

<p>CARNEGIE FORUM 305 WEST PINE STREET LODI, CALIFORNIA</p>	<p>AGENDA LODI PLANNING COMMISSION</p>	<p>REGULAR SESSION WEDNESDAY, DECEMBER 9, 2009 @ 7:00 PM</p>
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For information regarding this agenda please contact:

Kari Chadwick @ (209) 333-6711
Community Development Secretary

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1. ROLL CALL
2. MINUTES – “October 14, 2009” & “October 28, 2009”
3. PUBLIC HEARINGS
 - a. Request for a Tentative Parcel Map to divide one parcel in to two lots at 502 East Oak Street and request for a Variance to reduce required front yard setback from 20-feet to 10-feet for proposed single family dwelling at 504 East Oak Street. (Applicant: Baumbach and Piazza, Inc. on behalf of Service First of Northern California, Inc. File # 09-P-02).
 - b. Review and comment on the comprehensive Draft Environmental Impact Report & Draft General Plan.

NOTE: The above item is a quasi-judicial hearing and requires disclosure of ex parte communications as set forth in Resolution No. 2006-31

4. PLANNING MATTERS/FOLLOW-UP ITEMS
5. ANNOUNCEMENTS AND CORRESPONDENCE
6. ACTIONS OF THE CITY COUNCIL
 - a. City Council Summary Report
7. GENERAL PLAN UPDATE/DEVELOPMENT CODE UPDATE
8. ACTIONS OF THE SITE PLAN AND ARCHITECTURAL REVIEW COMMITTEE
9. ART IN PUBLIC PLACES
10. COMMENTS BY THE PUBLIC
11. COMMENTS BY THE PLANNING COMMISSIONERS & STAFF
12. ADJOURNMENT

Pursuant to Section 54954.2(a) of the Government Code of the State of California, this agenda was posted at least 72 hours in advance of the scheduled meeting at a public place freely accessible to the public 24 hours a day.

****NOTICE:** Pursuant to Government Code §54954.3(a), public comments may be directed to the legislative body concerning any item contained on the agenda for this meeting before (in the case of a Closed Session item) or during consideration of the item.

Right of Appeal:

If you disagree with the decision of the commission, you have a right of appeal. Only persons who participated in the review process by submitting written or oral testimony, or by attending the public hearing, may appeal.

Pursuant to Lodi Municipal Code Section 17.72.110, actions of the Planning Commission may be appealed to the City Council by filing, within ten (10) business days, a written appeal with the City Clerk and payment of \$300.00 appeal fee. The appeal shall be processed in accordance with Chapter 17.88, Appeals, of the Lodi Municipal Code. Contact: City Clerk, City Hall 2nd Floor, 221 West Pine Street, Lodi, California 95240 – Phone: (209) 333-6702.

**LODI PLANNING COMMISSION
REGULAR COMMISSION MEETING
CARNEGIE FORUM, 305 WEST PINE STREET
WEDNESDAY, OCTOBER 14, 2009**

1. CALL TO ORDER / ROLL CALL

The Regular Planning Commission meeting of October 14, 2009, was called to order by Chair Cummins at 7:00 p.m.

Present: Planning Commissioners – Hennecke, Kirsten, Kiser, Mattheis, Olson, and Chair Cummins

Absent: Planning Commissioners – Heinitz

Also Present: Community Development Director Konradt Bartlam, Deputy City Attorney Janice Magdich, Assistant Planner Immanuel Bereket, and Administrative Secretary Kari Chadwick

2. MINUTES

“September 23, 2009”

MOTION / VOTE:

The Planning Commission, on motion of Commissioner Kirsten, Olson second, approved the Minutes of September 23, 2009 with the added verbiage stated as follows by Commissioner Mattheis:

On page four in the sixth paragraph add “...well intentioned and the rush to legislate is.....” to the sentence beginning; “He believes it is”.

3. PUBLIC HEARINGS

- a) Notice thereof having been published according to law, an affidavit of which publication is on file in the Community Development Department, Chair Cummins called for the public hearing to consider the request for a Use Permit to allow a Type 2 (Winery) Alcoholic Beverage Control License at 139 South Guild Avenue, Suite 102. (Applicant: Arthur and Mary Koth; File Number: 09-U-10).

Assistant Planner Bereket gave a brief PowerPoint presentation based on the staff report. Staff recommends approval of the project.

Commissioner Mattheis asked about the parking while the assembly type occupancy is being utilized. Planner Bereket stated that the entire parking lot is a shared space, so all of the spaces will be available for use for the wine tasting.

Commissioner Kirsten asked where in the county the business is currently being operated. Planner Bereket stated that that would be a better question for the applicant.

Hearing Opened to the Public

- Arthur Koth, applicant, came forward to answer questions.
- Commissioner Kirsten asked where the business is currently operating. Mr. Koth stated that the production portion of the operation is currently located at the home vineyard on Schmiedt Road and some production and storage is located on Gawne Road which is south east of Stockton.

- Commissioner Olson asked if the operation had a tasting room anywhere else. Mr. Koth stated that they do not. Olson asked what makes this site the right place for the operation. Mr. Koth stated that there are other wineries in the area and the thought is to move the entire operation to this location if the wine tasting room succeeds.

Public Portion of Hearing Closed

MOTION / VOTE:

The Planning Commission, on motion of Commissioner Kiser, Hennecke second, approved the request of the Planning Commission for a Use Permit to allow a Type 2 (Winery) Alcoholic Beverage Control License at 139 South Guild Avenue, Suite 102 subject to the conditions in the resolution. The motion carried by the following vote:

Ayes: Commissioners – Hennecke, Kirsten, Kiser, Olson, Mattheis, and Chair Cummins

Noes: Commissioners – None

Absent: Commissioners – Heinitz

- b) Notice thereof having been published according to law, an affidavit of which publication is on file in the Community Development Department, Chair Cummins called for the public hearing to consider the request for approval of a Use Permit to allow a Type 2 (Winery) Alcoholic Beverage Control License at 1205 East Vine Street. (Applicant: Hello Wine. File Number: 09-U-11).

Assistant Planner Bereket gave a brief PowerPoint presentation based on the staff report.

Hearing Opened to the Public

- John Caraccjolo, applicant, came forward to answer questions.
- Commissioner Kirsten asked if the winery was here before. Mr. Caraccjolo stated that the winery was at Vino Piazza in Lockeford at one time.

Public Portion of Hearing Closed

MOTION / VOTE:

The Planning Commission, on motion of Commissioner Kiser, Olson second, approved the request of the Planning Commission for a Use Permit to allow a Type 2 (Winery) Alcoholic Beverage Control License at 1205 East Vine Street subject to the conditions in the resolution. The motion carried by the following vote:

Ayes: Commissioners – Hennecke, Kirsten, Kiser, Olson, Mattheis, Chair Cummins

Noes: Commissioners – None

Absent: Commissioners – Heinitz

- c) Notice thereof having been published according to law, an affidavit of which publication is on file in the Community Development Department, Chair Cummins called for the public hearing to consider the review and comment on the comprehensive Draft General Plan.

Director Bartlam gave a brief presentation based on the memo and attachments that are a part of the packet.

Commissioner Kirsten stated he did some research on Green Building Standards and the City of Nashville is considering some alternatives to the LEED standards because of significant back log and cost associated with the certification process there. Kirsten stated that after his research he agrees with the direction staff is going.

Chair Cummins asked Commissioner Mattheis if his company has had any dealings with the LEED certification process. Commissioner Mattheis stated that yes they have done a couple of LEED certification projects and is in favor of the direction that Mr. Bartlam is going with the policies.

Commission Kiser would like more clarification on the street widths. He went out and measured Elgin Avenue and it is 20 feet in width at the corner where there is a bump out. Mr. Bartlam stated that at the bumped out corner on Elgin there isn't any intension to allow parking and is meant to slow traffic down in that area.

Commissioner Mattheis asked if the cross section 1 of Standard Plan 101 was going to be eliminated altogether. Mr. Bartlam stated that it would not be eliminated because of the fact that they already exist and are needed for repair purposes.

Vice Chair Hennecke asked for clarification on the standards. He does not feel that it is safe as currently written.

Commissioner Mattheis believes that the standard is providing a purpose of slowing down traffic in non-collector type streets and feels that it works.

Director Bartlam stated that based on the concerns still being expressed he would like to bring back examples of the different types of streets and why they are set up differently for different uses.

Commissioner Kiser stated that he uses Elgin on a regular basis for business and it is difficult for two vehicles to pass one another without one of them giving way to the other. Mr. Bartlam stated that the standard is working then. The standard is meant to deter through traffic from using Elgin in place of Kettleman Lane.

Commissioner Olson stated that she understands what the standards are intending to accomplish, but feels that the idea has created more of a nuisance.

Vice Chair Hennecke would like to see what staff brings back showing the different types of streets and the reasoning behind why they are used in some places and not others.

Chair Cummins stated his agreement with Commissioner Mattheis.

Commissioner Mattheis commended staff for a job well done with the Draft General Plan.

