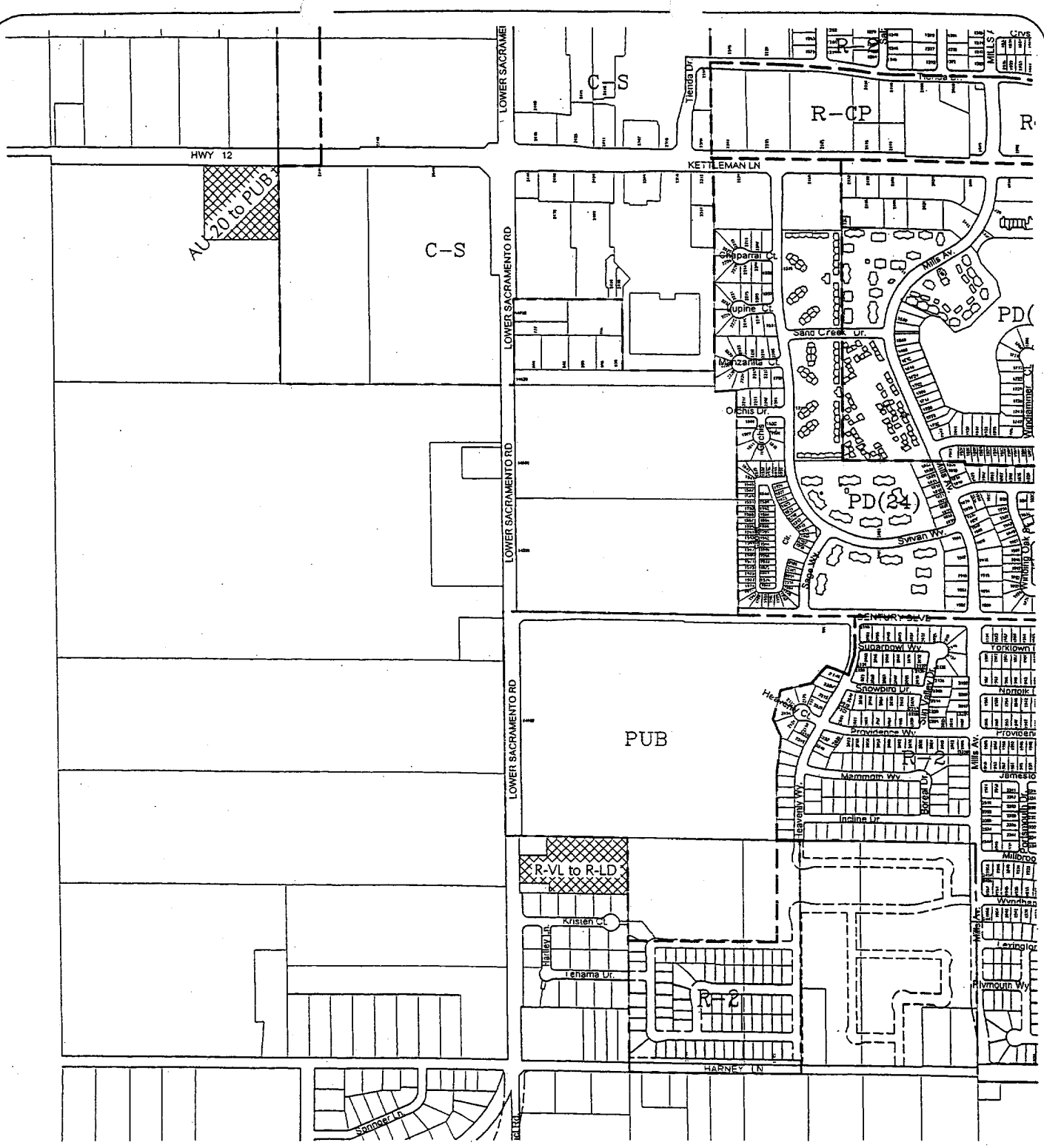
5. The Planning Commission of the City of Lodi hereby recommends approval of Rezone Z-02-05 to the City Council of the City of Lodi.

