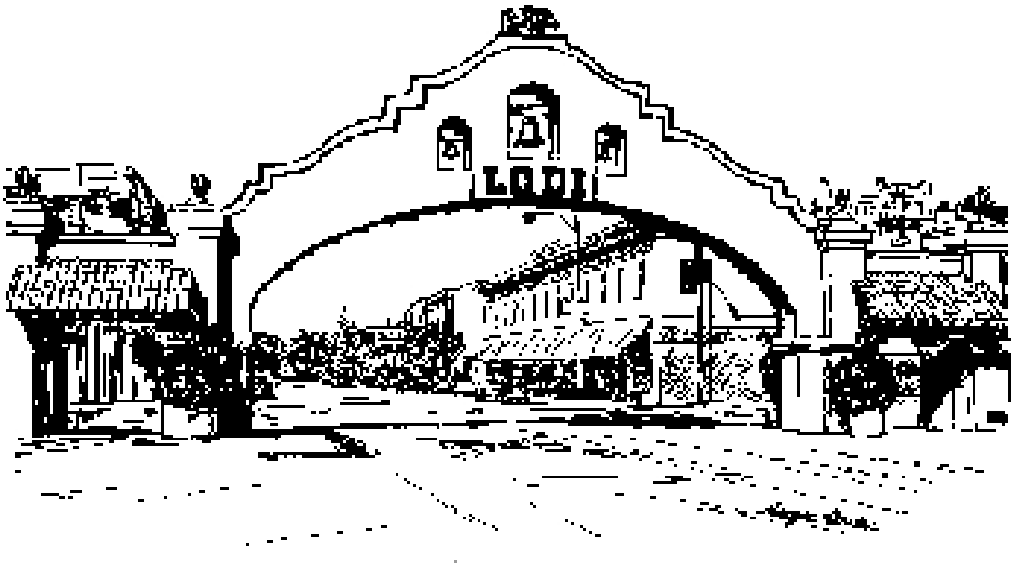
City of Lodi Development Code Update

Draft
Initial Study/Negative Declaration



Prepared by:

City of Lodi
Planning Division
221 West Pine Street
Lodi, California 95240

September 2012

Draft

Initial Study/Negative Declaration

For

CITY OF LODI DEVELOPMENT CODE UPDATE

September 2012

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1. PROJECT TITLE:

City of Lodi Development Code Update

2. LEAD AGENCY NAME AND ADDRESS:

City of Lodi
221 West Pine Street
Lodi, CA 9540

3. CONTACT PERSONS:

Environmental document: Manny Bereket: 209-333-6711

4. PROJECT LOCATION

City of Lodi (Citywide Development Code)

5. PROJECT SPONSOR'S NAME AND ADDRESS:

City of Lodi, Community Development Department
221 W. Pine Street
Lodi CA 95240

6. PROJECT DESCRIPTION

The project involves the update of the City of Lodi Development Code and zoning map to achieve consistency with the 2010 General Plan that was adopted by the City Council in April 2010 as well as with changes to Federal and State laws that have occurred since the adoption of the existing Development Code. The Development Code update implements the policies of the 2010 General Plan by classifying and regulating the development and uses of land and structures within the City through the City's zoning, subdivision, and other land use regulations. Figure 1 shows the location of Lodi within the greater San Joaquin Valley region and Figure 2 shows the City's boundaries.

The 2010 General Plan was the subject of a Final Environmental Impact Report (EIR) that was certified by the City Council in April 2010. As noted above, the Development Code update is being considered in order to ensure that the Code is consistent with the 2010 General Plan. Because the Development Code update is entirely consistent with the 2010 General Plan, this Negative Declaration tiers off of the 2010 General Plan FEIR(SCH#2009022075) in accordance with Section 15152 of the *CEQA Guidelines*. As such, the environmental analysis focuses on potential effects not examined in the 2010 General Plan FEIR.

Together, this Initial Study/Negative Declaration (IS/ND) and the 2010 General Plan FEIR constitute the environmental record for the proposed Development

Code update. The 2010 General Plan FEIR can be viewed at Lodi City Hall (221 West Pine Street, Lodi CA 95240) or on the City's website (http://www.lodi.gov/community_development/EIR%20pdfs/EIRs.html).

Article I contains basic information on the legal framework of the Development Code and describes the land uses and development-related activities that are regulated by the Development Code. It also provides information on how to use the code.

Article II contains chapters on different types of zoning districts (residential, commercial, etc.) that are applicable to public and private property within the City. These chapters list the specific types of land uses allowed in each zoning district and the type of land use/development permit that must be obtained prior to initiating each use. Article II also contains basic development standards for each zoning district and regulations for each land use.

Article III provides development standards that apply across zoning districts, including requirements for landscaping, off-street parking and loading, and signage. Article III also contains regulations for specific land uses and development types that may be allowed in a variety of zoning districts.

Article IV details each type of land use and development permit required by the Development Code and the City's requirements for the preparation, filing, processing, and approval of each permit application. This article also sets time limits for exercising a permit, and time extension procedures.

Article V comprises the City's subdivision ordinance. Article V provides site planning and design regulations for new subdivisions, and the procedural requirements for subdivision approval consistent with the mandates of the California Subdivision Map Act.

Article VI provides information on the Development Code's administration, amendments, enforcement, public hearings, and appeals. Article VII also contains provisions governing nonconforming structures, uses, and lots.

Article VIII contains definitions of the specialized and technical terms and phrases used in the Development Code.

The Development Code update is not intended to fundamentally alter the existing Code. Rather, its primary purposes are to:

- Ensure consistency with newly adopted 2010 General Plan
- Comply with Federal and State law (specific changes listed below)
- Incorporate existing Code interpretations
- Improve Code organization and usability

- Close loopholes and correct unclear language

Changes to the Development Code fall into three main categories:

1. Technical
   - Creation of consistent capitalization, punctuation and structure
   - Re-phrasing of language to improve consistency of text for legal purposes
   - Elimination of "loopholes" and ambiguity

2. Consistency
   - Text changes to ensure internal consistency
   - Update for consistency with Federal and State Law
   - New development standards

3. Policy Implementation
   - New chapters or sections

The Zoning Map, shown on Figure 3, has also been updated to be consistent with 2010 General Plan Land Use Map, to include:

- Mixed Use Corridor
- Downtown Mixed Use
- Mixed Use Center

Key elements that have been added to the Development Code to implement 2010 General Plan policies include:

- Development Standards for Downtown Mixed Use, Mixed Use Corridor, and Mixed Use Center Districts, including setbacks, height, parking and signage.
- Parking standards for senior housing developments.
- Density Bonus program.
- Updated antennas/wireless communications section for compliance with State regulations

The following changes have been made in accordance with State and Federal requirements:

- Allowing transitional/supportive housing by right in the residential districts.
- Regulations regarding large daycare uses within residential zones

7. SURROUNDING LAND USES AND SETTING:

Lodi is situated in the San Joaquin Valley between Stockton, 6 miles to the south; Sacramento, thirty-five miles to the north; and along State Route (SR) 99. The City

is located on the main line of the Union Pacific Railroad and is within 5 miles of I-5 via SR-12. The regional is depicted in Figure 2.1, Regional Location Map.