Hearing Opened to the Public

- Jane Wagner Tyack, Lodi resident, came forward to comment on the Draft General Plan. She commends staff for a job well done. Ms. Wagner is still concerned with the water conservation portion and would like to have more solid language placed in the policy. Mr. Bartlam stated that the verbiage needs to be vague because not all projects are created equal. There are policies pertaining to the re-harvesting of grey and rain water. The City Council has approved the contract to get the water meters in place in an accelerated time line which should be a deterrent for wasting water.
- Commissioner Mattheis went over some of his comments and concerns that he expressed regarding the water conservation issues from the last meeting. He also added that the supply and demand in relation to growth will be addressed in the EIR, which is the backup document to the policies. Mr. Bartlam stated that in the alternatives document that was released and then approved in early 2009 there is a good explanation of the impacts for each of the different growth options.

- Commissioner Hennecke asked if the Commercial and industrial areas are metered or billed a flat rate. Mr. Bartlam stated that they are metered.
- Bruce Fry, Acampo resident, came forward to express his concerns over the PRR designation being taken out of the new plan for the area south of Harney Lane. This is a very important issue for the property owners in that area. It is currently proposed to be a part of the Cluster Zoning and since the City Council has backed away from funding the EIR for that plan the residences would like to see it put back as PRR.
- Vice Chair Hennecke asked if there is a 100% buy in for the PRR designation by all of the property owners from that area. Mr. Fry stated that he can not state that 100% are on board but there is a majority of the property owners that would like to see the designation put back in to the General Plan.

Public Portion of Hearing Closed

- Commissioner Kirsten asked for a brief summary regarding the area Mr. Fry was referring to. Mr. Bartlam with the assistance of the current General Plan Map on the wall pointed out the PRR designation area and the proposed map on the PowerPoint screen pointed out the Armstrong Road Study Area. He stated that the City Council has backed off of the EIR for that Armstrong study area based on the hurdles that have been put in front of them by the County. The EIR will show a couple of different alternatives for that area.
- Director Bartlam stated that he has been taking the policies to other commissions and committees within Lodi. The Parks and Recreation Commission would like to have an additional policy within that element to deal with the financing of existing parks. The new language will be brought back with a later packet.
- Chair Cummins asked about the target date for the EIR. Mr. Bartlam stated that some time mid-November.

4. PLANNING MATTERS/FOLLOW-UP ITEMS

None

5. ANNOUNCEMENTS AND CORRESPONDENCE

Director Bartlam stated that the Downtown Summit is this Friday at 7 am at Hutchins Street Square, Kirst Hall.

6. ACTIONS OF THE CITY COUNCIL

None

7. GENERAL PLAN UPDATE/DEVELOPMENT CODE UPDATE

Director Bartlam stated that the desire is to bring the skeleton form of the Development Code designations and map for the Mixed Use Corridors and the Downtown Mixed Use area to the action meeting for the General Plan, so that they can be implemented along with the General Plan approval.

8. ACTIONS OF THE SITE PLAN AND ARCHITECTURAL REVIEW COMMITTEE

None

9. ART IN PUBLIC PLACES

Commissioner Kirsten stated that there will be a dedication and unveiling of the sculpture on School Street this Friday in the evening. He also went over a few other items that were discussed at the meeting.

10. COMMENTS BY THE PUBLIC

None

11. COMMENTS BY STAFF AND COMMISSIONERS

None

12. ADJOURNMENT

There being no further business to come before the Planning Commission, the meeting was adjourned at 8:13 p.m.

ATTEST:

Konradt Bartlam
Planning Commission Secretary

**LODI PLANNING COMMISSION
REGULAR COMMISSION MEETING
CARNEGIE FORUM, 305 WEST PINE STREET
WEDNESDAY, OCTOBER 28, 2009**

DRAFT

1. CALL TO ORDER / ROLL CALL

The Regular Planning Commission meeting of October 28, 2009, was called to order by Chair Cummins at 7:00 p.m.

Present: Planning Commissioners – Heinitz, Kirsten, Kiser, Mattheis, Olson, and Chair Cummins

Absent: Planning Commissioners – Hennecke

Also Present: Community Development Director Konradt Bartlam, Deputy City Attorney Janice Magdich, Assistant Planner Immanuel Bereket, and Administrative Secretary Kari Chadwick

2. MINUTES

None

3. PUBLIC HEARINGS

- a) Notice thereof having been published according to law, an affidavit of which publication is on file in the Community Development Department, Chair Cummins called for the public hearing to consider the request for a Use Permit to allow modular office and outdoor recreational vehicle storage area in conjunction with used car lot at 222 East Kettleman Lane. (Applicant, Todd Kulberg: File # 09-U-12).

Assistant Planner Bereket gave a brief PowerPoint presentation based on the staff report. Staff recommends approval of the project as presented.

Commissioner Heinitz asked staff to show on the PowerPoint slide where the property line falls. Assistant Planner Bereket with the use of a laser pointer showed the Commission where the property lines are located.

Commissioner Kirsten asked if the Use Permit expires in two years. Mr. Bartlam stated that only the Use Permit for the office falls under the two year time period. The applicant would have a couple of different options at that point; either remove the temporary office and replacing it with something permanent, or requesting an extension. Kirsten asked if it is required for there to be an onsite office. Mr. Bartlam stated that would be better answered by the applicant. Kirsten stated that in the presentation Mr. Bereket stated that the applicant was required to have an onsite office, is that correct. Mr. Bartlam stated that the DMV has a requirement for an office for the used car sales area.

Hearing Opened to the Public

- Todd Kulberg, applicant, came forward to answer questions. Mr. Kulberg stated that he sees the need for this type of business in the City of Lodi.
- Commissioner Olson asked about security. Mr. Kulberg stated that there is a service that will operate the cameras that will be positioned to watch the entire area. There is also razor wire that will be placed along the perimeter fencing. Olson asked if there were any provision for someone staying over night. Mr. Kulberg stated that there will be no one there over night. He added that the gates will be locked and the business closed at 6 p.m. Olson asked if there was going to be any provisions for dumping, cleaning, or repairing of any of the vehicles. Mr. Kulberg stated absolutely not.

- Commissioner Heinitz asked if the gates that are locked up at night were automatic. Mr. Kulberg stated that they will not be automatic. Access will only be granted to customers during business hours.
- Commissioner Kiser asked about the type of fencing that will be used to separate the two types of storage areas. Mr. Kulberg stated that the fencing will be chainlink.

Public Portion of Hearing Closed

MOTION / VOTE:

The Planning Commission, on motion of Commissioner Heinitz, Kirsten second, approved the request of the Planning Commission for a Use Permit to allow modular office and outdoor recreational vehicle storage area in conjunction with used car lot at 222 East Kettleman Lane subject to the conditions in the resolution. The motion carried by the following vote:

Ayes: Commissioners – Heinitz, Kirsten, Kiser, Olson, Mattheis, and Chair Cummins
 Noes: Commissioners – None
 Absent: Commissioners – Hennecke

- b) Notice thereof having been published according to law, an affidavit of which publication is on file in the Community Development Department, Chair Cummins called for the public hearing to consider the request for approval of a Use Permit to allow a Type-47 On-Sale General (Eating Place) Alcoholic Beverage Control License at 317 East Kettleman Lane. (Applicant: James P. Murdaca, on behalf of Pietro’s Pizza Parlors, Inc. File Number: 09-U-13).

Assistant Planner Bereket gave a brief PowerPoint presentation based on the staff report. Staff recommends approval of the project.

Hearing Opened to the Public

- Annette Murdaca, applicant, came forward to answer questions.
- Commissioner Olson asked about the type of restaurant the Murdaca Family ran at this location. Mrs. Murdaca stated that the restaurant is a family run, family friendly restaurant.

Public Portion of Hearing Closed

MOTION / VOTE:

The Planning Commission, on motion of Commissioner Kiser, Olson second, approved the request of the Planning Commission for a Use Permit to allow a Type-47 On-Sale General (Eating Place) Alcoholic Beverage Control License at 317 East Kettleman Lane subject to the conditions in the resolution. The motion carried by the following vote:

Ayes: Commissioners – Heinitz, Kirsten, Kiser, Olson, Mattheis, and Chair Cummins
 Noes: Commissioners – None
 Absent: Commissioners – Hennecke

- c) Notice thereof having been published according to law, an affidavit of which publication is on file in the Community Development Department, Chair Cummins called for the public hearing to consider the request for certification of the proposed Mitigated Negative Declaration 08-ND-01 as adequate environmental documentation for City Well No. 28 located at 2800 West Kettleman Lane. (Applicant, City of Lodi: File # 09-MND-02).

Assistant Planner Bereket gave a brief PowerPoint presentation based on the staff report. Staff recommends approval of the project.

Commissioner Mattheis asked where the property that is indicated in the blue sheet letter of concern from Mr. Hedrick is in relation to the Well. Mr. Bartlam showed the Commission where Mr. Hedrick's property is in relation to the Well location with the help of the over-head. Lyman Chang, Senior Civil Engineer with the City of Lodi Public Works Department, came forward to answer questions. Mr. Bartlam added that the Well is 500' deep and the Hendrick's wells are at 100' & 150' and will not be effected by the City's Well.

