

RESOLUTION NO. 2010-41

A RESOLUTION OF THE LODI CITY COUNCIL CERTIFYING
THE FINAL ENVIRONMENTAL IMPACT REPORT AND
GENERAL PLAN; STATE CLEARINGHOUSE NO. 009022075

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WHEREAS, California Government Code Section 65300 mandates that cities shall adopt a comprehensive, long-term General Plan for the physical development of the City and of any land outside its boundaries, which in the City's judgment bears a relation to its planning; and

WHEREAS, the City Council initiated the comprehensive update to the City's General Plan on May 17, 2006, pursuant to Resolution No. 2006-94; and

WHEREAS, the Community Development Director made a determination that the update to the City's General Plan may have a potentially significant impact on the environment and ordered the preparation of an Environmental Impact Report (EIR); and

WHEREAS, the Notice of Preparation (NOP) of the Draft EIR (DEIR) was prepared and distributed to reviewing agencies on February 17, 2009; and

WHEREAS, the DEIR on the proposed General Plan (State Clearinghouse No. 2009022075) was released for circulation on November 25, 2009, for the statutorily mandated comment period of no less than 45 days; and

WHEREAS, the Planning Commission of the City of Lodi, after ten (10) days published notice, held a study session and public hearing on December 9, 2009, and took public comments on the DEIR; and

WHEREAS, the City Council of the City of Lodi, after ten (10) days published notice, took public testimony on the DEIR on January 6, 2010; and

WHEREAS, written responses were prepared to all comments, oral and written, regarding the DEIR and received during the public comment period; and

WHEREAS, a Final EIR (FEIR) responding to all public comments, oral and written, regarding the DEIR and received during the public comment period, was prepared and released to the public and commenting agencies on February 6, 2010; and

WHEREAS, on February 17, 2010, the City Council, after ten (10) days published notice, held a public hearing on the FEIR; and

WHEREAS, the City Council, after consideration of public testimony, voted to include a component of Alternative B analyzed within the DEIR by adding a College Reserve placeholder to the General Plan; and

WHEREAS, the City Council independently reviewed, analyzed, and certified the FEIR; and

WHEREAS, the California Environmental Quality Act (CEQA) requires that, in connection with the approval of a project for which an EIR has been prepared which identifies one or more significant effects, the decision-making agency make certain findings regarding those effects; and

WHEREAS, the General Plan Update process has involved extensive public participation and outreach, including stakeholder interviews, a citywide mail-in survey, several citywide newsletters, and numerous public presentations to interested groups and City boards and commissions; and

WHEREAS, a draft General Plan was published on August 26, 2009, for public review and comment; and

WHEREAS, on December 9, 2009, the Planning Commission considered numerous comments received on the draft General Plan, and voted unanimously to forward the draft General Plan, as revised, to the City Council for adoption; and

WHEREAS, a revised draft of the proposed General Plan, including the revisions approved by the Planning Commission, as well as amendments recommended by the FEIR and changes directed by the City Council, was published on April 1, 2010; and

WHEREAS, on April 7, 2010, the City Council, after ten (10) days published notice, held a public hearing on the FEIR and proposed General Plan; and

WHEREAS, the City Council has considered the staff report, all public comments, the FEIR, and the proposed General Plan with the amendment to Policy P-P2 changing four park acres per 1,000 residents to five park acres per 1,000 residents, as set forth in this Resolution.

NOW, THEREFORE, BE IT RESOLVED, DETERMINED, AND ORDERED, as follows:

1. The foregoing recitals are true and correct and incorporated herein by reference.
2. THAT THE CITY COUNCIL hereby finds that full and fair public hearings have been held on the FEIR and the proposed General Plan and the City Council, having considered all comments received thereon, said FEIR is hereby determined to be adequate and complete; and said FEIR and proposed General Plan are hereby incorporated herein by reference.
3. THAT THE CITY COUNCIL hereby determines that the FEIR has been prepared in compliance with CEQA and the state and local environmental guidelines and regulations, that it has independently reviewed and analyzed the information contained therein, including the written comments received during the DEIR review period and the oral comments received at the public hearings, and that the FEIR represents the independent judgment of the City of Lodi as Lead Agency for the project.
4. THAT THE CITY COUNCIL does hereby find and recognize that the FEIR and proposed General Plan contains additions, clarifications, modifications, and other information in its responses to comments on the DEIR and also incorporates text changes to the DEIR based on information obtained by the City since the DEIR was issued. The City Council does hereby further find and determine that such changes and additional information are not significant new information as that term is defined under the provisions of CEQA because such changes and additional information do not indicate that any new significant environmental impacts not already evaluated would result from the proposed General Plan and such changes and additional information do not reflect any substantial increase in the severity of any environmental impact; no feasible mitigation measures considerably different from those previously analyzed in the DEIR have been proposed that would either lessen a significant environmental impact of the project or result in a new, substantial environmental impact; no feasible alternatives considerably different from those analyzed in the DEIR have

been proposed that would lessen the significant environmental impacts of the project; and the DEIR was adequate in its analysis. Accordingly, the City Council hereby finds and determines that recirculation of the Final EIR for further public review and comment is not warranted. (CEQA Guidelines §15088.5).