The Mokelumne River forms the northern edge of the city; Harney and Hogan lane southern edge. The Central California Traction Line (CCT) railroad (north of Kettleman Lane) and SR-99 (south of Kettleman Lane) form the eastern boundary. The western boundary extends approximately one-half mile west of Lower Sacramento Road. Lodi (exclusive of White Slough Water Pollution Control Facility) encompasses an area of 12.3 square miles. Figure 2 – 1: Regional Map illustrates the City's location in regional context.

8. NECESSARY PUBLIC AGENCY APPROVALS:

The City of Calabasas is the lead agency with responsibility for approving the proposed Development Code update. No other public agency approvals are needed.

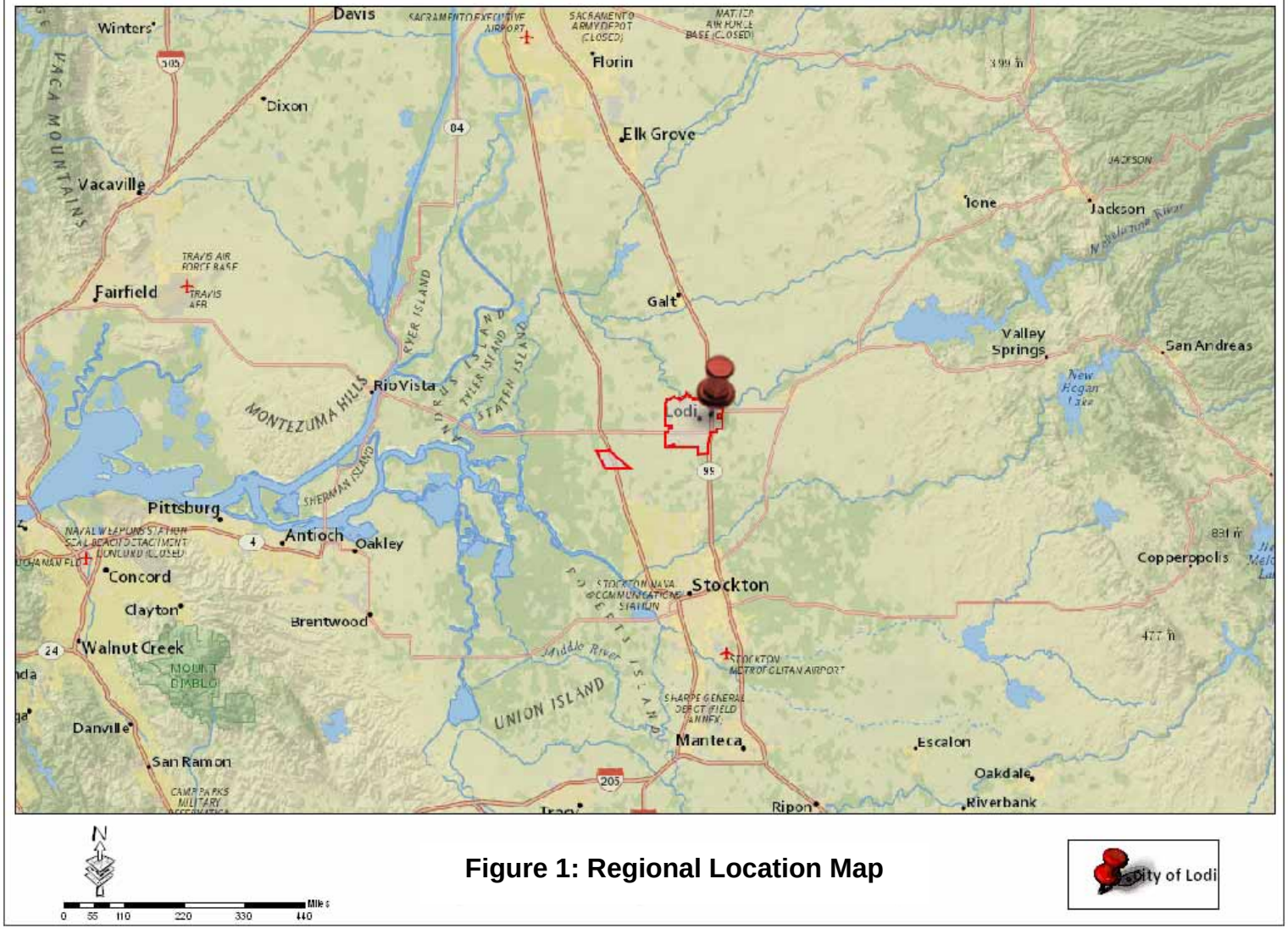

Figure 1: Regional Location Map

City of Lodi

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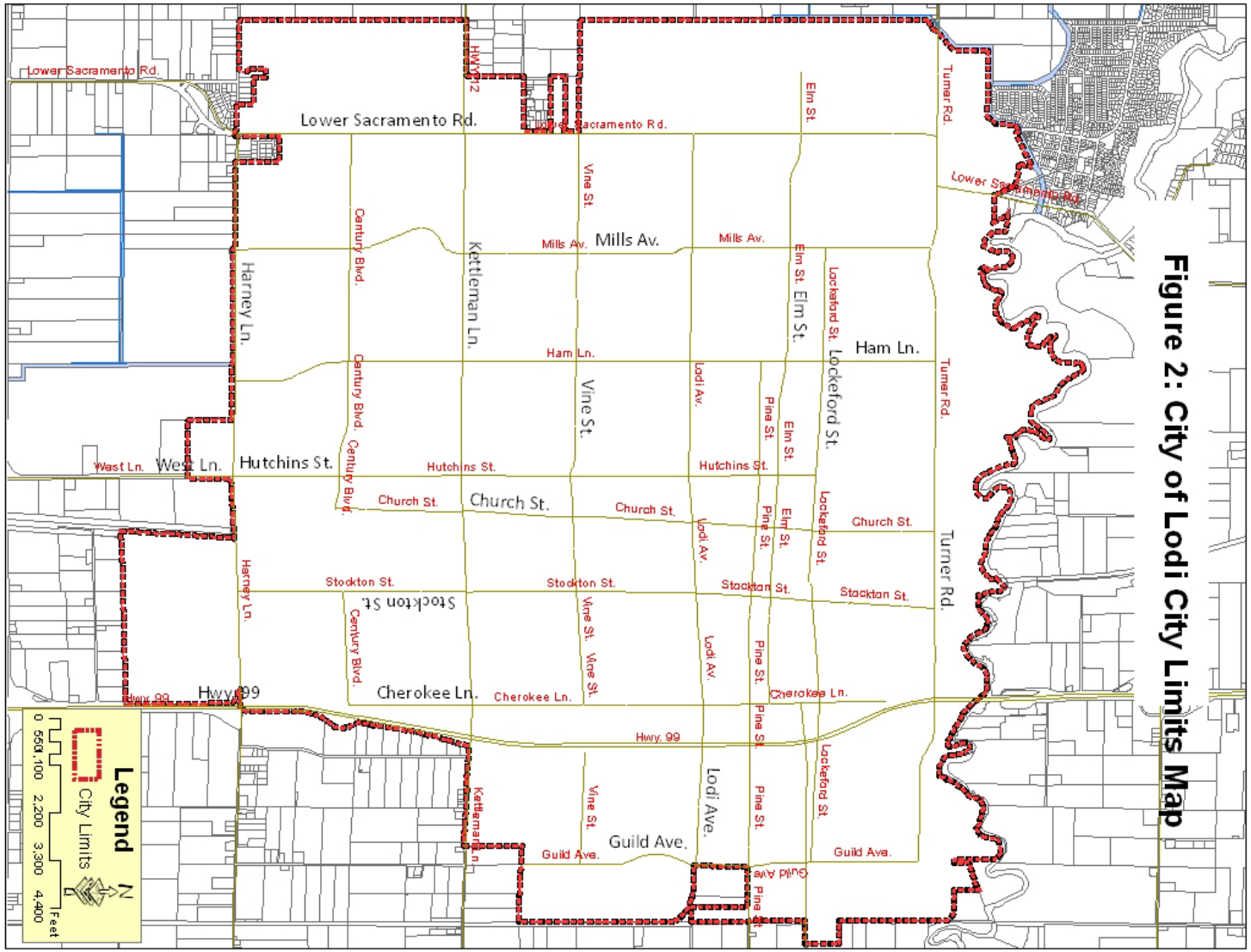