Dated: September 12, 2002

I hereby certify that Resolution No. 02-37 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:	Beckman, Haugan, White, and Chairman Heinitz
NOES:	Commissioners:	Phillips and Mattheis
ABSENT:	Commissioners:	
ABSTAIN:	Commissioners:	Crabtree

ATTEST: _____
Secretary, Planning Commission



LEGEND

RESIDENTIAL ZONES:

R-1 - SINGLE FAMILY
R-2 - SINGLE FAMILY
R-LD- LOW DENSITY
R-GA- GARDEN APARTMENT
R-MD- MEDIUM DENSITY (APARTMENT)
R-HD- HIGH DENSITY (APARTMENT)
P-D - PLANNED DEVELOPMENT
R-1* - SINGLE-FAMILY (EASTSIDE)

COMMERCIAL ZONES:

R-CP- PROFESSIONAL OFFICES
R-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

PROPOSED ZONING MAP

M:\ZONING\Drawings\Rezone 20205.dwg, 09/06/2002 11:45:33 AM, 1:0.981637

DRAFT

Minutes from September 12, 2002

The request of VR&Z Partnership and the City of Lodi Electric Utility Department for the Planning Commission's recommendation of approval to the City Council for an Annexation, General Plan Amendment and Prezoning for 13814 Lower Sacramento Road and 4-acre portion of 302 East Highway 12. The General Plan Amendment for 13814 Lower Sacramento Road is from PR, Planned Residential to LDR, Low Density Residential, and the prezoning from R-VL (County), Residential Very Low Density to R-LD, Residential Low Density. The General Plan Amendment for 302 East Highway 12 is from PR, Planned Residential to PQP, Public/Quasi Public, and the prezoning from AU-20 (County), Agriculture-Urban Reserve to PUB, Public. The request also includes a recommendation that the City Council certify Negative Declaration ND-02-07 as adequate environmental documentation for this project. This item was presented to the Commission by Associate Planner Meissner. The areas of annexation included two non contiguous parcels totaling 7.92 acres near the south west corner of Lodi. The Van Ruiten & Zunino property is a 3.92-acre parcel fronting Lower Sacramento Road and the City of Lodi property is a 4-acre parcel on East Highway 12. The proposed Van Ruiten & Zunino property will be residential with a density of less than 7-units per acre, and the City property will develop as an electrical substation. Staff found the proposed annexations to be logical extensions of the City's boundaries and the City is ready to provide services to these parcels.

Commissioner Phillips asked why two separate non contiguous parcels were being considered on the same application? Mr. Bartlam replied that the City was limited to the number of General Plan Amendments it could entertain and when the environmental document goes to LAFCO it will save thousands of dollars in application fees.

Commissioner Mattheis asked why the substation needed to be annexed into the City when the sewer lift station located on Harney Lane was not located within the City limits. Mr. Bartlam replied that it did not need to be annexed; however, it is in the City's Sphere of Influence and General Plan. Commissioner Mattheis asked why the substation was being located on Highway 12 within the public's view. Mr. Bartlam replied that the location was determined because it will connect with existing power lines running along Highway 12 rather than being pushed back into a residential neighborhoods. The transmission lines could be placed underground but the cost would be too great.

Hearing Opened to the Public

John Zunino, 4240 E. Acampo Road, Acampo, CA. Mr. Zunino was in agreement to the annexation; however he had a concern about the certification of the Negative Declaration as it pertains to the substation. The Negative Declaration did not state the esthetics of the transmission lines. His winery fronts onto Kettleman Lane and the transmission lines would be esthetically damaging to his business.

Commissioner Phillips was very concerned about the location of the substation. Mr. Bartlam replied that there were no new transmission lines being proposed. The substation site will access the City's existing grid at the corner of Lower Sacramento

Road and Kettleman Lane. That grid will provide the power line, as it does now, to the substation. There is an existing transmission line on the south side of Kettleman Lane from Lower Sacramento Road to the substation. If transmission lines are proposed in the future, it will require tthat a separate environmental document be prepared.

Hearing Opened to the Public

Mr. Kabota, 1500 Vista Drive, Lodi. Mr. Kabota wanted to know why his property located next to 13814 Lower Sacramento Road was not included with the annexation. Mr. Bartlam replied he had called Mr. Kabota and left a message, but he did not receive a reply. He let Mr. Kabota know that he could be included in the next annexation in his area.