5. THAT THE CITY COUNCIL does hereby make the findings with respect to the significant effects on the environment resulting from the project, as identified in the FEIR, with the stipulation that (i) all information in these findings is intended as a summary of the full administrative record supporting the FEIR, which full administrative record is available for review through the Director of Community Development located in City Hall, 221 West Pine Street, Lodi, 95241, and (ii) any mitigation measures and/or alternatives that were suggested by the commentators on the DEIR and were not adopted as part of the FEIR are hereby expressly rejected for the reasons stated in the responses to comments set forth in the FEIR and elsewhere in the administrative record. The significant and unavoidable impacts of the proposed General Plan as determined by the City are listed below. In addition, the findings and facts supporting the findings in connection therewith are also listed. The following areas of environmental impacts were discussed in the FEIR:

ENVIRONMENTAL IMPACTS OF THE GENERAL PLAN:

Summary of Impacts and Proposed General Policies that Reduce the Impact

#	Impact	Proposed General Policies that Reduce the Impact	Significance	Mitigation
3.1	Land Use and Housing			
3.1-1	The proposed General Plan would not physically divide any established communities and would increase connectivity locally and regionally.	N/A	Beneficial	N/A
3.1-2	The proposed General Plan would conflict with an applicable land use plan, policy, or regulation.	LU-P1, LU-P17, CD-P2, CD-P3, CD-P4, CD-P6, CD-P9, CD-P11, CD-P31, GM-P10	Less than Significant	None required
3.2	Traffic and Circulation			
3.2-1	The proposed General Plan would result in a substantial increase in vehicular traffic that would cause certain facilities to exceed level of service standards established by the governing agency.	T-G1, T-P1, T-P2, T-P3, T-P4, T-PNEW, T-NEW, T-P8, T-NEW, T-P9, T-P10, T-P13, T-P14, T-P15, T-P16, T-P17, T-P18, T-P19, T-P20, T-P22, T-P24, T-P25, T-P27, T-P28, T-P29, T-P43, T-P44, T-P45	Significant and Unavoidable	No feasible mitigation is currently available.
3.2-2	The proposed General Plan may adversely affect emergency access.	T-P1, T-P2, T-P8, T-P9, T-P10	Significant and Unavoidable	No mitigation measures are feasible.
3.2-3	The proposed General Plan may conflict with adopted policies, plans, or programs supporting alternative transportation modes.	T-G1, T-P8, T-P9, T-P10, T-P13, T-P14, T-P15, T-P16, T-P17, T-P18, T-P19, T-P20, T-P22, T-P24, T-P25, T-P27, T-P28, T-P29, T-P43, T-P44, T-P45, T-G2, T-G3, T-G4, T-G5, T-P11, T-P12, T-P21, T-P23, T-P26, T-P30, T-P38, T-P39	Significant and Unavoidable	No feasible mitigation is currently available.

Summary of Impacts and Proposed General Policies that Reduce the Impact

#	Impact	Proposed General Policies that Reduce the <i>Impact</i>	Significance	Mitigation
3.3 Agriculture and Soil Resources				
3.3-1	Build out of the proposed General Plan would convert substantial amounts of Important Farmland to non-agricultural use.	C-G 1, C-G2, C-P1, C-P2, C-P3, C-P4, C-P5, C-P6, C-P7, C-P8, GM-G 1, GM-P2	Significant and Unavoidable	Not directly mitigable aside from preventing development altogether
3.3-2	Build out of the proposed General Plan would result in potential land use incompatibilities with sites designated for continued agriculture use.	C-P1, C-P2, C-P3, C-P4, C-P5, C-P6, C-P7, C-P8, GM-G 1, GM-P2, CD-G 1	Less than Significant	None required
3.4 Biological Resources				
3.4-1	Build out of the proposed General Plan could have a substantial adverse effect, either directly or through habitat modifications, on special status and/or common species.	C-P9, C-P10, C-P11, C-P12, C-P13, C-P14, C-P15, C-P16, C-P32, P-P9, P-P10, P-P11, P-P12	Less than Significant	None required
3.4-2	Build out of the proposed General Plan could have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by the California Department of Fish and Game or U.S. Fish and Wildlife Service.	C-P9, C-P10, C-P11, C-P12, C-P13, C-P14, C-P15, C-P16, C-P32, P-P9, P-P10, P-P11, P-P12	Less than Significant	None required
3.4-3	Build out of the proposed General Plan could have a substantial adverse effect on "federally protected" wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, etc.).	C-P9, C-P10, C-P11, C-P12, C-P13, C-P14, C-P15, C-P16, C-P32, P-P9, P-P10, P-P11, P-P12	Less than Significant	None required
3.4-4	Build out of the proposed General Plan could interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites	C-P9, C-P10, C-P11, C-P12, C-P13, C-P14, C-P15, C-P16, C-P32, P-P9, P-P10, P-P11, P-P12	Less than Significant	None required
3.5 Cultural Resources				
3.5-1	Build out of the proposed General Plan may alter a historic resource.	CD-P10, C-G6, C-G7, C-P20, C-P21, C-P22, C-P23, C-P24, C-P25	Less than Significant	None required
3.5-2	Build out of the proposed General Plan could disrupt or adversely affect a prehistoric or historic archeological, paleontological, or culturally significant site.	C-G5, C-G6, C-P17, C-P18, C-P19	Less than Significant	None required