Figure 2: City of Lodi City Limits Map

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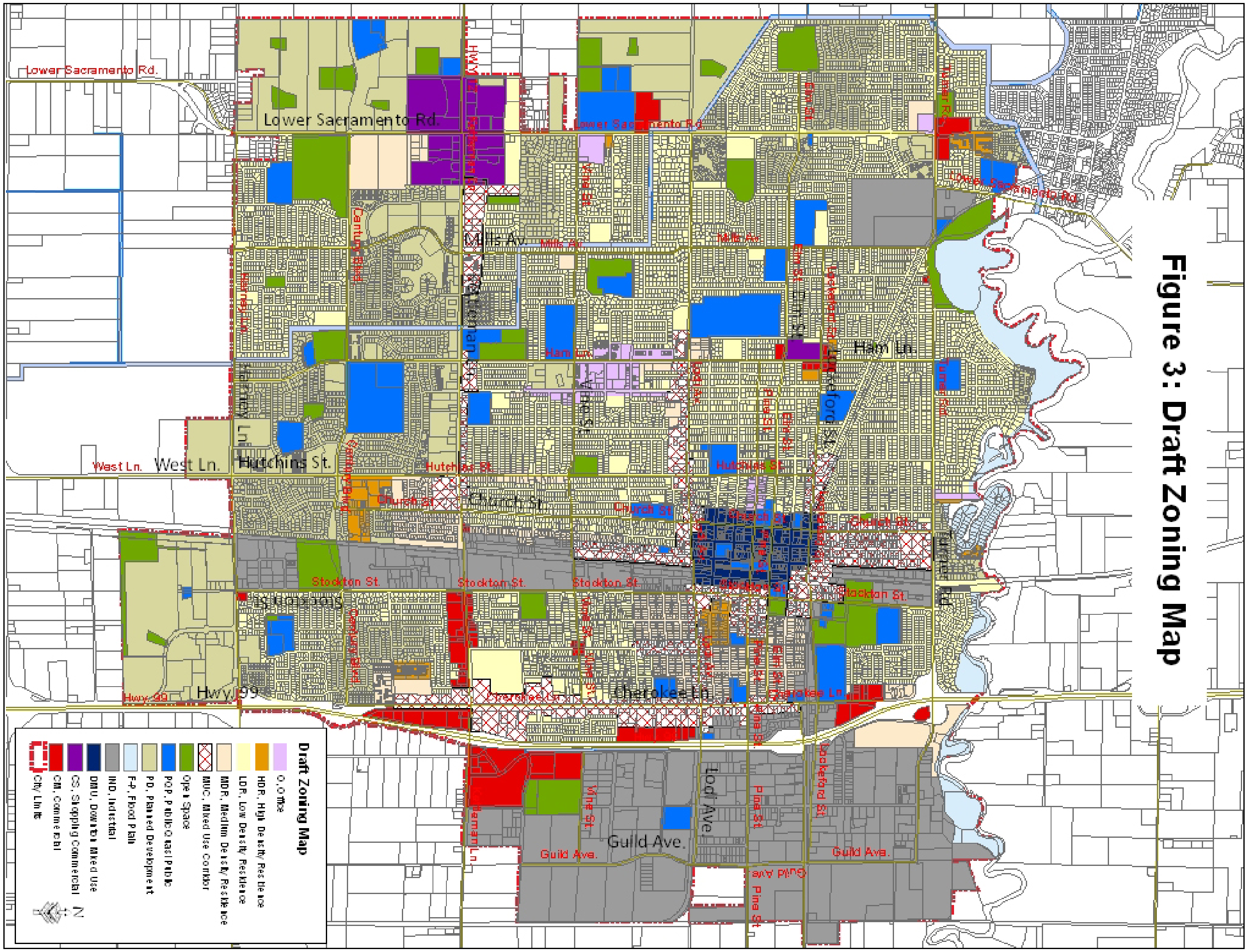

Figure 3: Draft Zoning Map

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9. ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED

The environmental factors checked below would be potentially affected by this project as indicated by the checklist on the following pages.

Environmental Factors Potentially Affected		
☐ Aesthetics	☐ Agriculture Resources	☐ Air Quality
☐ Greenhouse Gas Emissions	☐ Biological Resources	☐ Cultural Resources
☐ Geology / Soils	☐ Hazards & Hazardous Materials	☐ Hydrology / Water Quality
☐ Land Use / Planning	☐ Mineral Resources	☐ Noise
☐ Population / Housing	☐ Public Services	☐ Recreation
☐ Transportation / Traffic	☐ Utilities / Services Systems	
☐ Mandatory Findings of Significance		

10. ENVIRONMENTAL DETERMINATION

☐ 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 revisions in the project have been made by or agreed to by the project proponent. A Mitigated 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 "potentially significant impact" or "potentially significant unless mitigated" impact 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 measure based on the earlier analysis as described on attached sheets. An Environmental Impact Report is required, but it must analyze only the effects that remain to be addressed.

☐ I find that although the proposed project could have a significant effect on the environment, because all potentially significant effects (a) have been analyzed adequately in an earlier EIR or Negative Declaration pursuant to applicable standards, and (b) have been avoided or mitigated pursuant to that earlier EIR or Negative Declaration, including revisions or mitigation measures that are imposed upon the proposed project, nothing further is required.

_____ _____

Konradt Bartlam, Community Development Director Date

NOTICE OF AVAILABILITY AND NOTICE TO OF INTENT TO ADOPT A NEGATIVE DECLARATION FOR THE CITY OF LODI DEVELOPMENT CODE UPDATE

Notice is herby given that the City of Lodi has performed a comprehensive evaluation of the potential impacts for the proposed Development Code Update in accordance with the *CEQA Guidelines*. This Notice is to advise interested individuals that the City of Lodi intends to adopt a Negative Declaration for the project described below.