Lace Nordwick, 895 Kirsten Court, Sunnyside Estates, Lodi. When Ms. Lace bought her home, she was told that when the subject property developed, they too would be 1/3 acre lots, which is the same as her property. She appreciates the City's water but felt several issues such as traffic and the density of homes per lot needed to be addressed.

Floyd Nordwick, 895 Kirsten Court, Sunnyside Estates, Lodi. Mr. Nordwick emphasized the point that the subject property is a very small piece of land and will become a passageway to the new school. Traffic is very heavy on Lower Sacramento Road and he wanted to keep the new homes compatible with the existing houses in the area.

Fred Vaugh, 805 Kirsten Court, Lodi. Mr. Vaugh bought his house with the impression that the land next to them would develop as a low-density project. He asked that the Commission keep the zoning of the proposed project low-density so the character of the neighborhood remains unchanged.

Bill Neumann, 865 Kirsten Court, Lodi. Mr. Neumann has owned his home for 7 years and would like to see a low-density project developed next to his property.

Colleen Donovan, 820 Mariposa Way, Lodi. Ms. Donovan was troubled by the location of the substation. It is in the gateway to the City and will have a negative ascetic impact to the area. She was concerned that the need for the substation was based on assumptions made about what was going to happen on the big parcels located on the west side of Lower Sacramento Road.

Hearing Closed to the Public

Commissioner Phillips felt that the two properties being annexed should not be considered together and reviewed separately. Mr. Bartlam replied that a Resolution could be drawn for each property if that was what the Commission wanted.

Commissioner Mattheis noted that the property located on Lower Sacramento Road would be consistent with what is already out there. Mr. Bartlam pointed out that the low-density designation of the City's General Plan constitutes a range of 0 to 6.99 units per acre, which does not reflect what is already out there.

Commissioner Haugan made a motion to approve the request. This motion **died** for lack of a second.

After a brief discussion the Planning Commission on motion of Commissioner Beckman, Haugan second voted to **approve** the request of VR&Z Partnership and the City of Lodi Electric Utility Department for the Planning Commission's recommendation of approval to the City Council for an Annexation, General Plan Amendment and Prezoning for 13814 Lower Sacramento Road and 4-acre portion of 302 East Highway 12. The General Plan Amendment for 13814 Lower Sacramento Road is from PR, Planned Residential to LDR, Low Density Residential, and the prezoning from R-VL (County), Residential Very Low Density to R-LD, Residential Low Density. The General Plan Amendment for 302 East Highway 12 is from PR, Planned Residential to PQP, Public/Quasi Public, and the prezoning from AU-20 (County), Agriculture-Urban Reserve to PUB, Public. The request also includes a recommendation that the City Council certify Negative Declaration ND-02-07 as adequate environmental documentation for this project by the following vote:

AYES:	Commissioners:	Beckman, Haugan, White, and Chairman Heinitz
NOES:	Commissioners:	Phillips and Mattheis
ABSENT:	Commissioners:	
ABSTAIN:	Commissioners	Crabtree

DRAFT

ORDINANCE NO. ____

AN ORDINANCE OF THE LODI CITY COUNCIL AMENDING THE OFFICIAL DISTRICT MAP OF THE CITY OF LODI AND THEREBY PREZONING THE PARCEL LOCATED AT 13814 LOWER SACRAMENTO ROAD (APN 058-230-03) FROM R-VL (COUNTY), RESIDENTIAL VERY LOW DENSITY TO R-LD, RESIDENTIAL LOW DENSITY; AND FURTHER PREZONING A 4-ACRE PORTION OF 302 EAST HIGHWAY 12 (058-030-07) FROM AU-20 (COUNTY), AGRICULTURE-URBAN RESERVE TO PUB, PUBLIC

==========

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 parcel located at 13814 Lower Sacramento Road (APN 058-230-03), and a 4-acre portion of 302 East Highway 12 (APN 058-030-07) is hereby prezoned as follows:

3.92-acres – 13814 Lower Sacramento Road (APN 058-230-03) from R-VL (County), Residential Very Low Density to R-LD, Residential Low Density;