Commissioner Olson asked who prepared the environmental document. Mr. Bartlam stated that City Staff prepared the document. Olson asked if this was typical. Bartlam stated that it depends on the project. A water well is one that would typically be done by staff. Olson stated that the Negative Declaration seemed a little boiler plate and just wondered if it was a standard format for this type of project. Bartlam stated that this is not a complex development project by definition. The only real environmental issue with the project is it's requirement to participate in the County Habitat Conservation Program.

Commissioner Kirsten asked if it is common for there to be compensation for Impacts. Mr. Bartlam stated that there has not been any compensation necessary in the past.

Hearing Opened to the Public

- None

Public Portion of Hearing Closed

MOTION / VOTE:

The Planning Commission, on motion of Commissioner Mattheis, Heinitz second, approved the request of the Planning Commission for certification of the proposed Mitigated Negative Declaration 08-ND-01 as adequate environmental documentation for City Well No. 28 located at 2800 West Kettleman Lane subject to the conditions in the resolution. The motion carried by the following vote:

Ayes: Commissioners – Heinitz, Kirsten, Kiser, Olson, Mattheis, and Chair Cummins
Noes: Commissioners – None
Absent: Commissioners – Hennecke

- d) Notice thereof having been published according to law, an affidavit of which publication is on file in the Community Development Department, Chair Cummins called for the public hearing to consider the review and comment on the comprehensive Draft General Plan.

Director Bartlam gave a brief presentation before opening the item up for discussion.

Hearing Opened to the Public

- Ann Cerney, Lodi resident and representative for Citizens for Open Government, came forward to comment on the Draft General Plan. Ms. Cerney would like to see more affordable housing placed into the plan. The integrated neighborhoods have always been a part of the growth in the San Joaquin County. It is important to have a variety of housing in every neighborhood. The building of affordable housing is very important to this community. Ms. Cerney would like to see the homeless community considered in any future plans.
- Mr. Bartlam stated that the Housing Element is being worked on in conjunction with this General Plan. Staff would like to get the Housing Element reviewed by the State prior to the document being brought before the Planning Commission.

- Commissioner Kirsten stated his appreciation of Ms. Cerney's comments and hopes she will keep coming back.

Public Portion of Hearing Closed

4. PLANNING MATTERS/FOLLOW-UP ITEMS

None

5. ANNOUNCEMENTS AND CORRESPONDENCE

None

6. ACTIONS OF THE CITY COUNCIL

None

7. GENERAL PLAN UPDATE/DEVELOPMENT CODE UPDATE

Mr. Bartlam stated that Staff is working on the backbone form of the new Zoning Code, so that the new designations in the General Plan can be implemented along with the General Plan.

8. ACTIONS OF THE SITE PLAN AND ARCHITECTURAL REVIEW COMMITTEE

None

9. ART IN PUBLIC PLACES

Commissioner Kirsten stated that the Jarret Maze project on the corner of Washington Street and Lodi Avenue will be unveiled on November 7th.

10. COMMENTS BY THE PUBLIC

None

11. COMMENTS BY STAFF AND COMMISSIONERS

None

12. ADJOURNMENT

There being no further business to come before the Planning Commission, the meeting was adjourned at 7:45 p.m.

ATTEST:

Konradt Bartlam
Planning Commission Secretary

*504 E. Oak St. Tentative Parcel Map to Divide One Parcel into Two
and for a Variance to Reduce Front Yard Setback from 20' to 10'*

Item 3a.

**LODI
PLANNING COMMISSION
Staff Report**

MEETING DATE: December 9, 2009

APPLICATION NO: Tentative Parcel Map 09-P-02

REQUEST: Request for a Tentative Parcel Map to divide one parcel in to two lots at 502 East Oak Street and request for a Variance to reduce required front yard setback from 20-feet to 10-feet for proposed single family dwelling at 504 East Oak Street. (Applicant: Baumbach and Piazza, Inc. on behalf of Service First of Northern California, Inc. File # 09-P-02).

LOCATION: 502 East Oak Street, Lodi CA. (APN: 043-140-02)

APPLICANT: Baumbach and Piazza, Inc., 323 W. Elm Street, Lodi CA, on behalf of Service First of Northern California, Inc., 102 West Bianchi Road, Stockton, CA 95207.

PROPERTY OWNER: Service First of Northern California, Inc.
102 West Bianchi Road
Stockton, CA 95207

RECOMMENDATION

Staff recommends the Planning Commission approve the request of Baumbach and Piazza, Inc., on behalf of Service First of Northern California, Inc., for a Tentative Parcel Map to subdivide one parcel to two lots, subject to the conditions in the attached resolution.

PROJECT/AREA DESCRIPTION

General Plan Designation: ER, Eastside Residential (Single Family).

Zoning Designation: RE-1, Single Family Residence, Eastside.

Property Size: Approximately 8,025 sq. ft.

The adjacent zoning and land use are as follows:

North: RE-1, Single Family Residence, Eastside.

South: RE-1, Single Family Residence, Eastside.

West: RE-1, Single Family Residence, Eastside.

East: RE-1, Single Family Residence, Eastside.

SUMMARY

The project is a request for a Tentative Map to allow the subdivision of a parcel, located at 502 East Oak Street, to two parcels. There is an existing dilapidated residential structure that contains 3 residential units on the parcel. The applicant proposes to acquire the vacant foreclosed property through the Neighborhood Stabilization Program (NSP) to provide affordable housing. The project further entails the demolition of existing structures on the site, a lot split to create two parcels, and

construction of a new single-family dwelling on each parcel, that will be sold to qualified low-income homebuyers. Access to the site is available from Oak Street and an alley.

BACKGROUND

The 8,025 sq. ft. project site consists of a single family residence that has been converted into a triplex over the years located near the corner of South Garfield Street and East Oak Street. The project site has two addresses 502 and 504 East Oak Street. The project site is zoned RE-1, Single Family Residence with a General Plan designation of ER, Eastside Residential (Single Family). The surrounding land uses include single family homes with few multi-families homes scattered throughout. The primary difference between R-2 and RE-1 Single Family districts is lot sizes and widths. R-2 requires a minimum lot size of 5,000 square feet and street width of 50 ft. whereas RE-1 requires a minimum lot size of 4,000 sq. ft and minimum street width of 40 ft.

Available City records indicate the property was developed with a single family residence in the late 1940s but has since been converted into a triplex over the years. The triplex residential building has been a subject of numerous building and city code violations. The City of Lodi issued a Notice of Substandard Conditions and Abatement Action in December 15, 2005 and was recorded in the Official Records County of San Joaquin Assessor's office on December 27, 2005. The designation of a dangerous building by the City was due to the construction of a structure that does not meet code, and is structurally unsound. The failure of the property owner to make the structure compliant with applicable codes in a timely manner created a condition that constituted a public nuisance. The building has been vacant since 2007 and periodically occupied by transients. The most recent violation was issued in January of this year for illegal placement and occupation of a camp car on the property.

The project proponent has acquired the project property through the Neighborhood Stabilization Program offered by the Department of Housing and Urban Development (HUD)'s new Neighborhood Stabilization Program. The Neighborhood Stabilization Program (NSP) provides grants to every state and certain local communities to purchase foreclosed or abandoned homes and to rehabilitate, resell, or redevelop these homes in order to stabilize neighborhoods and stem the decline of house values of neighboring homes. NSP Regulations specify that the new or refurbished homes must be sold to qualified low- to moderate-income families. Under NSP guidelines, income levels from \$50,900 - \$76,320 would qualify.

The project proponent is also in the process of acquiring the adjacent parcels located at 500 E. Oak Street and 110 South Garfield Street. The project proponent will be acquiring these two vacant residential parcels with HOME Program funding provided by the City of Lodi to create affordable housing. The two new single-family dwelling units proposed for these parcels will be built with assistance of HOME Program funding and will be sold to qualified low-income homebuyers, with income levels at or below 80% of area median income (AMI). Households with income \$50,900 or less would qualify. The median income for San Joaquin County is \$63,600.

The request for the Planning Commission is parcel map to divide lot in to two parcels to allow single family affordable housing and does not include adjacent parcels that will be developed as affordable housing. The request also includes approval of a Variance to reduce front yard setback for one of the proposed parcels. The project proponent is Service First of Northern California, Inc. Service First of Northern California Inc. is a non-profit organization who specializes in developing affordable housing projects. They are located in Stockton, CA.

ANALYSIS

Tentative Parcel Map

As proposed, the project proponent's Tentative Parcel Map subdivides an existing 8,025 sq. ft. parcel into two parcels (Attachment 3). The project parcel has sufficient size to meet the minimum square footage requirement of 4,000 square feet for each of the two proposed parcels. Parcel 1 will measure 4,013 sq. ft. in area. It abuts Oak Street and meets the minimum 40' street width requirement. Parcel 2 measures 4,012 sq. ft. in area and is accessible from an alley. All existing structures will be demolished to accommodate the proposed project.

The Tentative Parcel Map has been sent to various City departments for comment and review and their conditions have been made a part of the attached resolution. The Public Works Department has indicated that the existing parcel is served by one 4-inch water main and 6-inch wastewater service main in the alley. In the event the parcel is split into lots, it can be readily be served by water and wastewater services. The Electrical Utility Department has also indicated that the parcel split can be served. The Electrical Utility Department has recommended approval and their recommendation is included in the attached resolution. The Building Division has also reviewed and approved the proposal subject to the attached resolution.