The initial study prepared by the City was undertaken for the purpose of determining whether the proposed Development Code Update may have a significant effect on the environment. On the basis of the initial study, Community Development Department staff has concluded that the proposed Development Code Update will not have a significant effect on the environment, and therefore has prepared a proposed Negative Declaration 12-ND-02. The initial study reflects the independent judgment of the City.

In accordance with provisions of the CEQA Guidelines, the Draft Negative Declaration tiers off of the 2009 General Plan Final Environmental Impact Report (FEIR) (SCH# 2009022075 that was certified by the City Council in April 2010. Together, this Draft Negative Declaration and the 2009 General Plan FEIR constitute the environmental record for the proposed Development Code Update. The 2010 General Plan FEIR can be viewed at Lodi City Hall (221 West Pine Street, Lodi Ca 95240) or on the City's website http://www.lodi.gov/com_dev/EIRs.html

FILE NUMBER: 12-ND-02

PROJECT TITLE: City of Lodi Development Code Update

PROJECT LOCATION: The Lodi Master Plans study area includes the current city boundaries. Lodi (exclusive of White Slough Water Pollution Control Facility) encompasses an area of 12.3 square miles.

PROJECT DESCRIPTION: The project involves the update of the City of Lodi Development Code and zoning map to achieve consistency with the 2010 General Plan that was adopted by the City Council in April 2010 as well as with changes to Federal and State laws that have occurred since the adoption of the existing Development Code. The Development Code update implements the policies of the 2010 General Plan by classifying and regulating the development and uses of land and structures within the City through the City's zoning, subdivision, and other land use regulations.

PUBLIC REVIEW PERIOD: As mandated by State law, the minimum public review period for this document is 20 days. The proposed Negative Declaration will be circulated for a 20-day public review period, beginning on **Wednesday, September 19, 2012** and

ending on **Monday, October 8, 2012**. Copies of the Draft Negative Declaration and Draft Development Code documents are available for review at the following locations:

- **Community Development Department**, 221 West Pine Street, Lodi, CA 95240
- **Lodi Public Library**, 201 West Locust Street, Lodi, CA 95240

The Negative Declaration and Draft Development Code Update are also available for review on the internet at the following web address: http://www.lodi.gov/com_dev/EIRs.html

Any person wishing to comment on the Initial Study and proposed Negative Declaration must submit such comments in writing **no later than 5:30 pm on Monday, October 08, 2012** to the City of Lodi at the following address:

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

Facsimiles at (209) 333-6842 will also be accepted up to the comment deadline (please mail the original). For further information, contact Immanuel Bereket, Associate Planner, at (209)333-6711.

Konradt Bartlam, Community Development Director
City of Lodi
P. O. Box 3006
Lodi, CA 95241

A public hearing will be scheduled before the Planning Commission and City Council to receive comments on the document and to adopt the Negative Declaration. This meeting will be separately noticed when the date and time are set.

_____ _____

Konradt Bartlam, Community Development Director Date

Issues		Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less-Than-Significant Impact	No Impact
1	**AESTHETICS .** *Would the Project:*				
	a. Have a substantial adverse effect on a scenic vista?	☐	☐	■	☐
	b. Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?	☐	☐	■	☐
	c. Substantially degrade the existing visual character or quality of the site and its surroundings?	☐	☐	■	☐
	d. Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?	☐	☐	■	☐

a-d) The updated provisions of the Development Code would implement 2010 General Plan policies and the impacts of implementing the Development Code would be similar to those identified in the 2010 General Plan FEIR. As identified in the FEIR, impacts to scenic vistas, scenic resources, visual character, and light/glare conditions could occur. However, proposed General Plan policies identified in the FEIR would reduce such impacts to below a level of significance. Moreover, land use and development standards contained in Article II and site planning and design standards contained in Development Code Article III would further reduce the potential for aesthetic impacts.

The proposed Development Code also includes an update of the antennas/wireless communications facilities section's (Development Code Section 17.36.140) standards for compliance with State and Federal regulations. This section would ensure that proposed facilities would not affect scenic resources by prohibiting such facilities within residential districts (other than in public rights-of-way) and by providing standards requiring use of subdued colors, non-reflective materials, landscape screening, and architecturally compatible elements.

Overall aesthetic impacts would be similar to those described in the 2030 General Plan FEIR and, with implementation of General Plan policies and Development Code standards, would be **less than significant**.

Issues		Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less-Than-Significant Impact	No Impact
2	**AGRICULTURE RESOURCES:** *In determining whether impacts to agricultural resources are significant environmental effects, lead agencies may refer to the California Agricultural Land Evaluation and Site Assessment Model (1997) prepared by the California Dept. of Conservation as an optional model to use in assessing impacts on agriculture and farmland. Would the Project:*				
	a. Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program in the California Resources Agency, to non-agricultural use?	☐	☐	☐	■
	b. Conflict with existing zoning for agricultural use, or a Williamson Act contract?	☐	☐	☐	■
	c. Conflict with existing zoning for, or cause rezoning of forest land (as defined in PRC Sec. 4526), or timberland zoned Timberland Production (as defined in PRC Sec. 51104 (g)?	☐	☐	☐	■
	d. Result in loss of forest land or conversion of forest land to non-forest use?	☐	☐	☐	■
	e. Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use?	☐	☐	☐	■

a-e) The updated provisions of the Development Code would implement 2010 General Plan policies and the impacts of implementing the Development Code would be similar to those identified in the 2010 General Plan FEIR. The proposed project would have no effect on Prime Farmland, Unique Farmland, or Farmland of Statewide Importance as farming, gardening, and similar uses would be allowed in all zoning districts by right. **No impact** would occur with respect to this issue.

Issues			Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less-Than-Significant Impact	No Impact
3	**AIR QUALITY.** *Would the Project:*					
	a.	Conflict with or obstruct implementation of the applicable air quality plan?	☐	☐	☐	■
	b.	Violate any air quality standard or contribute substantially to an existing or Projected air quality violation?	☐	☐	■	☐
	c.	Result in a cumulatively considerable net increase of any criteria pollutant for which the Project region is non-attainment under an applicable federal or state ambient air quality standard (including releasing emissions which exceed quantitative thresholds for ozone precursors)?	☐	☐	■	☐
	d.	Expose sensitive receptors to substantial pollutant concentrations?	☐	☐	■	☐
	e.	Create objectionable odors affecting a substantial number of people?	☐	☐	☐	■

a) Growth regulated by, and the impacts of, the Development Code would be similar to those identified in the 2010 General Plan FEIR. Generally, a project would conflict with or potentially obstruct implementation of an air quality plan if it would contribute to population growth in excess of that forecasted in the air quality management plan (California Air Resources Control Board, 2007). The proposed update to the Development Code would not result in an increase of population for the City beyond that forecast in the 2010 General Plan FEIR. Consequently, as noted in the FEIR, the Development Code update is not expected to generate population in excess of that envisioned in the local Air Quality Management Plan (AQMP). **No impact** would occur.

b-d) As noted above under item a, the proposed Development Code update would not facilitate development beyond that forecast in the 2010 General Plan FEIR. Therefore, no impacts beyond those identified in the FEIR would occur and both temporary and long-term air quality impacts would be **less than significant**.

e) Growth regulated by the Development Code update generally would not be expected to create odors or expose people to odors. Zoning districts contained in Article II of the Development Code and site planning and design standards contained in Article III would further reduce the potential for odor impacts by ensuring that incompatible uses are not located in proximity to each other or that compatibility issues are addressed through site design. **No impact** would occur with respect to odors.