4.0 –acres - A 4-acre portion of 302 East Highway 12 (058-030-07) from AU-20 (County), Agriculture-Urban Reserve to PUB, Public, 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 –

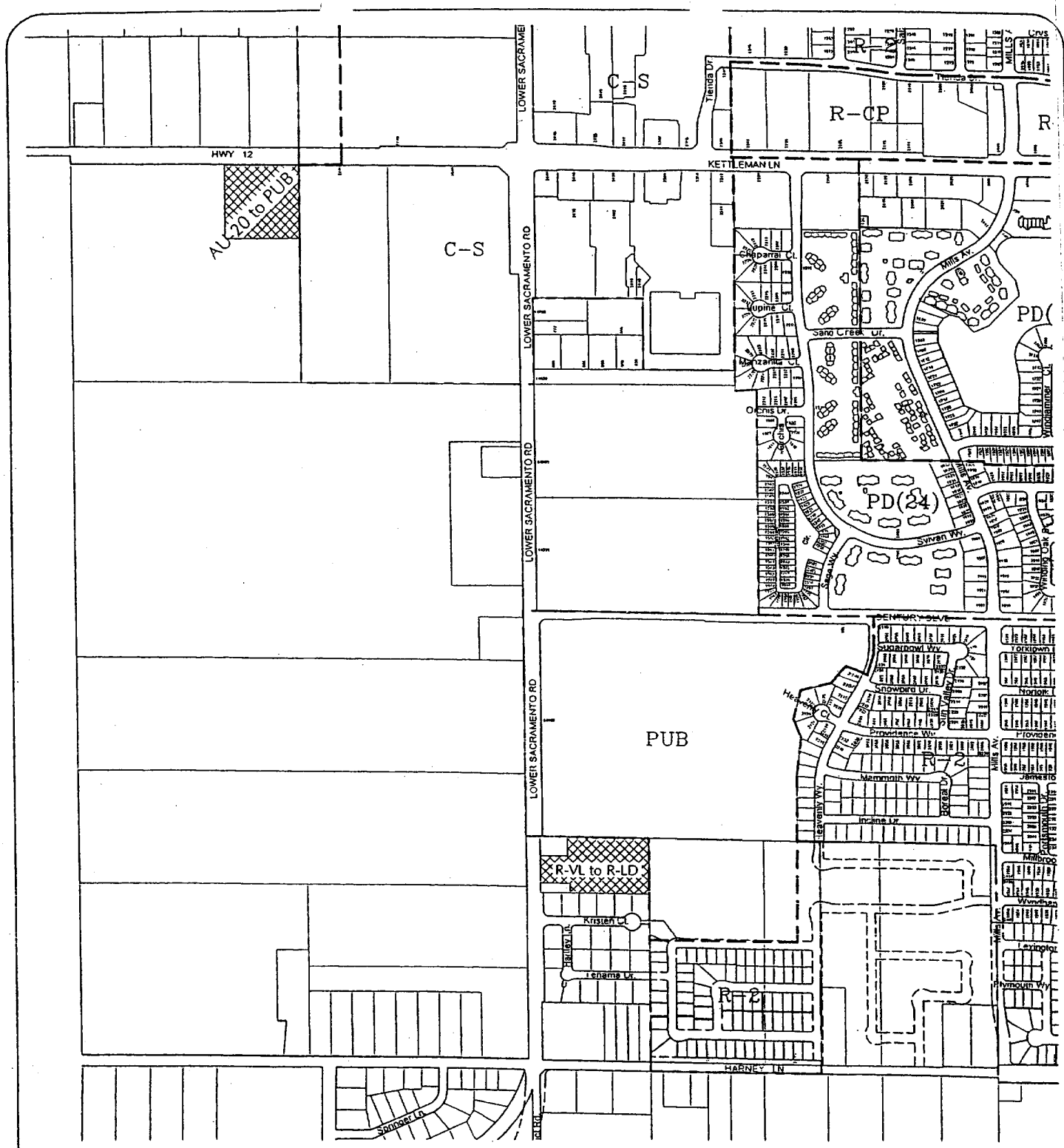
I further certify that Ordinance No. ____ was approved and signed by the Mayor on the date of its passage and the same has been published pursuant to law.