Once the Tentative Parcel Map has been approved and recorded, the project proponent intends to building two single family residences. Pursuant to Neighborhood Stabilization Program guidelines, the houses will be sold to qualified low- to moderate-income families, with household incomes at or below 80% - 120% of the area median income (AMI) level. AMI is a midpoint family income from a metropolitan area or a non-metropolitan county, calculated each year by the U.S. Department of Housing and Urban Development (HUD) for use in determining eligibility for housing programs. Adjustments are made for family size and areas with usually high or low income-to-housing-cost relationships. HUD estimates the median family income for an area in the current year and adjusts that amount for different family sizes so that family incomes may be expressed as a percentage of the area median income, as illustrated below.

INCOME LIMITS FOR LOW AND MODERATE INCOME HOUSEHOLDS		
Income Group	Income Range	Annual Household Income Range*
Very Low	50% or less of median	\$31,800 or less
Low	50-80% of median	\$31,801 or \$50,880
Moderate	80-120% of median	\$50,881 or \$76,320
San Joaquin County Area Median Income (AMI) \$63,600		
* Based on a four person household; limit varies with household size.		
Source: US Department of Housing and Urban Development FY 2009		

The proposed affordable houses will be sold to qualified low- to moderate-income families (annual household income of \$50,881 to \$76,320.) A household income of \$50,900 is considered low income and household income of \$76,320 is considered moderate. Area median income is multiplied by the percentage to obtain the maximum annual income qualification. For example, area median income multiplied by 120% would yield maximum income threshold for moderate income levels. Calculations assume 4 persons per household. The houses will be deed-restricted for the life of the loan. A purchaser will be restricted from reselling the house for a profit as long as there is outstanding loan but the house could be resold to a qualified low to moderate income buyer. Pursuant to NSP guidelines, prevailing wage requirements do not apply to projects of 10 or less dwelling units.

Variance

The applicant has submitted conceptual building footprints. As illustrated on the conceptual site plan, the rear (flag) lot will be accessed from an alley and the front parcel will be accessed from Oak Street.

The proposed building setback on the rear (flag) lot meets lot coverage and parking space requirements. However, the proposed front setback is less than the minimum requirement, which is 20'. The proposed front and rear yard setbacks for the front lot (Parcel 1) are also less than the minimum requirement. A rear yard setback for a single family zoning district is 10 ft. Administrative Deviations are used to reduce front and rear setbacks by 3 ft. when conditions warrant. Reduction of front and rear yard setbacks by more than 3' is subject to Planning Commission review and approval. As part of the proposed Tentative Parcel Map, the Planning Commission is asked to approve reduced front yard setback for the rear (flag) lot. The attached resolution includes a waiver to this requirement.

Per Senate Bill 1818 (CGC 65915), if a proposed project includes at least 30 percent of the total units for lower income households (this project is 100 percent for qualified low income households), applicants are entitled to ask and must receive three incentives or concessions. These incentives or concessions are to be in the form of a fee waiver and/or relaxation of a development standard or requirement. Staff's review and analysis this project, as well as pre-screening of the applicant's qualification, which included a City of Lodi detailed application, lead to staff's conclusion that there is no basis for the City to adopt findings of disapproval of the requested waivers. The applicant for this project is rightfully requesting under State law the following the concession (relaxation of development standards):

1. *Nonconformance with front yard setback requirement for Parcel 2-* Proposed Parcel 2 (flag lot) abuts an alley and vehicular access will be provided from an alley. Because the garage faces the alley and the only vehicular access will be from the alley, staff has determined the alley will be considered the front yard. Section 17.09.080(A) of the Lodi Municipal Code requires front yard setback no less than twenty feet to the front line of the main building. As proposed, the garage footprint would reduce the required 20' front yard setback by 50% (or by 10'). The main house would be setback by at least 30' from the property line. Physical and City record review of the neighborhood (a block east and west of the project site) reveal more than a dozen alley accessed homes (see Attachment 2 for Aerial Map). The range of setbacks of those houses varies from 5' to 10'. The applicant's request falls within these ranges. Because of the varied existing setbacks on the neighboring properties, the applicant's request to reduce the setback will have little imperceptible visual impact on the neighborhood. In fact, the proposed project represents an upgrade to existing structures on the site. Although the required amount of front yard setback is not provided, the applicant has proposed a suitable development for the parcel and creates affordable housing to qualified residents. Further, the concession being requested would not threaten public health, safety or historic structure(s) and would not impose hardship, impair an adequate supply of light and air to the adjacent properties. In addition, approval of the requested concession would not constitute a grant of special privilege. The concession request is being made pursuant to applicable State law regarding affordable housing. In staff's opinion, the City has no grounds to deny this concession.

The proposal was reviewed by various City departments and divisions. Their comments have been incorporated into the attached resolution. There were no issues raised by the City that would prevent the proposal from proceeding. The proposed project is consistent with the General Plan and Housing Element. The creation of affordable detached single family homes for qualified buyers will help to promote ownership opportunities in the City of Lodi for various economic segments of the population. The request to subdivide the parcel into two lots represents a major upgrade to the existing situation. In conclusion, staff believes that the proposed Tentative Parcel Map and the Variance request, subject to the conditions in the attached resolution, meet the requirements of the Zoning Ordinance and the proposed affordable housing development would be compatible with the neighborhood.

ENVIRONMENTAL ASSESSMENTS:

The project is found to be Categorically Exempt according to the California Environmental Quality Act, Article 19, Guidelines §15332, Class 32, "IN-Fill Development Project." This exemption is for a project that consistent with the applicable general plan designation and all applicable general plan policies as well as with applicable zoning designation and regulations; developments that occur within city limits on a project site of no more than five (5) acres substantially surrounded by urban uses; project site that has no value as habitat for endangered, rare or threatened species; ; approval of the project would not result in any significant effects relating to traffic, noise, air quality, or water quality' and the site can be adequately served by all required utilities and public services. This proposal meets all these conditions and, therefore, qualifies for the Categorical Exemption.

PUBLIC HEARING NOTICE:

Legal Notice for the Parcel Map and Use Permit was published on November 23, 2009. 56 public hearing notices were sent to all property owners of record within a 300-foot radius of the subject property as required by Government Code §65091 (a) 3.

ALTERNATIVE PLANNING COMMISSION ACTIONS:

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

Respectfully Submitted,

Concur,

Immanuel Bereket
Assistant Planner

Konradt Bartlam
Community Development Director

ATTACHMENTS:

1. Vicinity Map
2. Aerial Map
3. Tentative Parcel Map
4. Existing Structure
5. Sample Homes
6. Draft Resolutions

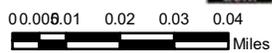
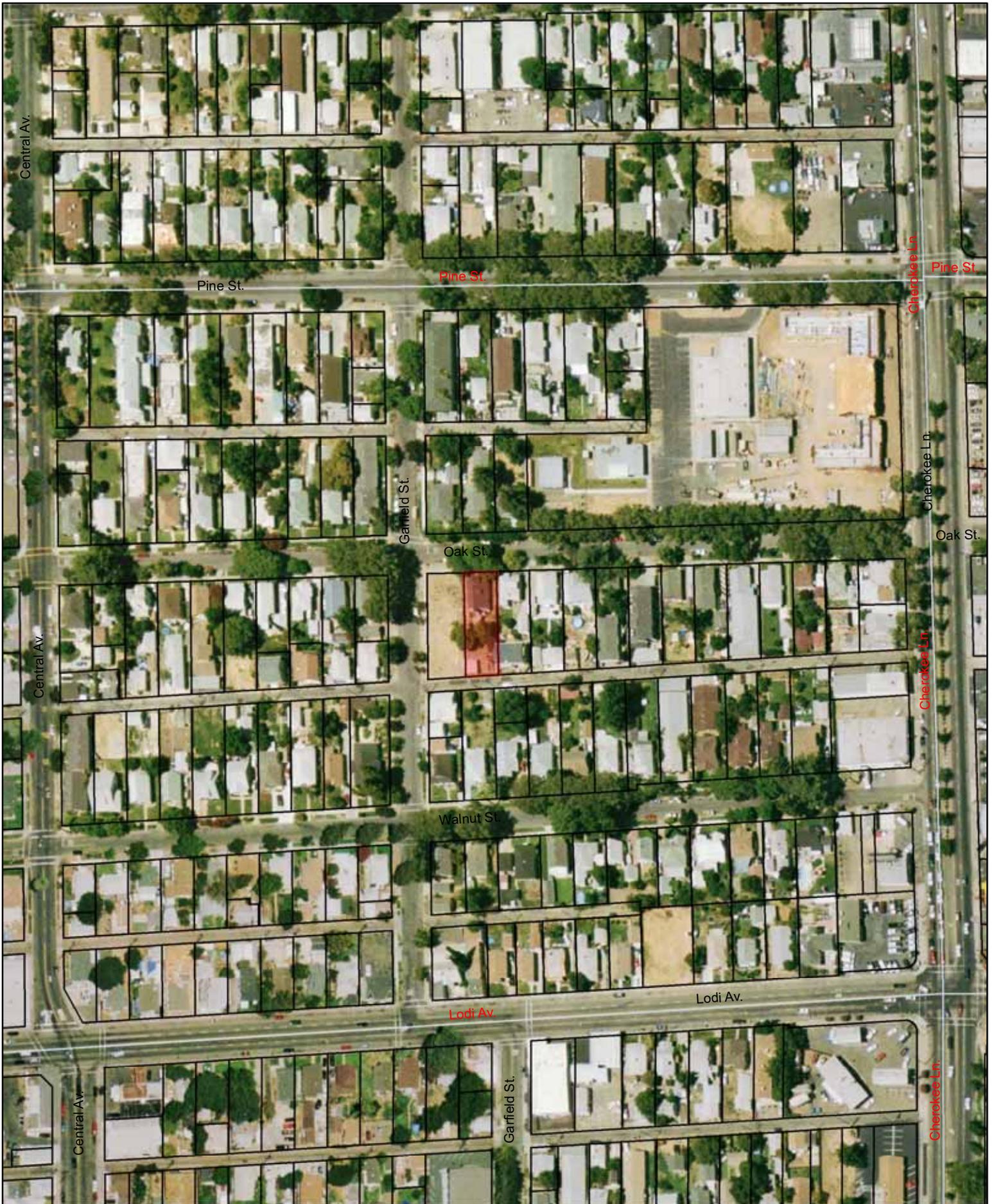