Issues		Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less-Than-Significant Impact	No Impact
4	**GREENHOUSE GAS EMISSIONS.** *Would the Project:*				
	a. Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?	☐	☐	☐	■
	b. Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases?	☐	☐	☐	■

a-b) Growth regulated by the Development Code update generally would not be expected to create odors or expose people to odors. Zoning districts contained in Article II of the Development Code and site planning and design standards contained in Article III would further reduce the potential for odor impacts by ensuring that incompatible uses are not located in proximity to each other or that compatibility issues are addressed through site design. **No impact** would occur with respect to odors.

Issues		Potentially Significant Impact	Potentially Significant With Mitigation Incorporated	Less-Than-Significant Impact	No Impact
5	**BIOLOGICAL RESOURCES** *Would the proposal:*				
a.	Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?	☐	☐	■	☐
b.	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.	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, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?	☐	☐	■	☐
d.	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 wildlife nursery sites?	☐	☐	■	☐
e.	Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?	☐	☐	■	☐
f.	Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Conservation Community Plan, or other approved local, regional, or state habitat conservation plan?	☐	☐	☐	■

a-e) Growth regulated by the Development Code would be consistent with that identified in the 2010 General Plan FEIR. Therefore, as discussed in the FEIR, implementation of 2010 General Plan policies would reduce biological resource impacts to a **less than significant** level.

f) Similar to the 2010 General Plan, the Development Code update would not facilitate development that would conflict with an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or State habitat conservation plan. **No impact** would occur.

Issues		Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less-Than-Significant Impact	No Impact
6	**CULTURAL RESOURCES** *Would the Project:*				
	a. Cause a substantial adverse change in the significance of a historical resource as defined in §15064.5?	☐	☐	■	☐
	b. Cause a substantial adverse change in the significance of an archaeological resource pursuant to §15064.5?	☐	☐	■	☐
	c. Directly or indirectly destroy a unique paleontological resource or unique geologic feature?	☐	☐	■	☐
	d. Disturb any human remains, including those interred outside of formal cemeteries.	☐	☐	■	☐

a-d) Updates to the Development Code with regards to cultural resources involve no technical changes. No consistency or policy changes are proposed. Therefore, cultural resource impacts associated with development regulated by the Development Code would be similar to those identified in the 2010 General Plan FEIR. As discussed in the FEIR, implementation of 2010 General Plan policies would reduce cultural resource impacts to a less than significant level. Therefore, as with the 2010 General Plan, impacts associated with the Development Code would be **less than significant.**

Issues		Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less-Than-Significant Impact	No Impact
7	**GEOLOGY AND SOILS.** *Would the Project:*				
	a. Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving:				
	i. Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42.	☐	☐	■	☐
	ii. Strong seismic ground shaking?	☐	☐	■	☐
	iii. Seismic-related ground failure, including liquefaction?	☐	☐	■	☐
	iv. Landslides?	☐	☐	■	☐
	b. Result in substantial soil erosion, or the loss of topsoil?	☐	☐	■	☐
	c. Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the Project, and potentially result in on-or off-site landslide, lateral spreading, subsidence, liquefaction or collapse?	☐	☐	■	☐
	d. Be located on expansive soils, as defined in Table 18-1-13 of the Uniform Building Code (1994), creating substantial risks to life or property?	☐	☐	■	☐
	e. Have soils incapable of adequately supporting the use of septic tanks or alternative wastewater disposal systems where sewers are not available for the disposal of wastewater?	☐	☐	■	☐

a-d) There are no mapped surface or subsurface faults that traverse the city and the city is not listed within a State designated Alquist-Priolo Earthquake Fault Zone. Any future construction will be required to employ building standards set forth in the City's Building Code, including specific provisions for seismic design of structures. In addition, the General Plan FEIR concluded that impacts associated with seismic-related ground shaking would be reduced to less than significant due to mandatory compliance with building codes, policies contained in the General Plan, and mitigation measures included in the General Plan EIR. These mitigation measures require site-specific geologic investigation of seismic and geotechnical hazards potential for new development projects within the city. The proposed project would not change or have any effect on these existing regulations or mitigation measures; no new impacts associated with ground shaking or liquefaction would occur.

As discussed in the *Safety Element* of the 2010 General Plan, development regulated by the 2010 is subject to California Building Code, Fire Code, Municipal Code and other accepted safety practices. The final version of the 2010 General Plan includes policies that address potential impacts by requiring site-specific studies for projects. Development regulated by the Development Code would be similar to that forecast in the 2010 General Plan FEIR; thus, impacts would also be similar and would be **less than significant**. In addition, the Development Code includes various standards that would further reduce the potential for geologic impacts.

e) In coordination with the 2030 General Plan, the Development Code would regulate development in areas where septic systems are used. However, any proposed new septic systems would be subject to applicable regulatory requirements, including percolation tests to ensure that such systems can be operated without significant environmental effects. In addition, 2010 General Plan directs the City to continue monitoring the operation of existing septic systems and extend sanitary sewer service into areas where service is lacking if the provision of sewer service is determined to be technically warranted, economically feasible, and environmentally beneficial. Impacts would be **less than significant**.

Issues			Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less-Than-Significant Impact	No Impact
8	**HAZARDS AND HAZARDOUS MATERIALS.** *Would the Project:*					
	a.	Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?	☐	☐	■	☐
	b.	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?	☐	☐	■	☐
	c.	Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?	☐	☐	■	☐
	d.	Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?	☐	☐	■	☐
	e.	For a Project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the Project result in a safety hazard for people residing or working in the Project area?	☐	☐	☐	■
	f.	For a Project within the vicinity of a private airstrip, would the Project result in a safety hazard for people residing or working in the Project area?	☐	☐	☐	■
	g.	Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?	☐	☐	■	☐
	h.	Expose people or structures to a significant risk of loss, injury or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands?	☐	☐	■	☐

a-d) Numerous Federal, State and local regulations regarding use, storage, transportation, handling, processing and disposal of hazardous materials and waste have been adopted since the passage of the Federal Resource Conservation and Recovery Act (RCRA) of 1976. The goal of RCRA is to assure adequate tracking of hazardous materials from generation to proper disposal. California Fire Code (CFC) Articles 79, 80 et al., which augment RCRA, are the primary regulatory guidelines

used by the City and the County of San Joaquin to govern the storage and use of hazardous materials. The CFC also serves as the principal enforcement document from which corresponding violations are written.