SUSAN J. BLACKSTON
City Clerk

Approved as to Form:

Randall A. Hays

RANDALL A. HAYS
City Attorney



LEGEND

RESIDENTIAL ZONES:

R-1 - SINGLE FAMILY
R-2 - SINGLE FAMILY
R-LD - LOW DENSITY
R-GA - GARDEN APARTMENT
R-MD - MEDIUM DENSITY (APARTMENT)
R-HD - HIGH DENSITY (APARTMENT)
P-D - PLANNED DEVELOPMENT
R-1* - SINGLE-FAMILY (EASTSIDE)

COMMERCIAL ZONES:

R-CP - PROFESSIONAL OFFICES
R-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

N

PROPOSED ZONING MAP

M:\ZONING\Drawings\Rezone 20205.dwg, 09/06/2002 11:45:33 AM, 1:0.981637

RESOLUTION NO. 2002-219

A RESOLUTION OF THE LODI CITY COUNCIL AMENDING THE LAND USE ELEMENT OF THE LODI GENERAL PLAN BY REDESIGNATING THE FOUR-ACRE PORTION OF 302 EAST HIGHWAY 12 (APN 058-230-03) FROM PR, PLANNED RESIDENTIAL TO PQP, PUBLIC/QUASI PUBLIC, AND FURTHER REDESIGNATING 3.92 ACRES LOCATED AT 13814 LOWER SACRAMENTO ROAD 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 the four-acre portion of 302 East Highway 12 (APN 058-030-07) from PR, Planned Residential to PQP, Public/Quasi Public, and further redesignating 3.92 acres located at 13814 Lower Sacramento Road (058-230-03) 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-02-07 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. 02-36 through 02-37.

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 302 East Highway 12 and 13814 Lower Sacramento Road.

Dated: November 6, 2002

==========

I hereby certify that Resolution No. 2002-219 was passed and adopted by the Lodi City Council in a regular meeting held November 6, 2002 by the following vote:

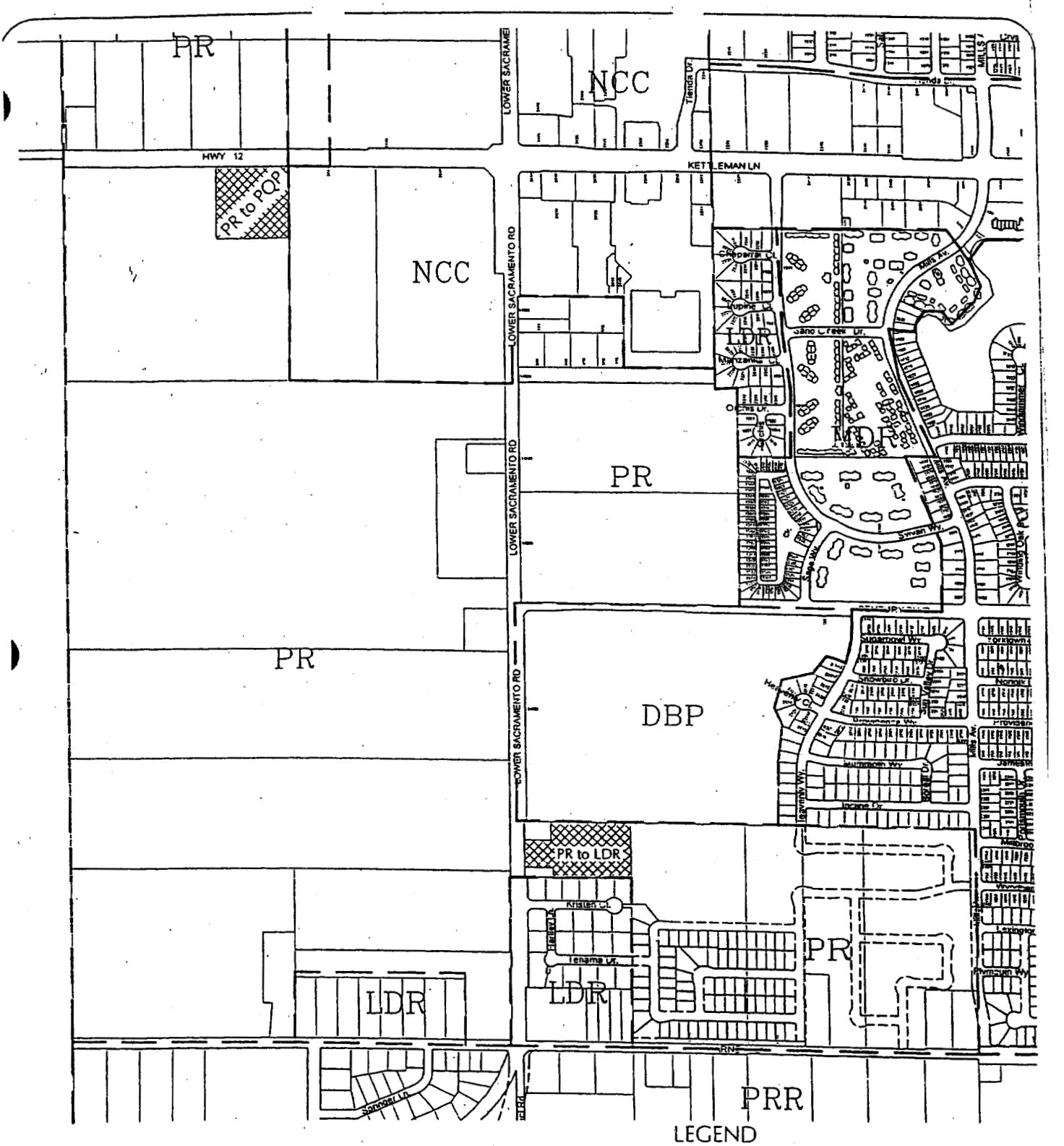
AYES: COUNCIL MEMBERS – Hitchcock, Howard, Land, Nakanishi, and Mayor Pennino