Vicinity Map
 502 East Oak Street
 Lodi, CA 95240

Legend

 Project Site



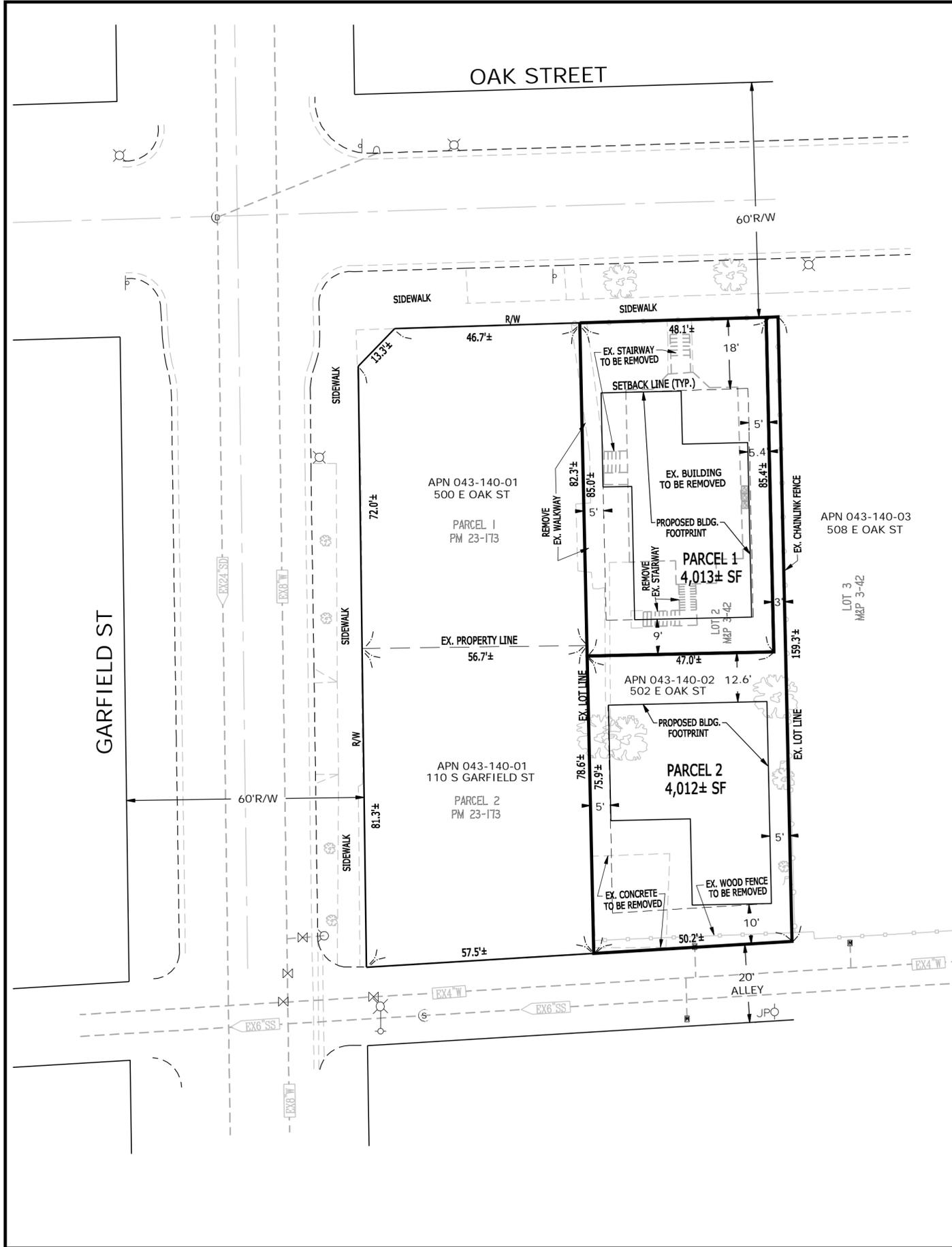


Vicinity Map

502 East Oak Street
Lodi, CA 95240

Legend

-  Project Site

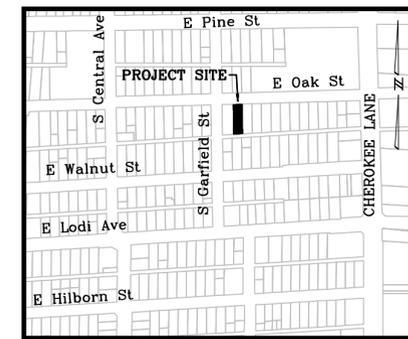


LEGEND

- JP ○ JOINT POLE
- PP ○ POWER POLE
- GUY ANCHOR
- STREET LIGHT
- UTILITY POLE W/ STREET LIGHT
- M WATER METER
- GM GAS METER
- SICB D SIDE INLET CATCH BASIN
- SSMH ⊙ SANITARY SEWER MANHOLE
- SDMH ⊙ STORM DRAIN MANHOLE
- 8"SS FLOW DIRECTION & SIZE OF SANITARY SEWER
- 12"SD FLOW DIRECTION & SIZE OF STORM
- 6"W WATER LINE SIZE
- W WATER VALVE
- FH FIRE HYDRANT
- EP EDGE OF PAVEMENT
- CL CENTERLINE
- R/W RIGHT OF WAY
- EXIST. CHAIN-LINK FENCE
- EXIST. WOOD FENCE
- DECIDUOUS TREE

NOTES

- OWNER: SERVICE FIRST OF NORTHERN CALIFORNIA
C/O VERNELL HILL
- MAP PREPARED BY: BAUMBACH AND PIAZZA, INC.
323 WEST ELM STREET
LODI, CALIFORNIA
(209) 368-6618
- PROJECT DESCRIPTION: CREATE TWO (2) PARCELS FROM ONE (1) EXISTING LOT.
- UTILITIES AND FACILITIES: WATER-CITY OF LODI; SEWAGE-CITY OF LODI; STORM DRAINAGE-CITY OF LODI; ELECTRICITY-CITY OF LODI; GAS-PG&E; TELEPHONE-SBC
- FLOOD INFORMATION: NOT SUBJECT TO 100 YEAR FLOOD.
- ASSESSOR PARCEL NUMBER: 043-140-02
- SITUS ADDRESS: 502 E OAK STREET
LODI, CALIFORNIA 95240
- ZONING: RE-1
- GENERAL PLAN DESIGNATION: ER - EASTSIDE RESIDENTIAL



VICINITY MAP
NO SCALE

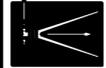
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DESIGN: S.P. DRAWN BY: V.G.D.

APPROVED BY:

RCE: EXP. DATE:

PREPARED IN THE OFFICE OF:
BAUMBACH & PIAZZA, INC.
CIVIL ENGINEERS • SURVEYORS
www.bpenginers.net
209.368.6618



323 W. Elm St
Lodi, CA 95240

PROPOSED SITE PLAN
502 E. OAK STREET

OCTOBER, 2009 SCALE: 1"=20'

SHEET OF 1 1
JOB NO. 09026
FILE NO.