Senate Bill 1082 (1993) established the "Unified Hazardous Waste and Hazardous Materials Management Regulatory Program." The Unified Program consolidates, coordinates, and makes consistent the following hazardous materials and hazardous waste programs (Program Elements):

- Hazardous Waste Generation (including onsite treatment under Tiered Permitting)
- Aboveground Petroleum Storage Tanks (only the Spill Prevention Control and Countermeasure Plan or "SPCC")
- Underground Storage Tanks (USTs)
- Hazardous Material Release Response Plans and Inventories
- California Accidental Release Prevention Program (Cal ARP)
- Uniform Fire Code Hazardous Material Management Plans and Inventories

The Federal government and the State of California have adopted a series of regulatory requirements pertaining to lead exposure. A discussion of all lead-related regulations can be found on the Department of Health Services website (http://www.dhs.ca.gov/childlead/html/GENregs.html).

The following databases were checked for known hazardous materials contamination in the project area:

- Comprehensive Environmental Response, Compensation, and Liability Information System (CERCLIS) database
- Geotracker search for leaking underground fuel tanks, Spills-Leaks-Investigations- Cleanups (SLIC) and Landfill sites
- Cortese list of Hazardous Waste and Substances Sites
- The Department of Toxic Substances Control's Site Mitigation and Brownfields Database.

The abovementioned databases list a number of sites in and around the City. Potential hazard impacts could occur due to the presence of soil and/or groundwater contamination. However, as discussed in the 2010 General Plan EIR, numerous Federal, State, and local regulations regarding use, storage, transportation, and disposal of hazardous materials and waste are in place and the 2010 General Plan contains policies that aim to minimize adverse impacts to health and quality of life associated with exposure to hazardous materials. Continued compliance with existing regulatory requirements and General Plan policies would address contamination impacts on a case-by-case basis. As development regulated by the Development Code would be similar to that forecast in the 2010 General Plan FEIR, impacts would be **less than significant**.

e, f) The City limits are outside of the Part 77 Horizontal Surface zone of the Lodi Airpark and Kingdon Executive Airport. Part 77 Horizontal Surface zone consists of the airport's

primary, horizontal, conical, approach and transitional surfaces. Therefore, **no impact** is anticipated.

g, h) The City's newly adopted 2010 General Plan identifies both urban and wildland fire hazards exist in the Lodi Planning Area, creating the potential for injury, loss of life, and property damage. Urban fires primarily involve the uncontrolled burning of residential, commercial, and/or industrial structures due to human activities. Factors that exacerbate urban structural fires include substandard building construction, highly flammable materials, delayed response times, and inadequate fire protection services. The City of Lodi is not characterized by substantial areas of wildlands. The topography of the City is relatively homogenous and steep slopes that could contribute to wildland fires are not common. The City's General Plan indicates that less than one percent of the City and its immediate vicinity has "Moderate" fire hazard potential. Growth regulated by the Development Code would be consistent with that forecast in the 2010 General Plan FEIR. As such, impacts to emergency response would be similar as well. Site planning and project design standards contained in the Development Code would ensure that emergency response access is maintained for individual properties within the City. Impacts would be **less than significant**.

Issues		Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less-Than-Significant Impact	No Impact
9	**HYDROLOGY AND WATER QUALITY** *Would the Project:*				
a.	Violate any water quality standards or waste discharge requirements?	☐	☐	☐	■
b.	Substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level (i.e., the production rate of pre-existing nearby wells would drop to a level which would not support existing land uses or planned uses for which permits have been granted)?	☐	☐	☐	■
c.	Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, in a manner which would result in substantial erosion or siltation on- or off-site?	☐	☐	■	☐
d.	Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site?	☐	☐	■	☐
e.	Create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff?	☐	☐	■	☐
f.	Otherwise substantially degrade water quality?	☐	☐	■	☐
g.	Place housing within a 100-year flood hazard area, as mapped on a federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map?	☐	☐	■	☐
h.	Place within a 100-year floodplain structures which would impede or redirect flood flows?	☐	☐	■	☐
i.	Expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam?	☐	☐	■	☐
j.	Inundation by seiche, tsunami, or mudflow?	☐	☐	■	☐

a, b) Growth regulated by the Development Code would be consistent with the General Plan and with the forecasts contained in the 2010 General Plan FEIR. Any future development would be required to comply with applicable water quality standards and

waste discharge requirements. Therefore, any future development would not affect groundwater supplies or recharge. **No impact** would occur with respect to these issues.

c-f) Future development would incrementally alter drainage patterns within Lodi by adding impervious surfaces. However, Development Code does not propose alteration of any water course or specific modification to drainage patterns. As indicated in the General Plan Final Program EIR, all future development would be required to incorporate adequate drainage that would transport runoff to local basins and nearby storm channels. Additionally, the General Plan *Growth Management Element* and *Safety Element* policies and policy actions further protect community members from drainage and flooding harm. All future developments would be subject to the requirements of the City of Lodi's Stormwater and Urban Runoff Pollution Control Ordinance, which address provisions that apply to the discharge, deposit, or disposal of any stormwater and/or runoff to the storm drain system and/or receiving waters within any area covered by the National Pollutant Discharge Elimination System (NPDES) municipal stormwater permit. The FEIR concluded that implementation of these policies and regulations would reduce impacts to below a level of significance. Therefore, because development regulated by the Development Code would be consistent with that forecast in the FEIR, impacts associated with Development Code implementation would be **less than significant**.

g-i) In coordination with the 2030 General Plan, the proposed Development Code would regulate development within the 100-year flood zone. However, as discussed in the 2010 General Plan FEIR, 2010 General Plan requires developments to incorporate adequate mitigation measures to achieve an acceptable level of risk from potential flooding hazards. The FEIR concludes that this and other policies would reduce flood hazards to a less than significant level. Because development regulated by the Development Code would be consistent with forecasts contained in the 2010 General Plan FEIR, flooding impacts associated with Development Code implementation would also be **less than significant**.

j) Lodi is not subject to risks relating to seiche or tsunami. Lodi is located inland from the Pacific Ocean and as such, is not subject to tsunami hazards. The project limits are relatively flat and fully urbanized and therefore not susceptible to mudflows. The potential for exposure to such risks would be the same as that identified for the 2030 General Plan and, with implementation of 2010 General Plan policies and existing City regulations, would be reduced to a **less than significant** level.

Issues			Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less-Than-Significant Impact	No Impact
10	**LAND USE AND PLANNING.** *Would the Project:*					
	a.	Physically divide an established community?	☐	☐	☐	■
	b.	Conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the Project (including, but not limited to the general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating on environmental effect?	☐	☐	☐	■
	c.	Conflict with any applicable habitat conservation plan or natural community conservation plan?	☐	☐	☐	■

j) The proposed update to the Development Code is specifically intended to achieve consistency with the 2010 General Plan and other relevant plans. The Development Code would not facilitate any roads or other facilities that would divide an established community. No adopted habitat conservation plans or natural community conservation plans apply in Lodi. Allowing transitional/supportive housing by right within the Residential Multi- Family (RM) zone and emergency shelters within the Commercial Limited (CL) zone could have the potential to create land use conflicts relating to visual compatibility and noise; however, implementation of Development Code standards on such development would effectively address any potential conflicts as all projects would be required to comply with applicable development standards and noise restrictions. **No impact** relating to land use and planning would occur.