NOES: COUNCIL MEMBERS – None

ABSENT: COUNCIL MEMBERS – None

ABSTAIN: COUNCIL MEMBERS – None

SUSAN J. BLACKSTON
City Clerk



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

PROPOSED GENERAL PLAN LAND USE DIAGRAM

RESOLUTION NO. 2002-220

A RESOLUTION OF THE LODI CITY COUNCIL FOR APPLICATION TO THE SAN JOAQUIN COUNTY LOCAL AGENCY FORMATION COMMISSION IN THE MATTER OF THE VAN RUITEN & ZUNINO 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 7.92 acres more or less adjacent to the City limits located at 13814 Lower Sacramento Road and 302 East Highway 12; and withdrawal of said 7.92 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 058-230-03 and 058-030-07), 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 "Van Ruiten & Zunino Annexation," which includes annexation of 7.92 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.

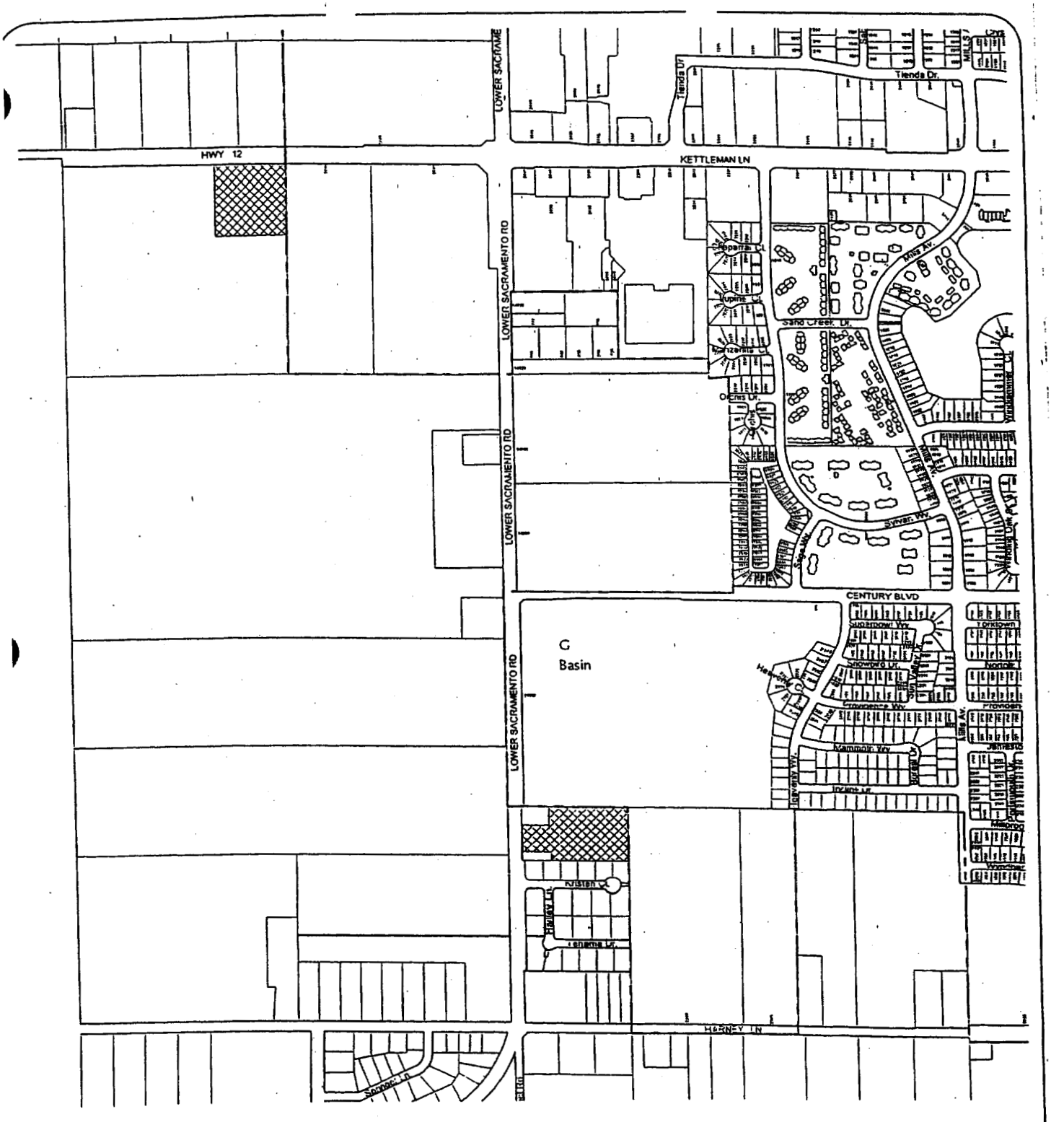
Dated: November 6, 2002

==========

I hereby certify that Resolution No. 2002-220 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, this 19 day of

October 2002

Kelsey Davis

Signature

This space is for the County Clerk's Filing Stamp

RECEIVED

2002 OCT 22 PM 3:22

CITY CLERK
CITY OF LODI

Proof of Publication of

Public Hearing-Annexation, General Plan Amendment, and Pre-zoning For 13814 Lower Sacramento Road