Summary of Impacts and Proposed General Policies that Reduce the Impact

#	Impact	Proposed General Policies that Reduce the Impact	Significance	Mitigation
3.6 Climate Change and Greenhouse Gases				
3.6-1	Implementation of the proposed General Plan would increase total carbon dioxide equivalent emissions in Lodi, compared to existing conditions.	LU-G1, LU-G2, LU-G3, LU-G4, LU-G4, LU-P2, LU-P3, LU-P6, LU-P18, LU-P25, LU-P26, LU-P27, GM-G1, GM-G2, GM-G3, GM-P1, GM-P2, GM-P3, GM-P4, GM-P6, CD-G1, CD-P1, CD-G-4, CD-G-5, CD-P31, CD-P21, CD-P24, T-G2, T-G4, T-P13, T-P14, T-P15, T-P16, T-P17, T-P18, T-P19, T-P23, T-P25, T-P28, T-P29, GM-P11, GM-P13, GM-P14, GM-P15, CD-G8, CD-G9, CD-P38, CD-P39, CD-P40, CD-P32, C-P39, C-PNEW, C-PNEW, C-P37, C-P38, C-P40, C-P42, GM-P19, CD-P15, CD-P16, CD-P19, C-P43, C-P44, C-P45, C-P41, C-G9, C-G10, C-P36, T-G8, T-P43, T-P44, T-P45, GM-P17, GM-P18	Overall Significant Cumulative Impact, Project Contribution Cumulatively Considerable	No feasible mitigation measures are currently available
3.6-2	Build out of the proposed General Plan could result in a substantial increase in per capita energy consumption in the city which would suggest more wasteful, inefficient, or unnecessary consumption of energy.	LU-G1, LU-G2, LU-G3, LU-G4, LU-G4, LU-P2, LU-P3, LU-P6, LU-P18, LU-P25, LU-P26, LU-P27, GM-G1, GM-G2, GM-G3, GM-P1, GM-P2, GM-P3, GM-P4, GM-P6, CD-G1, CD-P1, CD-G-4, CD-G-5, CD-P31, CD-P21, CD-P24, T-G2, T-G4, T-P13, T-P14, T-P15, T-P16, T-P17, T-P18, T-P19, T-P23, T-P25, T-P28, T-P29, GM-P11, GM-P13, GM-P14, GM-P15, CD-G8, CD-G9, CD-P38, CD-P39, CD-P40, CD-P32, C-P39, C-PNEW, C-PNEW, C-P37, C-P38, C-P40, C-P42, GM-P19, CD-P15, CD-P16, CD-P19, C-P43, C-P44, C-P45, C-P41, C-G9, C-G10, C-P36, T-G8, T-P43, T-P44, T-P45, GM-P17, GM-P18	Less than Significant	None required
3.7 Hydrology and Water Quality				
3.7-1	Build out of the proposed General Plan could alter existing drainage patterns of the area in a manner which would result in substantial erosion or siltation on- or offsite or increase sediment loads thereby affecting water quality, but this impact would be mitigated by existing State and local regulations and proposed General Plan policies.	C-P-26, C-P-27, C-P-28, C-P-29, C-P-30, C-P-31, C-P-32, C-P-33, C-P-34, C-P-35	Less than Significant	None required

Summary of Impacts and Proposed General Policies that Reduce the Impact

#	Impact	Proposed General Policies that Reduce the Impact	Significance	Mitigation
3.7-2	Implementation of the proposed General Plan would may result in increased nonpoint source pollution entering storm water runoff and entering the regional storm drain system or surrounding water resources (from either construction or long-term development), but this impact would be mitigated by existing State and local regulations and proposed General Plan policies.	C-P-26, C-P-27, C-P-28, C-P-29, C-P-30, C-P-31, C-P-32, C-P-33, C-P-34, C-P-35	Less than Significant	None required
3.8 Air Quality				
3.8-1	Implementation of the proposed General Plan could result in a cumulatively considerable net increase of criteria pollutants which may conflict with or violate an applicable air quality plan, air quality standard or contribute substantially to an existing or projected air quality violation.	C-P46, C-P47, C-P48, C-P49, C-P50, C-P51, C-P52, C-P53, C-P54, C-P55, C-P56, C-P57, T-G4, T-G5, T-P14, T-P15, T-P16, T-P17, T-P18, T-P19, T-P20, T-P21, T-P22, T-P23, T-P24, T-P25, T-P26 T-P27, T-P28 T-P29, T-P38, T-P39, T-P43, T-P44, T-P45	Significant and Unavoidable	No feasible mitigation measures are currently available.
3.8-2	Build out of the proposed General Plan could expose sensitive receptors to substantial pollutant concentrations.	C-P46, C-P47, C-P48, C-P49, C-P50, C-P51, C-P52, C-P53, C-P54, C-P55, C-P56, C-P57, T-G4, T-G5, T-P14, T-P15, T-P16, T-P17, T-P18, T-P19, T-P20, T-P21, T-P22, T-P23, T-P24, T-P25, T-P26 T-P27, T-P28 T-P29, T-P38, T-P39, T-P43, T-P44, T-P45	Significant and Unavoidable	No feasible mitigation measures are currently available.
3.9 Flood Hazards				
3.9-1	Build out of the proposed General Plan could expose people or structures to a risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam.	S-P1, S-P2, S-P4, S-P5, S-P6, S-P7, S-PNEW, S-PNEW	Less than Significant	None required
3.10 Seismic and Geologic Hazards				
3.10-1	Implementation of the proposed General Plan has low to moderate potential to expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death resulting from rupture of a known earthquake fault, ground shaking, landslides or liquefaction, though these risks are minimized through compliance with State regulations and proposed General Plan policies.	S-P16, S-P17, S-P18, S-P19, S-P20	Less than Significant	None required