RESOLUTION NO. P.C. 09-

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF LODI APPROVING THE REQUEST OF BAUMBACH AND PIAZZA, INC. ON BEHALF OF SERVICE FIRST OF NORTHERN CALIFORNIA, INC. FOR A TENTATIVE PARCEL MAP TO DIVIDE ONE PARCEL INTO TWO PARCELS AT 502 EAST OAK STREET AND FOR A VARIANCE TO REDUCE THE FRONT YARD SETBACK FROM 20 FEET TO 10 FEET AT 504 EAST OAK STREET

WHEREAS, the Planning Commission of the City of Lodi has heretofore held a duly noticed public hearing, as required by law, on the requested Tentative Parcel Map as required by Lodi Municipal Code Chapter 16.08 and the Subdivision Map Act; and

WHEREAS, the project proponent is Baumbach and Piazza, Inc., 323 W. Elm Street, Lodi CA, on behalf of Service First of Northern California, Inc., 102 West Bianchi Road, Stockton, CA 95207; and

WHEREAS, the property owner is Service First of Northern California, Inc., 102 West Bianchi Road, Stockton, CA 95207; and

WHEREAS, the proposed project is Tentative Parcel Map intended to create two parcels from one parcel; and

WHEREAS, the project site is located at 502 East Oak Street, Lodi CA. (APN: 043-140-02); and

WHEREAS, the project site is zoned RE-1, Single Family Residence Eastside and has a General Plan designation of ER, Eastside Residential; and

WHEREAS, the project is found to be Categorically Exempt according to the California Environmental Quality Act, Article 19, Guidelines §15332, Class 32, "IN-Fill Development Project." This exemption is for a project that consistent with the applicable general plan designation and all applicable general plan policies as well as with applicable zoning designation and regulations; developments that occur within city limits on a project site of no more than five (5) acres substantially surrounded by urban uses; project site that has no value as habitat for endangered, rare or threatened species; ; approval of the project would not result in any significant effects relating to traffic, noise, air quality, or water quality' and the site can be adequately served by all required utilities and public services; and

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

Based upon the evidence in the staff report and project file, the Planning Commission makes the following findings:

1. The project is found to be Categorically Exempt according to the California Environmental Quality Act, Article 19 §15332, Class 32, "In-Fill Development Projects." No significant impacts are anticipated and no mitigation measures have been required.
2. That the site for the proposed Tentative Parcel Map is adequate in size and is so shaped as to accommodate said use, as well as, all yards, spaces, walls, fences, parking, landscaping, and any other features necessary to adjust said use with the land and uses in the neighborhood and make it compatible thereto.
3. The site is suitable for the proposed density of residential development.
4. The proposed Tentative Parcel Map does not conflict with easements, acquired by the public at large, for access through or use of property within the proposed map.
5. The proposed Tentative Parcel Map can be served by all public utilities.
6. The proposed use of the vacant lot at the project site is compatible with the nearby existing uses and will not be detrimental to the health, safety, morals, comfort and general welfare of persons residing in the surrounding neighborhood.

7. The design of the Tentative Parcel Map is unlikely to cause substantial environmental damage or substantially and avoidably injure fish or wildlife or their habitat and the proposed Tentative Parcel Map is consistent with the Multi-Species Habitat Conservation Plan (MSHCP).
8. The Tentative Parcel Map complies with the requirements of Chapter 16.08 of the Lodi Municipal Code regulating Tentative Maps.
9. None of the mandatory findings for tentative map denial within the State Subdivision Map Act, § 66474 apply to this proposal.

NOW, THEREFORE, BE IT FOUND, DETERMINED AND RESOLVED by the Planning Commission of the City of Lodi that Tentative Parcel Map Number: 09-P-02 is hereby approved, subject to the following conditions, which are required for the subject project per City codes and standards unless noted otherwise:

Community Development Department, Planning:

- 1) The project proponent owner will defend, indemnify, and hold the City, its agents, officers, and employees harmless of any claim, action, or proceeding to attack, set aside, void, or annul this Tentative Parcel Map, so long as the City promptly notifies the developer of any claim, action, or proceedings, and the City cooperates fully in defense of the action or proceedings.
- 2) The Tentative Parcel Map shall expire within 24 months of Planning Commission approval or a time extension must be granted by the Planning Commission.
- 3) The Final Map shall be in substantial conformance to the approved Tentative Parcel Map, as conditioned, and that any future development shall be consistent with applicable sections of the Municipal Code.
- 4) That any buildings constructed on the new parcels shall be subject to lot coverage, parking and all other Zoning code development requirements with the following exception:
 - a) The front yard setback for Parcel 2 (flag lot parcel) may be reduced by ten (10) feet.
- 5) To the extent feasible, the architecture of the proposed houses shall compliment each other and the surrounding neighborhood. The elevations shall be reviewed as a part of the building permit process.
- 6) The project proponent shall submit a landscaping and irrigation plan to the Community Development Department for review and approval.
- 7) Prior to placement of any fencing, a fencing plan shall be submitted for review and approval by the Planning Department. Fencing shall not be oriented in a manner to block the three (3) feet strip of land that connects the Parcel 2 (flag lot) to Oak Street.
- 8) Applicable agreements and/or deed restrictions for access, use and maintenance of shared, private facilities shall be recorded concurrent with the Final Map.
- 9) Prior to building permit issuance, the project proponent shall submit site lighting to the Community Development Department for review and approval. The applicant shall ensure lighting do not spill over to adjacent properties.
- 10) Any fees due the City of Lodi for processing this Project shall be paid to the City within thirty (30) calendar days of final action by the approval authority. Failure to pay such outstanding fees within the time specified shall invalidate any approval or conditional approval granted. No permits, site work, or other actions authorized by this action shall be processed by the City, nor permitted, authorized or commenced until all outstanding fees are paid to the City.

Community Development Department, Building:

- 11) Prior to any building activity on either parcel, the project proponent shall submit plans for review and approval and obtain any necessary Building Department Permits. All plan submittals shall be based on the City of Lodi Building Regulations and currently adopted 2007 California Building Code.
- 12) The existing homes and sheds, if removed, shall be demolished under the terms of demolition permits to be issued by the City of Lodi Building Division.

Public Works Department, Engineering:

- 13) The project proponent shall provide separate water and wastewater services for each parcel. The existing water and wastewater services may be used for Parcel 2. For Parcel 1, separate water and wastewater services shall be provided from the existing 4-inch water main and the existing 6-inch wastewater main in the alley adjacent to Parcel 2, respectively. The water and wastewater service taps will be provided by City crews at the owner's expense. A private easement across Parcel 2 shall be provided to accommodate the water and wastewater lateral for Parcel 1.
- 14) The applicant shall dedicate public utility easements as required by the various utility companies and the City of Lodi.
- 15) In order to assist the City of Lodi in providing an adequate water supply, the Owner/Developer on behalf of itself, its successors and assigns, shall enter into an agreement with the City that the City of Lodi be appointed as its agent for the exercise of any and all overlying water rights appurtenant to the proposed parcels, and that the City may charge fees for the delivery of such water in accordance with City rate policies. In addition, the agreement shall assign all appropriative or prescriptive rights to the City. The agreement will establish conditions and covenants running with the land for all parcels within the boundaries of the map and provide deed provisions to be included in each conveyance.
- 16) The project proponent shall submit parcel map per City and County requirements including the following:
 - a) Preliminary title report.
 - b) Standard note regarding requirements to be met at subsequent date.
- 17) Project design and construction shall be in compliance with the Stormwater Development Standards adopted by the City Council on August 6, 2008.
- 18) Payment of the following:
 - a) Development Impact Mitigation Fees per the Public Works Fee and Service Charge Schedule at the time of building permit issuance. Credit will be applied for the existing development on the site.
 - b) Wastewater capacity fee at the time of building permit issuance.
 - c) Water meter installation at the time of building permit issuance.
- 19) New driveway for Parcel 1 shall be done under the conditions of an encroachment permit issued by the Public Works Department. Owner shall replace any street trees damaged by the construction of the new driveway.
- 20) The Developer to pay for Electric Utility Department changes in accordance with the Electric Department's Rules.

Dated: December 9, 2009

I hereby certify that Resolution No. 09- was passed and adopted by the Planning Commission of the City of Lodi at a regular meeting held on December 9, 2009, by the following vote:

AYES: Commissioners:
NOES: Commissioners:
Absent: Commissioners:

ATTEST: _____
Secretary, Planning Commission

Item 3b.



MEMORANDUM, City of Lodi, Community Development Department

To: Planning Commission
From: Konradt Bartlam
Date: December 9, 2009
Subject: Review and Comment on the Comprehensive Draft General Plan and Draft General Plan.

Recommended Action: Receive public comment and make a recommendation to the City Council to approve the Draft General Plan.

Background: In May, 2006, the City entered into an agreement with the consulting firm of Dyett & Bhatia to prepare the update to the General Plan. The firm and their sub-consultants have been working diligently on this program since that time. Work that has been completed includes the following activities:

Public Participation

- Workshops and Meetings with interested public
- Workshops specifically with the Planning Commission and City Council
- Stakeholder interviews and neighborhood meetings
- Presentations to service clubs and community organizations
- Newsletters
- A mail-in survey sent to all residential addresses in the City
- Comments via e-mail, and
- The project web-site

Products

- Working Paper #1: Land Use, Transportation, Environment and Infrastructure
- Working Paper #2: Urban Design and Livability
- Working Paper #3: Growth and Economic Development Strategy
- Working Paper #4: Greenbelt Conservation Strategies
- Sketch Plan Report indentifying alternative land use scenarios
- Preferred Land Use Plan
- Draft Environmental Impact Report, and
- Draft General Plan

The Draft Environmental Impact Report (DEIR) was released for public review and comment on November 25, 2009. Pursuant to the California Environmental Quality Act, the Draft shall be available for comment for no less than 45 days. The Planning Commission has the opportunity to take comment as well as provide comment at the December 9th meeting. The Final Environmental Impact Report will be provided to the City Council at the time of their deliberation on the General Plan.