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 an Annexation, General Plan Amendment, and prezoning for 13814 Lower Sacramento Road and a four-acre portion of 302 East Highway 12; the General Plan Amendment for 13814 Lower Sacramento Road is from PR, Planned Residential to LDR, Low Density Residential, and the prezoning from R-VL (County), Residential Very Low Density to R-LD, Residential Low Density: the General Plan Amendment for 302 East Highway 12 is from PR, Planned Residential to PQP, Public/Quasi Public, and the prezoning from AU-20 (County), Agriculture-Urban Reserve to PUB, Public; the request also includes a recommendation that the City Council certify Negative Declaration ND-02-07 as adequate environmental documentation for this project.

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 — 4837

PROOF OF PUBLICATIO

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

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a) Planning Commission's recommendation of approval to the City Council for an Annexation, General Plan Amendment, and prezoning for 13814 Lower Sacramento Road and a four-acre portion of 302 East Highway 12; the General Plan Amendment for 13814 Lower Sacramento Road is from PR, Planned Residential to LDR, Low Density Residential, and the prezoning from R-VL (County), Residential Very Low Density to R-LD, Residential Low Density; the General Plan Amendment for 302 East Highway 12 is from PR, Planned Residential to PQP, Public/Quasi Public, and the prezoning from AU-20 (County), Agriculture-Urban Reserve to PUB, Public; the request also includes a recommendation that the City Council certify Negative Declaration ND-02-07 as adequate environmental documentation for this project.