Issues		Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less-Than-Significant Impact	No Impact
11	**MINERAL RESOURCES** *Would the Project:*				
	a. Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the State?	☐	☐	☐	■
	b. Result in the loss of availability of a locally-important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan?	☐	☐	☐	■

a-b) The 2010 General Plan prohibits the extraction of mineral resources that could result in significant environmental impacts. Because development regulated by the Development Code would be consistent with that regulated by the 2010 General Plan and forecast in the 2010 General Plan FEIR, it would not entail construction of structures or facilities for the purposes of extraction or exploration of mineral resources. **No impact** to mineral resources would occur.

Issues		Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less-Than-Significant Impact	No Impact
12	**NOISE**				
	Would the Project result in:				
	a. Exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?	☐	☐	■	☐
	b. Exposure of persons to or generation of excessive groundborne vibration or groundborne noise levels?	☐	☐	■	☐
	c. A substantial permanent increase in ambient noise levels in the Project vicinity above levels existing without the Project?	☐	☐	■	☐
	d. A substantial temporary or periodic increase in ambient noise levels in the Project vicinity above levels existing without the Project?	☐	☐	■	☐
	e. For a Project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the Project expose people residing or working in the Project area to excessive noise levels?	☐	☐	☐	■
	f. For a Project within the vicinity of a private airstrip, would the Project expose people residing or working in the Project area to excessive noise levels?	☐	☐	☐	■

a-c) As discussed in Section 4.9 of the 2030 General Plan FEIR, all future developments could result in the exposure of future developments and residents to higher noise levels that could exceed the City's Noise Standards. The General Plan Program EIR concluded that with adherence to the City's Noise Ordinance, impacts would be reduced to a l**ess than significant** level. Future development pursuant to the proposed project would also be subject to mitigation measures detailed in the General Plan FEIR. The Development Code would not change any General Plan policies associated with reduction of noise impacts. Impact would be less than significant.

d) As discussed in the 2010 General Plan FEIR, construction activity throughout City could temporarily expose residents and businesses to temporary elevated noise levels. Similar impacts could occur as a result of Development Code implementation. However, the proposed Development Code specifies that no construction activities should take place before seven a.m. or after seven p.m. on any day. Through limitation of construction activity to times of day when people are less sensitive to noise, impacts would be reduced to a **less than significant** level.

e, f) There is no airport located within two (2) miles of the City limits. The closest airport to the City limits is the Lodi Airpark, located approximately four (4) miles southwest of

the Project site, and supports twenty to thirty (20-30) operations per day. The airport's noise "footprint" does not extend beyond the immediate airport boundary. Therefore, the City is not subject to excessive noise levels associated with airport operations. **No impact** would occur with respect to these issues.

Issues		Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less-Than-Significant Impact	No Impact
13	**POPULATION AND HOUSING** *Would the Project:*				
	a. Induce substantial population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (e.g., through extension of roads or other infrastructure)?	☐	☐	■	☐
	b. Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere?	☐	☐	■	☐
	c. Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere?	☐	☐	■	☐

a-c) Development regulated by the proposed Development Code would be consistent with that regulated by the 2010 General Plan. Consequently, anticipated population growth under the Development Code would be consistent with the forecasts contained in the 2010 General Plan FEIR. No exceedance of SCAG population forecasts for the City is anticipated. Impacts would be **less than significant**. The new zoning map is consistent with the adopted 2030 General Plan land use map. Therefore, though individual residences could be displaced over time, the Development Code would not facilitate displacement of substantial numbers of people or housing. Impacts would be **less than significant**.

Issues	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less-Than-Significant Impact	No Impact
14 PUBLIC SERVICES				
Would the Project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services:				
a. Fire protection?	☐	☐	■	☐
b. Police protection?	☐	☐	■	☐
c. Schools?	☐	☐	■	☐
d. Parks?	☐	☐	■	☐
e. Other public facilities?	☐	☐	■	☐

a-i) The Lodi Fire Department (LFD) provides fire protection, basic life support (BLS), fire prevention, technical rescue, and hazardous materials response services to the City of Lodi. Growth regulated by the proposed Development Code would be consistent with that regulated by the 2010 General Plan and forecast in the 2010 General Plan FEIR. Therefore, because it was determined that implementation of proposed 2010 General Plan policies would reduce potential impacts to below a level of significance, impacts associated with the Development Code would also be **less than significant**.

a-ii) The Lodi Police Department provides law enforcement and animal services to the City of Lodi. As discussed in the 2010 General Plan, forecast growth within Lodi would incrementally increase demand for police protection service. However, forecast growth would not create the need for new police protection facilities; therefore, significant impacts relating to police protection service are not anticipated. Because growth regulated by the proposed Development Code would be consistent with that regulated by the 2010 General Plan and forecast in the 2010 General Plan FEIR, impacts associated with the Development Code would also be **less than significant**.

a-iii) The Lodi Unified School District provides public education for grades preschool through twelve on a traditional calendar system. The proposed Development Code would facilitate similar levels of growth as were forecast in the 2030 General Plan FEIR, but would not create any new impact to schools beyond that noted in the FEIR. Section 65995(h) of the California Government Code (Senate Bill 50, chaptered August27, 1998) states that payment of statutory fees "...is deemed to be full and complete mitigation of the impacts of any legislative or adjudicative act, or both, involving, but not limited to, the planning, use, or development of real property, or any change in governmental organization or reorganization." Therefore, pursuant to CGC §65995(h) and as identified in the 2010 General Plan FEIR, impacts relating to school capacity would be **less than**

significant assuming that future developers within Lodi continue to pay State-mandated school impact fees.

a-iv) The City of Lodi operates a total of 27 parks, natural open space areas, and sports field. Park facilities in Lodi range from mini-parks and tot lots to larger regional parks and natural open space areas. Growth regulated by the proposed Development Code would create similar demand as that forecast for the 2010 General Plan, but would not create any impacts beyond those identified in the 2010 General Plan FEIR. Consequently, similar to the 2010 General Plan, impacts relating to parks and recreation would be **less than significant**.

a-v) As discussed above, growth regulated by the proposed Development Code is consistent with that forecast for the 2010 General Plan FEIR, significant impacts relating to libraries are not anticipated. Impacts relating to other services would be **less than significant**.

	Issues	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less-Than-Significant Impact	No Impact
15	**RECREATION**				
	a. Would the Project increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?	☐	☐	■	☐
	b. Does the Project include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment?	☐	☐	■	☐

a-b) Please see the discussion above under Item XIII. a.iv. Impacts relating to recreation would be **less than significant**. Growth regulated by the proposed Development Code would create similar demand as that forecast for the 2010 General Plan, but would not create any impacts beyond those identified in the 2010 General Plan FEIR. Consequently, similar to the 2010 General Plan, impacts relating to parks and recreation would be **less than significant**.