Summary of Impacts and Proposed General Policies that Reduce the Impact

#	Impact	Proposed General Policies that Reduce the Impact	Significance	Mitigation
3.10-2	Implementation of the proposed General Plan has moderate potential to result in substantial soil erosion or unstable soil conditions from excavation, grading or fill, though impacts would be mitigated with proposed General Plan policies.	S-PI 6, S-PI 7, S-PI 8, S-PI 9, S-P20	Less than Significant	None required
3.10-3	Implementation of the proposed General Plan has low potential to expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death resulting from settlement and/or subsidence of the land, or risk of expansive soils, and policies in the proposed General Plan would further mitigate this impact.	S-PI 6, S-PI 7, S-PI 8, S-PI 9, S-P20	Less than Significant	None required
3.11 Noise				
3.11-1	Implementation of the proposed General Plan could result in a substantial permanent increase in ambient noise levels.	N-P1, N-P2, N-P3 N-P4, N-P5, N-P6, N-P7, N-P8, N-P9, N-P10, N-PNEW	Significant and Unavoidable	No feasible mitigation measures are currently available.
3.11-2	New development in the proposed General Plan would potentially expose existing noise-sensitive uses to construction-related temporary increases in ambient noise.	N-PNEW, N-PNEW	Less than Significant	None required
3.11-3	New development in the proposed General Plan could cause the exposure of persons to or generation of excessive ground borne vibration or ground borne noise levels.	N-P1, N-P2, N-P3 N-P4, N-P5, N-P6, N-P7, N-P8, N-P9, N-P10, N-PNEW, N-PNEW, N-PNEW	Less than Significant	None required
3.12 Hazardous Materials, and Toxics				
3.12-1	Implementation of the proposed General Plan has the potential to create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment, though existing federal, State, and local regulations and proposed General Plan policies would sufficiently reduce the impact.	S-P8, S-P9, S-PI OA, S-PI OB, S-PI I, S-PI 2, S-PI 3, S-PI 4, S-PI 5, S-PI 8, S-P22, S-P23, S-P24, S-P25	Less than Significant	None required
3.12-2	Implementation of the proposed General Plan has the potential to locate land uses on sites which are included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, could create a significant hazard to the public or the environment.	S-P8, S-P9, S-PI OA, S-PI OB, S-PI I, S-PI 2, S-PI 3, S-PI 4, S-PI 5, S-PI 8, S-P22, S-P23, S-P24, S-P25	Less than Significant	None required

Summary of Impacts and Proposed General Policies that Reduce the Impact

#	Impact	Proposed General Policies that Reduce the Impact	Significance	Mitigation
3.12-3	Implementation of the proposed General Plan has the potential to create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials.	S-P8, S-P9, S-PIOA, S-PIOB, S-PI1, S-PI2, S-PI3, S-P14, S-P15, S-P18, S-P22, S-P23, S-P24, S-P25	Less than Significant	None required
3.12-4	Implementation of the proposed General Plan has the potential to result in the handling of hazardous materials or wastes within one-quarter mile of an existing or proposed school or other sensitive use.	S-P8, S-P9, S-PIOA, S-PIOB, S-PI1, S-PI2, S-PI3, S-P14, S-P15, S-P18, S-P22, S-P23, S-P24, S-P25	Less than Significant	None required
3.13 Infrastructure				
3.13-1	New development under the proposed General Plan would increase the demand for water beyond projections in the Lodi Urban Water Management Plan.	GM-G2, GM-G3, GM-P7, GM-P8, GM-P9, GM-PI0, GM-PI1, GM-PI2, GM-PI3, GM-PI4, GM-PI5, GM-PI6, GM-PI7, GM-PI8	Less than Significant	None required
3.13-2	New development under the proposed General Plan may exceed wastewater treatment capacity of existing infrastructure.	GM-G2, GM-G3, GM-P7, GM-P8, GM-P9, GM-PI0	Less than Significant	None required
3.13-3	New development under the proposed General Plan would cause an increase in waste.	GM-PI9, C-PNEW	Less than Significant	None required
3.14 Public Facilities				
3.14-1	New development under the proposed Lodi General Plan will increase the demand for school facilities.	GM-NEW, GM-NEW, GM-NEW, GM-P20	Less than Significant	None required
3.14-2	New development in the proposed General Plan requires police and fire protection services that exceed current staffing and facilities.	GM-G4, GM-P22, GM-P23, S-P22, S-P23, S-P24, S-P25	Less than Significant	None required
3.15 Parks and Recreation				
3.15-1	Future development as a result of the proposed General Plan may result in failure to meet all of the City's park standard goals and increase the use of existing parks and recreation facilities, which would accelerate physical deterioration.	P-G3, P-PI, P-P3, P-P5, P-P7, P-PI9, P-P20	Less than Significant	None required
3.15-2	Implementation of the proposed General Plan would result in increased accessibility of parks and recreation facilities from residential neighborhoods.	P-G3, P-PI, P-P3, P-P5, P-P7, P-PI9, P-P20	Beneficial	NIA

Summary of Impacts and Proposed General Policies that Reduce the Impact

#	Impact	Proposed General Policies that Reduce the Impact	Significance	Mitigation
3.16 Visual Resources				
3.16-1	Future proposed development in Lodi has the potential to affect scenic vistas within the Planning Area	CD-P20, CD-P22, CD-P23	Less than Significant	None required
3.16-2	New development and redevelopment activities have the potential to change Lodi's visual character, particularly where incompatibilities with existing development in scale and/or character may exist.	CD-G 1, CD-G2, CD-G3, CD-G6, CD-G7, CD-P2, CD-P3, CD-P4, CD-P5, CD-P6, CD-P7, CD-P8, CD-P10, CD-P11, CD-P12, CD-P15, CD-P16, CD-P17, CD-P18, CD-P19, CD-P24, CD-P26, CD-P28, CD-P29, CD-P30, CD-P31, CD-P32, CD-P34, GM-G1, GM-P1, GM-P2, C-P20, C-P23, C-P24	Less than Significant	None required
3.16-3	Development under the proposed General Plan has the potential to adversely affect visual resources in the short-term during periods of construction by blocking or disrupting views.	None	Less than Significant	None required
3.16-4	Development under the proposed General Plan has the potential to create new sources of light or glare which would adversely affect day or nighttime views in the area.	CD-P33	Less than Significant	None required

FINDINGS REGARDING IMPACTS REDUCED TO A LESS THAN SIGNIFICANT LEVEL:

Based upon the FEIR and the entire record, the City Council finds that the mitigation measures and proposed General Plan policies identified above are feasible and are hereby incorporated into the proposed General Plan. These mitigation measures will reduce the impact to a less than significant level except as otherwise noted.