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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 AN ANNEXATION, GENERAL PLAN AMENDMENT, AND PREZONING FOR 13814 LOWER SACRAMENTO ROAD AND A FOUR-ACRE PORTION OF 302 EAST HIGHWAY 12

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

forms\decpost.doc

DECLARATION OF MAILING

SET PUBLIC HEARING FOR NOVEMBER 6, 2002 TO CONSIDER THE PLANNING COMMISSION'S RECOMMENDATION OF APPROVAL TO THE CITY COUNCIL FOR AN ANNEXATION, GENERAL PLAN AMENDMENT, AND PREZONING FOR 13814 LOWER SACRAMENTO ROAD AND A FOUR-ACRE PORTION OF 302 EAST HIGHWAY 12

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

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13814 Lower Sacramento Road and 302 E. Highway 12

1) 02705023;GEWEKE FAMILY PTP ;PO BOX 1210 ;LODI ;CA;95241
2) 05803002;LODI SOUTHWEST ASSOCIATES LP ;301 S HAM LN SUITE A ;LODI ;CA;95242
3) 05803001;REICHMUTH, CAROLYN HINES ;1358 MIDVALE RD ;LODI ;CA;95240
4) 02703012;MAXINE CHRISTESEN FAMILY LP ;179 E TAYLOR RD ;LODI ;CA;95242
5) 02705015;DOLLINGER, DAVID L ;101 E HWY 12 ;LODI ;CA;95240
6) 02705016;BROWN, BOB K & JUDITH ;35 E HIGHWAY 12 ;LODI ;CA;95242
7) 02705018;DOLLINGER, LEROY L & G D ;101 E HWY 12 ;LODI ;CA;95240
8) 02705020;HEDRICK, LAMAR A & JOANN A TR ;209 E HWY 12 ;LODI ;CA;95242
9) 02705021;MEXICAN AMER CATHOLIC FED ;PO BOX 553 ;LODI ;CA;95241
10) 05803003;VAN RUITEN RANCH LTD ;463 W TURNER RD ;LODI ;CA;95240
11) 05823011;GRILLI, SELMA M TR ETAL ;% PO BOX 20 ;STOCKTON ;CA;95201
12) 05804002;SCHUMACHER, WELDON & BONNIE TR;1303 RIVERGATE DR ;LODI ;CA;95240
13) 05822001;MARTIN, MARILYN ANN ;2150 OXFORD WAY ;LODI ;CA;95242
14) 05822002;VAUGHN, FRED L & KHRISTINA L ;805 KRISTEN CT ;LODI ;CA;95242
15) 05822004;NEUMANN, WILLIAM D & BONNIE ;865 E KRISTEN CT ;LODI ;CA;95242
16) 05822005;NORDWICK, FLOYD H & LACE A TR ;895 KRISTEN CT ;LODI ;CA;95242
17) 05822006;AZEVEDO, STEVEN A & KIM HUTSON;909 KRISTEN CT ;LODI ;CA;95242
18) 05822008;LOUIE, SAM K & LORNA L ;910 KRISTEN CT ;LODI ;CA;95240
19) 05822009;YAMASHITA, KENNETH K & Y ;884 KRISTEN CT ;LODI ;CA;95240
20) 05822010;FAUGHT, MICHAEL & T ;860 E KRISTEN CT ;LODI ;CA;95242
21) 05822011;LANGWORTHY, ELMER D & S M ;13710 HARTLEY LN ;LODI ;CA;95240
22) 05823003;ROGAN, WILLIAM & A ETL ;12620 N DAVIS RD ;LODI ;CA;95242
23) 05823004;KUBOTA, TSUGIO TR ETAL ;1500 VISTA DR ;LODI ;CA;95242
24) 05823005;GERLACK, JOHN D & B TRS ;101 N LOMA DR ;LODI ;CA;95240
25) 05922003;FUJINAKA, STEVE & BARBARA TR E;2016 E ARMSTRONG RD ;LODI ;CA;95242
26) VR&Z Partnership, 4240 E. Acampo Road, Acampo, CA 95220