Issues		Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less-Than-Significant Impact	No Impact
16	**TRANSPORTATION / TRAFFIC** *Would the Project:*				
a.	Cause an increase in traffic which is substantial in relation to the existing traffic load and capacity of the street system (i.e., result in a substantial increase in either the number of vehicle trips, the volume to capacity ratio on roads, or congestion at intersections)?	☐	☐	■	☐
b.	Exceed, either individually or cumulatively, a level of service standard established by the county congestion management agency for designated roads or highways?	☐	☐	■	☐
c.	Result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks?	☐	☐	☐	■
d.	Substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?	☐	☐	■	☐
e.	Result in inadequate emergency access?	☐	☐	☐	■
f.	Result in inadequate parking capacity?	☐	☐	☐	■
g.	Conflict with adopted policies, plans, or programs supporting alternative transportation (e.g., bus turnouts, bicycle racks)?	☐	☐	☐	■

a-b) As discussed in Section 3.2.13 of the 2010 General Plan FEIR, traffic growth regulated by the 2010 General Plan could not result in deficiencies to the local circulation system based on General Plan level of service standards. Growth regulated by the proposed Development Code would be similar to, but would not exceed, that regulated by the 2010 General Plan. Therefore, although Development Code implementation could create significant impacts as described above, it would not create any impacts beyond those identified in the 2030 General Plan FEIR. Therefore, impacts would be **less than significant.**

c) Implementation of the proposed Development Code would have no effect on air traffic patterns. **No impact** would occur.

d, e) Article III of the proposed Development Code includes specific site planning and project design standards intended to address such issues as traffic hazards and emergency access. As such, impacts relating to traffic hazards and emergency access would be **less than significant**.

f) Article III of the proposed Development Code includes specific parking standards for the range of land uses that could be regulated by the Code. Implementation of these standards as individual projects are proposed would address parking demand and reduce impacts to a **less than significant** level.

f) The purpose of the Development Code is to implement the policies of the 2010 General Plan, including Circulation Element policies relating to alternative transportation. As such, the Development Code would not conflict with such policies and **no impact** would occur.

Issues		Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less-Than-Significant Impact	No Impact
17	**UTILITIES AND SERVICE SYSTEMS**				
	Would the Project:				
	a. Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board?	☐	☐	■	☐
	b. Require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?	☐	☐	■	☐
	c. Require or result in the construction of new storm water drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?	☐	☐	■	☐
	d. Have sufficient water supplies available to serve the Project from existing entitlements and resources, or are new or expanded entitlements needed?	☐	☐	■	☐
	e. Result in a determination by the wastewater treatment provider which serves or may serve the Project that it has adequate capacity to serve the Project's Projected demand in addition to the provider's existing commitments?	☐	☐	■	☐
	f. Be served by a landfill with sufficient permitted capacity to accommodate the Project's solid waste disposal needs?	☐	☐	■	☐
	g. Comply with federal, state, and local statutes, and regulations related to solid waste?	☐	☐	■	☐

a, b e) The City owns and operates the wastewater collection system within its corporate limits. The collection system includes separate domestic and industrial sewers and related pumping facilities. Untreated wastewater is piped to the City's treatment plant through pipes, utilizing both gravity flow and lift stations, where appropriate. The City also owns the treatment facilities at the White Slough Water Pollution Control Facility (WSWPCF) located approximately 6 miles southwest of the City. The City has adopted and maintains a *Wastewater Master Plan* to estimate future infrastructure and service demands within Lodi. Because growth regulated by the Development Code is consistent with that regulated by the 2010 General Plan, sufficient plant capacity would continue to be available and impacts relating to wastewater service would be **less than significant**.

c) The proposed project does not involve any development activity. The project implements General Plan policies and programs. The project would not facilitate any substantial new development activity beyond that analyzed in the General Plan FEIR. The General Plan Program EIR included a mitigation measure which requires all new development to undertake a site-specific sewer evaluation prior to issuance of grading permits or otherwise determined as necessary by the City. Because growth regulated by the Development Code is consistent with that regulated by the 2010 General Plan,

sufficient plant capacity would continue to be available and impacts relating to wastewater service would be **less than significant**.

d) City of Lodi Water supplies and distributes potable water. According to the City's Urban Water Management Plan (UWMP), the City currently has a net surplus in water supply given the City's current water entitlements and current water demand. In addition, year 2010 Projections show the City with a net surplus in water supply. The UWMP analyzed future growth within the City based on land use assumptions depicted in the City's General Plan. The proposed Project consists of activation of a well and would contribute to the City's water supply. The proposed project does not involve any development activity. The project implements General Plan policies and programs at a development level that does not exceed that which was analyzed in the General Plan EIR. Review of future projects will continue to be carried out to ensure that the projects are consistent with all General Plan Policies and Policy Actions. Impacts on water supplies or water supply infrastructure would be **less than significant.**

f, g) As indicated in the General Plan EIR, The increased solid waste due to implementation of the General Plan could be accommodated within the existing landfill capacity. Adoption of the proposed Master Plans will not facilitate any substantial new development activity beyond that analyzed in the General Plan EIR, and thus will not lead to any significant solid waste production beyond that previously indicated. Furthermore, compliance with the City's Source Reduction and Recycling Element (SRRE) program, whereby all future development projects must divert solid waste to meet state diversion goals associated with AB 939, as well as State and County waste reduction programs and policies, would reduce the volume of solid waste entering landfills. Review of future projects will continue be carried out to ensure that the projects are consistent with all General Plan Policies and Policy Actions and the SRRE program. Adherence to such requirements would reduce potential impacts associated with solid waste to a less than significant impact level. Growth regulated by the proposed Development Code would be consistent with that regulated by the 2030 General Plan and forecast in the 2010 General Plan FEIR. Therefore, the Development Code would not create any impacts beyond those identified in the 2010 General Plan FEIR and impacts would be **less than significant**.

Issues	Potentiall	Less Than	Less-	No

		y Significant Impact	Significant With Mitigation Incorporated	Than-Significant Impact	Impact
18	**MANDATORY FINDINGS OF SIGNIFICANCE**				
	a. Does the Project have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?	☐	☐	■	☐
	b. 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)?	☐	☐	■	☐
	c. Does the Project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?	☐	☐	■	☐

a) As discussed in Section IV, *Biological Resources* and Section V, *Cultural Resources*, the proposed Development Code does not have the potential to substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory. Impacts would be **less than significant**.

b) The proposed Development Code considers cumulative growth within Lodi and, as discussed throughout this Initial Study, significant cumulative impacts associated with developed regulated by the Development Code are not anticipated. Consequently, no cumulatively considerable impacts would occur and impacts would be **less than significant**.

c) As discussed in Section III, *Air Quality*; Section VI, *Geology and Soils*; Section VII, *Hazards and Hazardous Materials*; Section VIII, *Hydrology and Water Quality*; Section XI, *Noise*; and Section XV, *Transportation and Traffic*, the proposed Development Code would not create environmental effects that would adversely affect human beings. Impacts would be **less than significant**.

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