FINDINGS REGARDING GROWTH-INDUCING IMPACTS:

The EIR must examine the potential growth-inducing impacts of the proposed General Plan. More specifically, CEQA Guidelines require that the EIR “discuss the ways in which the proposed project could foster economic or population growth, or the construction of additional housing, either directly or indirectly” (CEQA Guidelines §15126.2(d)). This analysis must also consider the removal of obstacles to population growth, such as improvements in the regional transportation system.

Projected Growth

Lodi currently contains 23,353 housing units. Approximately 3,700 housing units have recently been approved or are under construction. The proposed General Plan accommodates 10,100 new residential units. Together, this results in the potential for 37,200 housing units, an increase of 38% above existing and approved units. Approximately half of the housing units will be low-density housing (i.e. single-family), a quarter medium-density, and the remaining quarter high-density and mixed-use residential (containing a mix of density levels).

Population

Lodi currently contains approximately 63,400 residents. The proposed General Plan could accommodate 26,400 additional residents. Accounting for the current population as well as new residents anticipated from recently approved projects (approximately 9,700 residents); full development of the General Plan could result in a total of 99,500 residents, representing an annual growth rate of 2%, consistent with Lodi's Growth Management Ordinance. Total residents under the proposed General Plan would exceed the San Joaquin Council of Governments (SJCOG) population projection of 81,717 in 2030 by 22%. (Notably, these SJCOG estimates are based on historical growth rates in Lodi and do not dictate how much growth could be accommodated.) The proposed General Plan accommodates 20% more residents than the No Project scenario, which allows for a population of 82,600 people. However, the population growth in the proposed General Plan is consistent with an annual growth rate of 2% as allowed in Lodi's Growth Management Ordinance.

Employment

Lodi currently contains 24,700 jobs. Recently approved or completed development projects are expected to produce an additional 2,900 jobs. Total additional employment accommodated in the proposed General Plan by new commercial, office, industrial, and mixed-use land designations could allow for 23,400 new jobs in Lodi. In sum, Lodi could expect up to 51,000 jobs under the proposed General Plan, an increase of 85%. Total jobs under the proposed General Plan would exceed the SJCOG jobs projection of 33,686 in 2030 by 51%. Similarly, the proposed General Plan accommodates 56% more jobs than the No Project scenario, which includes 32,700 jobs. The increase in jobs under the proposed General Plan serves to improve the balance of jobs and housing.

Jobs/Housing Balance

A city's jobs/employment ratio (jobs to employed residents) would be 1.0 if the number of jobs in the city equaled the number of employed residents. In theory, such a balance would eliminate the need for commuting. More realistically, a balance means that in-commuting and out-commuting are matched, leading to efficient use of the transportation system, particularly during peak hours. The proposed General Plan projects a more balanced jobs/employed residents ratio when compared to existing conditions. In 2008, Lodi had a jobs/employed residents ratio of 0.8, meaning that the city did not have quite enough jobs for all the working people who lived there, even if the match between job skills required and job skills offered had been perfect. As of 2000, 54% of Lodi's employed residents commuted out of Lodi for work. The proposed General Plan designates land area for substantial employment growth, should market opportunities exist, as one attempt to reduce out-commuting and enable existing and future Lodi residents to work in Lodi. While the increase in new jobs exceeds the increase in new employed residents, the combined effect will result in a more balanced ratio of 1.0. This ratio suggests that the city would have about as many jobs as employed residents.

Increase in Regional Housing Demand

As the employment base in Lodi increases, more people may be drawn to Lodi and surrounding areas, thereby increasing housing demand in both Lodi and other adjacent areas that are within commuting distance. Proposed new employment would primarily be located in the southeastern corner of Lodi, easily accessible from major transportation routes. Service to Lodi via Amtrak and regional bus service would also provide access to new jobs from other cities. In addition, the proposed General Plan has the potential to result in development of approximately 10,100 new housing units by the year 2030, which will help meet some of the increased housing need. Lodi's updated Housing Element, which addresses housing programs and how Lodi will accommodate its regional housing needs allocation, is part of the proposed General Plan.

Growth Management

While the proposed General Plan allows growth beyond SJCOG's projections, the proposed General Plan represents an annual growth rate of 2%, which meets the maximum population permissible under the City's Growth Management Ordinance. The proposed General Plan also includes multiple growth management techniques including phasing, a community separator, and continuation of the Growth Management Ordinance. While policies to regulate the location, pace, and timing of growth are included, these will not restrict Lodi's ability to meet its housing need obligations or long-range growth projections by regional agencies. Key policies and strategies are described in Chapter 2: Project Description.

Because growth under the proposed General Plan is consistent with allowable growth under the Growth Management Ordinance, is managed through multiple strategies to maintain a compact form, and helps the City achieve a more balanced jobs/housing ratio, the proposed General Plan is not expected to significantly contribute, directly or indirectly, to regional, subregional, or citywide growth inducing impacts.

FINDINGS REGARDING SIGNIFICANT IRREVERSIBLE CHANGES:

The EIR must also examine irreversible changes to the environment. More specifically, CEQA Guidelines require the EIR to consider whether "uses of nonrenewable resources during the initial and continued phases of the project may be irreversible since a large commitment of such resources makes removal or nonuse thereafter unlikely" (CEQA Guidelines §15126.2(c)). "Nonrenewable resource" refers to the physical features of the natural environment, such as land, waterways, etc.

Air Quality

Increases in vehicle trips and traffic resulting from implementation of the proposed General Plan would potentially contribute to long-term degradation of air quality and atmospheric conditions in the region, other parts of California, and the Western United States. However, technological improvements in automobiles, as well as commercial and industrial machinery, may lower the rate of air quality degradation in the coming decades.