As with all EIR's, this document assesses the potential impacts of the proposed General Plan may have on specific environmental topics. This is has been done on a program level rather

than the detail that the Commission sees with specific development projects. This DEIR also addresses alternatives to the Draft General Plan including a No Project scenario. As a result of the environmental review, there are several changes that are being proposed to General Plan policies that the Planning Commission have reviewed thus far. The attached table reflects these changes as either edits or new policy. We believe these changes are necessary as mitigation in order to help reduce or clarify certain impacts created by the plan.

The Draft General Plan was distributed to the Planning Commission in two segments. The first at the August 26th meeting included the Introduction, Land Use, Community Design & Livability, Parks, Recreation & Open Space, Conservation and Safety chapters. At the Commission's September 9th, the remaining chapters of the Draft General Plan were distributed including Growth Management & Infrastructure, Transportation, Noise and the Implementation Appendix. The one chapter that has not been completed and will be on a separate review program is the Housing Element. The entire Plan as described has been made available on the web-site with notification being made by both newspaper and to the mailing list of interested parties.

The Planning Commission has had three previous Public Hearings on September 23rd, October 14th and October 28th. During these hearings few public comments have been received. The Minutes from those meetings are attached for the Commission's benefit. Staff has also presented the Draft General Plan to several of the City's Board's and Commissions. To date the only written comment received was from the Parks and recreation Commission who are requesting an additional policy be included in the Parks, Recreation and Open Space element dealing with on-going park maintenance funding. The language from the Commission is included in the attachments. Additionally, staff has received few written comments on the Plan. Those comments are also attached.

Staff believes that, barring any unforeseen comment, that the Planning Commission now has all the material necessary in order to make a recommendation on the General Plan. We have provided a Draft Resolution which conveys this action.

Respectfully Submitted,

Konradt Bartlam
Community Development Director

Attachments:

Executive Summary

This Draft Environmental Impact Report (EIR) evaluates the potential impacts of the proposed City of Lodi General Plan.¹ The proposed Plan was developed in response to policy direction provided by the City Council and the Planning Commission as well as community concerns identified through public participation and outreach program, including newsletters, community workshops and public meetings between 2006 and 2009. The City of Lodi is the “lead agency” for this EIR, as defined by the California Environmental Quality Act (CEQA), and therefore required to evaluate the potential effects of the Plan in an EIR.

This EIR is a program EIR that examines the potential effects resulting from implementing designated land uses and policies in the proposed General Plan. The impact assessment evaluates the General Plan as a whole and identifies the broad, regional effects that may occur with its implementation. An EIR is intended to inform decision-makers and the general public of the potential significant environmental impacts of a proposed project. Impacts have either been found less than significant through the application of proposed General Plan policies or significant and unavoidable. The EIR also evaluates reasonable alternatives to the proposed project that may reduce or avoid one or more significant environmental effects. By law, alternatives must include a “No Project” alternative that represents the result of not implementing the project and a range of reasonable alternatives to the project, which would feasibly attain most of the basic objectives, but would avoid or substantially lessen any of the significant effects of the project (CEQA Guidelines 15126.6(a)). Based on the alternatives analysis, an environmentally superior alternative must be identified.

As a programmatic document, this EIR does not assess site-specific impacts. In order to place many of the proposed General Plan policies into effect, the City would adopt or approve specific actions, such as zoning regulations, zoning map amendments, development impact fees, specific plans, and capital improvement programs, that would be consistent with the policies and implementation measures of the Plan and therefore reflected in this EIR. Any future development project made possible by the General Plan will be subject to individual, site-specific environmental review, as required by State law. Project-level environmental review will need to focus on project-scale impacts. Cumulative and citywide impacts (such as traffic), would not need to be evaluated, provided the data and assumptions used in this EIR remain current and valid.

E.1 PROPOSED PROJECT

The City of Lodi is situated in the San Joaquin Valley between Stockton, six miles to the south, Sacramento, 35 miles to the north; and along State Route 99.

¹ Throughout this document, the term “proposed Lodi General Plan” is used interchangeably with “proposed Plan” or the “proposed project.”

The proposed Lodi General Plan is intended to replace the existing General Plan, which was last updated in 1991. The proposed General Plan is comprised of goals, policies, a land use diagram, and other graphic figures and maps (e.g. open space systems, a transportation network, and public facilities) to guide future development within the city's boundaries, through the year 2030.

The Plan includes the seven elements required by State law, including Land Use, Transportation/Circulation, Housing, Open Space, Conservation, Noise, and Safety. It also includes two optional elements, Growth Management/Infrastructure and Community Design/Livability. (The Housing Element is not included as part of this project, since it is updated more frequently and therefore follows a separate timeline.)

KEY PRINCIPLES OF THE PROPOSED GENERAL PLAN

Eleven key principles emerged through the public input process, as the General Plan took shape. Maps and policies in the General Plan are structured around these principles, which represent the proposed Plan objectives:

1. **Compact Urban Form.** The Plan enhances Lodi's compact urban form, promoting infill development downtown and along key corridors, while also outlining growth possibilities directly adjacent to the existing urban edge. The City's overall form will be squarish, reinforcing the centrality of downtown, with virtually all new development located within three miles from it.
2. **Mokelumne River as the City's Northern Edge.** The Lodi community has expressed a desire to see the river remain as the city's northern edge. The southern bank of the river (within the city) is occupied by residential uses and streets do not reach the river. Therefore, connectivity across the river to knit the urban fabric would be challenging if growth were to extend northward.
3. **Enhanced Mixed-Use Centers and Corridors.** The Plan designates downtown as a mixed-use center, with a mix of commercial and residential uses. Stretches of major commercial corridors are depicted with a mixed use designation to enable continued investment in these areas and enhancement of vacant and underutilized parcels.
4. **Walkable, Livable Neighborhoods.** The Plan envisions new neighborhoods with a variety of uses, diversity of housing types, and short blocks, organized around mixed-use centers. This pattern provides retail, housing, offices, parks, and other uses.
5. **Street Connectivity and Urban Design.** The Plan provides community design strategies for improving street connectivity, particularly in terms of access to downtown, neighborhoods, jobs, and shopping.
6. **Preservation of Existing Neighborhoods.** Existing development in a vast majority of the Planning Area is proposed to remain as is, in terms of land use and density. Lodi residents are proud of their vibrant neighborhoods. They enjoy the small-town character of the city and would like to ensure that Lodi's high quality-of-life is enhanced as the city grows.
7. **Agricultural Preservation Along Southern Boundary.** In order to preserve agriculture and maintain a clear distinction between Lodi and Stockton, the Plan acknowledges the Armstrong Road Agricultural/Cluster Study Area along the south edge of Lodi, from Interstate 5 (I-5) to State Route (SR) 99, and south to Stockton's Planning Area boundary.

8. **Employment-Focused Development in the Southeast.** The area east of SR-99 toward the south is designated as a growth area for office, business park and commercial uses. This area has excellent regional access, and is adjacent to existing urbanized areas.
9. **Enhanced Bicycle and Pedestrian Connections.** Lodi already has an expansive bicycle network and good pedestrian facilities, including sidewalks, signals, landscaping and street furniture, particularly downtown. Improvements to pedestrian and bicycle pathways in new and existing neighborhoods are identified in the General Plan.
10. **Recreation Path along Irrigation Canal Right-of- Way.** The Woodbridge Irrigation District Canal runs through the city, passing through residential neighborhoods. A public recreation trail is envisioned to enable walking, jogging, and biking.
11. **Phasing Future Development.** The Plan identifies urban reserve areas along the west and east edges of the city to provide additional area for development, if needed. These urban reserve areas ensure that the city conforms to its Growth Management Ordinance and grows at a reasonable rate.

These themes and the policies proposed to implement them are described in greater detail in Chapter 2: Project Description of this EIR.

ESTIMATED DEVELOPMENT POTENTIAL OF THE PROPOSED GENERAL PLAN

Although the proposed General Plan applies a 20-year planning horizon, the Plan is not intended to specify or anticipate when full development will actually occur; nor does the designation of a site for a certain use necessarily mean the site will be built or redeveloped with that use in the next 20 years. The Land Use Element of the proposed General Plan provides a more detailed analysis of proposed General Plan development.

Table ES-1 describes housing units, population and jobs resulting from existing development, approved projects, and the proposed General Plan. The table provides a total column, representing projected buildout under the proposed Plan, and a percent increase column for each characteristic, representing the percent change of the proposed Plan, over and above existing and approved development.

Housing Units

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. 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% (not shown).

Employment

Lodi currently contains 24,700 jobs. Total additional employment accommodated in the General Plan by new commercial, office, industrial, and mixed-use land designations could allow for 23,400 new jobs in Lodi. Recently approved or completed development projects are expected to produce an additional 2,900 jobs. In sum, Lodi could expect up to 51,000 jobs under the General Plan.