Agricultural Land and Open Space

Development under the proposed General Plan could result in the permanent conversion of just under 2,893 acres of prime farmland to urban uses. This conversion has a wide array of impacts, ranging from habitat modifications to visual disruptions to new noise sources and stormwater drainage constraints. Overall, this represents a significant and irreversible environmental change.

Energy Sources

New development under the proposed General Plan would result in the commitment of existing and planned sources of energy, which would be necessary for the construction and daily use of new buildings and for transportation. Residential and non-residential development use electricity, natural gas, and petroleum products for power, lighting, heating, and other indoor and outdoor services, while cars use both oil and gas. Use of these types of energy for new development would result in the overall increased use of non-renewable energy resources. This represents an irreversible environmental change. However, energy-reduction efforts may lower the rate of increase.

Construction-Related Impacts

Irreversible environmental changes could also occur during the course of constructing development projects made possible by the proposed General Plan. New construction would result in the consumption of building materials, natural gas, electricity, water, and petroleum products. Construction equipment running on fossil fuels would be needed for excavation and the shipping of building materials. Due to the non-renewable or slowly renewable nature of these resources, this represents an irretrievable commitment of resources.

FINDINGS REGARDING CUMULATIVE IMPACTS:

The proposed General Plan's cumulative impacts are discussed in the DEIR on pages 5-3, 5-4 and 5-5. CEQA requires that the EIR examine cumulative impacts. As discussed in CEQA Guidelines Section 15130(a)(1), a cumulative impact "consists of an impact which is created as a result of the combination of the project evaluated in the EIR together with other projects causing related impacts." The analysis of cumulative impacts need not provide the level of detail required of the analysis of impacts from the project itself, but shall "reflect the severity of the impacts and their likelihood of occurrence" (CEQA Guidelines §15130(b)).

In order to assess cumulative impacts, the EIR must analyze either a list of past, present, and probable future projects or a summary of projections contained in an adopted general plan or related planning document. It is important to note that the proposed General Plan is essentially a set of projects, representing the cumulative development scenario for the reasonably foreseeable future in the Lodi Planning Area. This future scenario incorporates the likely effects of surrounding regional growth.

By their nature, the air quality, transportation, noise, and greenhouse gas (GHG) emissions analyses presented in Chapter 3: Settings, Impacts, and Mitigation Measures represent a cumulative analysis of the Planning Area as a whole. As a result of adding the proposed General Plan to the regional land use and transportation baseline, the travel demand, level of service operations, and associated air quality and GHG emissions produced by the proposed project is the cumulative condition for CEQA purposes. Some cumulative impacts on transportation, air quality, and noise are found to be significant; in addition, the cumulative effects on GHG emissions are found to be cumulatively significant, and the project's contribution cumulatively considerable.

FINDINGS REGARDING ALTERNATIVES TO THE PROJECT:

CEQA mandates consideration and analysis of a reasonable range of alternatives to the proposed General Plan. According to CEQA Guidelines, the range of alternatives "shall include those that could feasibly accomplish most of the basic purposes of the project and could avoid or substantially lessen one or more of the significant impacts" (CEQA Guidelines §15126.6(c)). The alternatives may result in new impacts that do not result from the proposed General Plan. Case law suggests that the discussion of alternatives need not be exhaustive and that alternatives be subject to a construction of reasonableness. The impacts of the alternatives may be discussed "in less detail than the significant effects of the project proposed" (CEQA Guidelines §15126.6(d)). Also, the Guidelines permit analysis of alternatives at a less detailed level for general plans and other program EIRs, compared to project EIRs. The Guidelines do not specify what would be an adequate level of detail. Quantified information on the alternatives is presented where available; however, in some cases only partial quantification can be provided because of data or analytical limitations.

No Project Alternative

The No Project Alternative represents the continuation of land use development under the 1991 General Plan. In this scenario, new development results largely from the development of Planned Residential and Planned Residential Reserve areas, in the west and south, respectively. These areas are assumed to develop primarily for residential uses, at seven units per acre, and with a portion of land reserved for public uses, parks, and drainage basins. The No Project Alternative is illustrated in Figure 4.2-1.

The No Project Alternative could result in a total of 82,600 residents and 32,700 jobs, leading to a jobs/employed residents ratio of 0.8. This alternative produces the fewest number of housing units, new residents, and jobs compared with the other alternatives.

Alternative A

Alternative A fills in growth up to the existing Sphere of Influence (SOI) boundary and extends the urban area south to Armstrong Road. The bulk of new growth would be contained in the mile-wide band between Harney Lane and Armstrong Road, including the Planned Residential Reserve designation between Hogan Lane and Armstrong Road. In the southeast (south of Kettleman Lane and east of SR-99), the alternative includes Business Park/Office uses, with commercial nodes around the Kettleman and Harney lane interchanges. Limited development is proposed through infill on vacant and underutilized sites in Downtown and along Cherokee Lane.

This alternative includes similar assumptions compared with the proposed General Plan in terms of the density, intensity, and land use categories. As a result, Alternative A could result in a total of 91,000 residents and 41,000 jobs, leading to a jobs/employed residents ratio of 0.9. These numbers represent lower development potential compared with the proposed General Plan and Alternative B, but higher than the No Project Alternative.

Alternative B

In Alternative B, new development is concentrated on the west side of the city, beyond the existing SOI. New neighborhoods on the west side of the city would contain a diverse range of amenities and uses, including neighborhood services, parks and schools. These neighborhoods would be focused around walkable centers containing retail, office, and higher density residential uses. A network of streets connects residential areas to these centers and to the existing street grid where feasible. Commercial and business uses would be located in the southeast, but in a smaller area than in Alternative A. A smaller portion of land is designated for urban and Rural Residential use between Harney and Hogan Lanes. Finally, a small commercial node on Highway 12, adjacent to a site for a Lodi campus of San Joaquin Delta College, is also shown.

This alternative includes similar assumptions compared with the proposed General Plan in terms of the density, intensity, and land use categories. As a result, Alternative B could result in 104,400 residents and 47,000 jobs, leading to a jobs/employed residents ratio of 0.9. This alternative produces the largest increase population, but allows fewer jobs compared with the proposed General Plan.

CEQA Guidelines require the identification of an environmentally superior alternative among the alternatives analyzed in an EIR. Alternative A has been selected as the environmentally superior alternative.

Since the No Project Alternative results in the least amount of development, it results in the fewest environmental impacts and therefore would be the environmentally superior alternative. However, CEQA Guidelines stipulate that if the No Project Alternative is identified as the environmentally superior alternative, then another environmentally superior alternative must be identified, among the other alternatives and the project.

After the No Project, Alternative A has the least impact, relative to the proposed General Plan and Alternative B in the six environmental areas that have significant impacts: Traffic and Circulation, Agricultural Resources, Climate Change and Greenhouse Gases, Air Quality, and Noise. Alternative A has relatively more adverse impacts in the areas of Land Use and Housing and Parks and Recreation, when compared to the proposed General Plan and Alternative B. Particularly, in terms of Land Use, Alternative A does not allow sufficient growth to meet the city's future needs or the Growth Management Ordinance's allocation of 2% annual growth. This could also result in a cumulative regional impact as population and employment growth in the region may put additional pressure in the surrounding unincorporated areas or other parts of the region.

Alternative A and Alternative B meet many of plan objectives as described in Chapter 2: Project Description. However, the proposed General Plan achieves all these objectives to the highest extent, specifically exceeding the alternatives in the following three objectives:

- **Objective #1: Compact Urban Form.** The proposed General Plan ensures the most compact urban form, by prioritizing infill development downtown and along the city's major corridors during Phase 1.
- **Objective #7: Agricultural Preservation Along Southern Boundary.** The proposed General Plan and Alternative B also preserve an agricultural preservation buffer south of Hogan Lane (Alternative A and the No Project scenario both allow limited development through the Planned Residential Reserve designation).
- **Objective #11: Phasing Future Development.** The proposed General Plan segments development into three phases, providing a framework for how and where urban growth should proceed. Urban reserve areas ensure that the city conforms to its Growth Management Ordinance and grows at a reasonable rate.

Although Alternative A has been chosen as the environmentally superior alternative, it does not in all cases adequately meet the three objectives described above (out of the 11 defined in the Project Description). Most critically, regarding Objective #11, Alternative A puts more growth pressures on other cities in the region and unincorporated portions of San Joaquin County. Reviewing historic trends, between 2000 and 2007, Lodi's population grew at half the rate compared with the County as a whole. Accommodating growth in Lodi through contiguous responsible development relieves some of this pressure elsewhere in the region. Alternative B conforms to the City's Growth Management Ordinance, but does not provide environmental impact reduction benefits and does not achieve all of the plan objectives. The proposed General Plan achieves all plan objectives while establishing policies to reduce environmental impacts to the greatest extent possible.

FINDINGS REGARDING SIGNIFICANT AND UNAVOIDABLE IMPACTS:

Transportation and Circulation

The proposed General Plan would result in a substantial increase in vehicular traffic that would cause certain facilities to exceed LOS standards established by the City (for City facilities) and the County (for regional routes). Proposed General plan policies and improvements have been identified to minimize transportation impacts, but even with these measures, the impact is considered significant and unavoidable. Proposed General Plan policies, intended to improve neighborhood character and the pedestrian environment, could adversely affect access for emergency vehicles in Lodi. Planned improvements that would help mitigate this impact include roadway extensions, roadway widenings, and the construction of a new arterial, all of which would serve to enhance connectivity and local neighborhood circulation. Still, implementation of the proposed General Plan and increases in regional travel passing through Lodi would increase the amount of vehicular traffic in and around Lodi, and would therefore increase the number of potential emergency access conflicts, resulting in a significant and unavoidable impact.

The substantial increases in vehicle trips and vehicle miles of travel resulting from the proposed General Plan could create conflicts with the goals and objectives of established alternative transportation plans. Increased traffic volumes may make it more difficult and time-consuming for pedestrians to cross some streets. Higher traffic volumes on some facilities could discourage bicycle travel, especially among non-expert bicycle users. Additionally, increased delay on some of Lodi's roadway facilities could increase travel times for the various bus services that serve the city and provide access to regional travel services like Amtrak and ACE.

Agricultural Resources

While one quarter of the gross proposed General Plan potential development area is infill and will not reduce the amount of farmland, some conversion of agricultural land to urban use is inevitable given Lodi's growth needs. If the proposed General Plan were developed to maximum capacity, 2,893 acres of land classified as Prime Farmland would be replaced by urban development (including parks and open spaces). This area represents 69% of the new urban area delineated in the General Plan Land Use Diagram. The most prevalent crop types that would be displaced if the proposed General Plan developed to its fullest potential are vineyards (1,676 acres), deciduous fruits and nuts (516 acres), and field crops (322 acres). Although there are policies in the proposed General Plan to reduce this impact, the potential conversion of agricultural land—which will affect some agricultural activities and prime agricultural soils—is significant and unavoidable.

Climate Change and Greenhouse Gases

Under the proposed General Plan, future emissions are estimated to increase to 419,221 MTCO₂e in 2030 with State mandates, an increase of approximately 32% over the existing condition. This increase in emissions under the proposed General Plan is largely a result of job growth. This estimate, however, does not account for policies in the proposed General Plan that would contribute to lowering emissions, but that are difficult to quantify. Given the current uncertainty in quantifying the impacts of the measures, it is not possible to determine in this analysis if the proposed policies would reduce emissions sufficiently. Therefore, the proposed General Plan would result in a considerable contribution to the significant cumulative impact.

Air Quality

The proposed General Plan would result in an increase in criteria pollutant emissions primarily due to related motor vehicle trips. Stationary sources and area sources would result in lesser quantities of criteria pollutant emissions. Stationary sources and diesel-fueled mobile sources would also generate emissions of TACs including diesel particulate matter that could pose a health risk. Future growth in accordance with the proposed General Plan would exceed the annual San Joaquin Air Pollution Control District (SJVAPCD) thresholds for PM10, as well as the threshold used for this analysis for PM2.5, and would therefore result in a cumulatively considerable net increase of criteria pollutants.

Noise

Implementation of the proposed General Plan will result in higher traffic volumes, more industrial and commercial noise sources, and a larger population, all of which will contribute to the noise environment in Lodi. Future noise impacts related to traffic, railroads, and stationary sources would remain significant and unavoidable, given the uncertainty as to whether future noise impacts could be adequately mitigated for all the individual projects that will be implemented as part of the proposed General Plan.

STATEMENT OF OVERRIDING CONSIDERATIONS:

CEQA requires a public agency to balance the benefits of a proposed project against its unavoidable environmental risks in determining whether to approve the project. CEQA requires the City Council to state in writing specific reasons for approving a project in a "statement of overriding considerations" if the EIR identifies significant impacts of the project that cannot feasibly be mitigated to below a level of significance. Pursuant to California Public Resources Code Section 21081 and CEQA Guidelines Section 15093, the City Council adopts and makes the following Statement of Overriding Considerations regarding the remaining significant and unavoidable impacts of the proposed General Plan, as discussed above, and the anticipated benefits of the proposed General Plan.

The City finds and determines that the majority of the potentially significant impacts of the proposed General Plan will be reduced to less-than-significant levels by the mitigation measures recommended in the document. However, as set forth above, the City's approval of the proposed General Plan will result in project and cumulative significant adverse environmental impacts related to Transportation, Agricultural Resources, Climate Change and Greenhouse Gases, Air Quality and Noise that cannot be avoided even with the incorporation of all feasible mitigation measures into the proposed General Plan, and there are no feasible Project alternatives which would mitigate or avoid the significant environmental impacts.

The proposed General Plan has unavoidable and significant adverse impacts as referenced previously, however the benefits of the project outweigh the significant adverse impacts. The implementation of the proposed General Plan will mitigate to the greatest extent feasible impacts created. Every viable General Plan alternative, as well as the "no project" alternative, would have a significant and unavoidable environmental impact. There are no feasible mitigation measures have been identified that would reduce the impacts to a level that is less than significant. Mitigations, changes or alterations have been required in, or incorporated into, the proposed General Plan which avoids or substantially lessens the significant environmental effects identified in the FEIR.

In light of the environmental, social, economic, and other considerations set forth below related to this proposed General Plan, the City chooses to approve the proposed General Plan, because in its view, the economic, social, and other benefits resulting from the proposed General Plan will render the significant effects acceptable.

The following statement identifies the reasons why, in the City's judgment, the benefits of the proposed General Plan outweigh the significant and unavoidable effects. The substantial evidence supporting the enumerated benefits of the proposed General Plan can be found in the Findings, which are herein incorporated by reference, in the proposed General Plan itself, and in the record of proceedings. Each of the overriding considerations set forth below constitutes a separate and independent ground for finding that the benefits of the proposed General Plan outweigh its significant adverse environmental effects and is an overriding consideration warranting approval.

1. The proposed General Plan allows the City to plan for growth in an orderly manner to meet future land needs based on projected population and job growth.
2. The proposed General Plan allows the City to meet the City's job/housing balance objective, the need for additional housing in the community, and State Law requirements.
3. The proposed General Plan promotes economic development of the community, maintains and improves the quality of life in the community, preserves and enhances environmental resources, and conserves the natural and built environment.
4. The proposed General Plan integrates economic development into the General Plan and underscores the City's goals for fiscal health, a strong regional center, a vibrant Downtown, and retail strength.
5. The proposed General Plan protects and enhances community assets, including quiet communities with distinctive character, a strong sense of community, a diverse population, high quality building design, convenient shopping, post-secondary educational opportunities, broad choice in employment and entertainment, a family atmosphere with excellent recreational activities, and job opportunities close to where people live.
6. The proposed General Plan provides for the positive direction for the future physical development of the City, such as supporting mixed use development, transit supportive land uses and economic revitalization of underutilized sites to create more economic vitality in these commercial corridors.
7. The proposed General Plan enhances an efficient multi-modal transportation system and promotes a well-integrated and coordinated transit network and safe and convenient pedestrian and bicycle circulation.
8. The proposed General Plan serves a critical need to allow the City to plan for the equitable distribution of community facilities and services to meet the needs of all segments of the population and provide services for special needs that increase and enhance the community's quality of life while avoiding over-concentration in any one area.

NOW, THEREFORE, BE IT DETERMINED AND RESOLVED that the Lodi City Council hereby adopts the findings, statements of overriding considerations, and other determinations set forth in this Resolution and based thereon certifies the Final Environmental Impact Report (State Clearinghouse No. 2009022075) and the proposed General Plan, published on April 1, 2010, as the City's General Plan.

Dated: April 7, 2010

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I hereby certify that Resolution No. 2010-41 was passed and adopted by the City Council of the City of Lodi in a regular meeting held April 7, 2010 by the following vote:

- AYES: COUNCIL MEMBERS – Hansen, Hitchcock, Johnson, and Mayor Katzakian
- NOES: COUNCIL MEMBERS – None
- ABSENT: COUNCIL MEMBERS – Mounce
- ABSTAIN: COUNCIL MEMBERS – None



RANDI JOHL
City Clerk