Table ES-1: General Plan Population and Employment Potential

	Existing	Alternative A	Alternative B	No Project	Proposed General Plan
Housing Units	23,353	34,000	39,100	30,900	37,200
Households	22,185	32,300	37,145	29,355	35,340
Population	63,362	91,000	104,400	82,600	99,500
Employed Residents	32,000	46,000	52,700	41,700	50,300
Jobs	24,700	41,000	47,000	32,700	51,000
Jobs / Employed Residents Ratio ¹	0.8	0.9	0.9	0.8	1.0

1. Alternatives and General Plan values represent total development potential: existing + approved projects (not shown) + net new.

Source: Dyett & Bhatia, 2009.

E.2 ALTERNATIVES TO THE PROPOSED GENERAL PLAN

The following alternatives are described and evaluated in this EIR:

- *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 Land and Armstrong Road, including the Planned Residential Reserve designation between Hogan Land and Armstrong Road. This alternatives 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. Commercial and business uses would be located in the southeast, but in a smaller area than in Alternative A. 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 produces the largest increase population, but allows fewer jobs compared with the proposed General Plan.
- *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. At buildout, this alternative would result in fewer housing units, residents, and jobs, compared with the proposed General Plan and the other alternatives.

Table ES-2 summarizes key characteristics of the resident and worker populations at full development under the proposed General Plan and each of the EIR alternatives. A detailed comparison of alternatives and associated impacts is provided in Chapter 4: Alternatives of this EIR.

Table ES-2: Comparison of Net New Development of the Proposed General Plan and Alternatives

	<i>Alternative A</i>	<i>Alternative B</i>	<i>No Project</i>	<i>Proposed General Plan</i>
Residential (Units)	6,900	12,000	3,800	10,100
General Commercial (SF)	778,000	1,608,000	298,000	3,932,000
Neighborhood Commercial (SF)	73,000	310,000	773,000	245,000
Business Park/Office (SF)	3,659,000	5,563,000	99,000	5,597,000
Industrial (SF)	1,511,000	1,936,000	4,251,000	7,322,000
Park/Detention Basin (Acres)	100	231	47	210
Public/Schools (Acres)	51	98	62	67

Source: Dyett & Bhatia, 2009.

E.3 SUMMARY OF IMPACTS & ENVIRONMENTALLY SUPERIOR ALTERNATIVE

Table ES-3 presents the summary of the proposed General Plan impacts identified in the EIR and the proposed General Plan policies that reduce these impacts. Because many of the Plan’s policies are designed to avoid or minimize impacts, the Plan is self-mitigating with respect to most of the impacts identified in the EIR. However, in the issue areas of Traffic and Circulation, Agricultural Resources, Climate Change and Greenhouse Gases, Air Quality, and Noise, significant unavoidable impacts are identified. Even with mitigation, these impacts would not be reduced to levels that are not significant. Detailed discussions of the impacts and proposed policies that would reduce impacts are in Chapter 3. The significance of each impact with implementation of the proposed General Plan policies is also shown in Table ES-3. The level of significance is determined by comparing the impact to the significance criteria described in Chapter 3.

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. 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. 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 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 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 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 Chapter 2: 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. Alternative B conforms to the City's Growth Management Ordinance, but does not provide environmental impact reduction benefits and does not achieve of the plan objectives. The proposed General Plan achieves all plan objectives while establishing policies to reduce environmental impacts to the greatest extent possible.

Table ES-3: 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-P-28, 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.
3.3	Agriculture and Soil Resources			
3.3-1	Buildout of the proposed General Plan would convert substantial amounts of Important Farmland to non-agricultural use.	C-G1, C-G2, C-P1, C-P2, C-P3, C-P4, C-P5, C-P6, C-P7, C-P8, GM-G1, GM-P2	Significant and Unavoidable	Not directly mitigable aside from preventing development altogether
3.3-2	Buildout 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-G1, GM-P2, CD-G1	Less than Significant	None required

Table ES-3: Summary of Impacts and Proposed General Policies that Reduce the Impact

#	Impact	Proposed General Policies that Reduce the Impact	Significance	Mitigation
3.4	Biological Resources			
3.4-1	Buildout 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	Buildout 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	Buildout 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	Buildout 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	Buildout 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	Buildout 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

Table ES-3: 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-G1, 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	Buildout 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-G1, 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

Table ES-3: Summary of Impacts and Proposed General Policies that Reduce the Impact

#	Impact	Proposed General Policies that Reduce the Impact	Significance	Mitigation
3.7	Hydrology and Water Quality			
3.7-1	Buildout 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
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	Buildout 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.

Table ES-3: Summary of Impacts and Proposed General Policies that Reduce the Impact

#	Impact	Proposed General Policies that Reduce the Impact	Significance	Mitigation
3.9	Flood Hazards			
3.9-1	Buildout 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
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-P16, S-P17, S-P18, S-P19, 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-P16, S-P17, S-P18, S-P19, S-P20	Less than Significant	None required

Table ES-3: Summary of Impacts and Proposed General Policies that Reduce the Impact

#	Impact	Proposed General Policies that Reduce the Impact	Significance	Mitigation
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 groundborne vibration or groundborne 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-P10A, S-P10B, S-P11, S-P12, S-P13, S-P14, S-P15, S-P18, 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-P10A, S-P10B, S-P11, S-P12, S-P13, S-P14, S-P15, S-P18, S-P22, S-P23, S-P24, S-P25	Less than Significant	None required
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	S-P8, S-P9, S-P10A, S-P10B, S-P11, S-P12, S-P13, S-P14, S-P15, S-P18, S-P22, S-P23, S-P24, S-P25	Less than Significant	None required

Table ES-3: Summary of Impacts and Proposed General Policies that Reduce the Impact

#	Impact	Proposed General Policies that Reduce the Impact	Significance	Mitigation
	transport, use, or disposal of hazardous materials.			
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-PI0A, S-PI0B, S-PI1, S-PI2, S-PI3, S-PI4, S-PI5, S-PI8, 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 generation.	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

Table ES-3: Summary of Impacts and Proposed General Policies that Reduce the Impact

#	Impact	Proposed General Policies that Reduce the Impact	Significance	Mitigation
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-P1, P-P3, P-P5, P-P7, P-P19, P-P20	Beneficial	N/A
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-G1, 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

General Plan Policy Changes / Edits

Kari Chadwick

Subject: General Plan Parks & Rec Policy

Hi Kari,

Sorry it took so long to get this to you. Here's the language that Jim shared with the Commission at the November meeting:

“Due to eroding financial support from the general fund for park maintenance it will be imperative to seek out new and protected funding sources in order to maintain current park inventory.”

If I can help with anything else, please let me know.

Terri Lovell

Administrative Secretary
City of Lodi Parks and Recreation
(209) 333-6742
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LODI GENERAL PLAN

Policy Changes/Additions Following EIR Preparation

Chapter 2: Land Use

LU-P-17EDIT Establish land use regulations and development standards in the Zoning Code to reinforce Downtown's assets and traditional development pattern. These should include:

- Extending the Downtown Mixed Use classification to parcels along Main Street on the Eastside to improve connectivity, while retaining the respective identities of downtown and the Eastside.
- Establishing maximum set-backs or build-to lines for development in areas designated Downtown Mixed Use.
- Requiring retail, eating and drinking establishments, or other similar active uses—except for sites designated Public—at the ground level. Alleyway corners shall be “wrapped” with retail uses as well.

Chapter 3: Growth Management & Infrastructure

GM-P2EDIT Target new growth into identified areas, extending south, west, and southeast. Ensure contiguous development by requiring development to conform to phasing described in Figure 3-1 [of the proposed General Plan]. Enforce phasing through permitting and infrastructure provision. Development may not extend to Phase 2 until Phase 1 has reached 75% of development potential, and development may not extend to Phase 3 until Phase 2 has reached 75% of development potential. In order to respond to market changes in the demand for various land use types, exemptions may be made to allow for development in future phases before these thresholds in the previous phase have been reached.

GM-P11EDIT Require water conservation in both City operations and private development to minimize the need for the development of new water sources and facilities. To the extent practicable, promote water conservation and reduced water demand by:

- Requiring the installation of non-potable water (recycled or gray water) infrastructure for irrigation of landscaped areas over one acre of new landscape acreage, where feasible. Conditions of approval shall require connection and use of non-potable water supplies when available at the site.
- Encouraging water-conserving landscaping, including the use of drought-tolerant and native plants, xeriscaping, use of evapotranspiration water systems, and other conservation measures.
- Encouraging retrofitting of existing development with water-efficient plumbing fixtures, such as ultra low-flow toilets, waterless urinals, low-flow sinks and showerheads, and water-efficient dishwashers and washing machines.

- GM-P15EDIT Monitor water usage and conservation rates ~~due to installed meters, to ensure resulting from the meter progress to verify if~~ water demand assumptions are correct. If actual usage and conservation rates vary from planning assumptions, reassess requirements for future water resources.
- GM-NEW Coordinate with Lodi Unified School District in monitoring housing, population, and enrollment trends and evaluating their effects on future school facility needs.
- GM-NEW Phase school development as part of new residential growth to provide adequate school facilities, without exceeding capacity of existing schools. Schools should be provided consistent with the Lodi Unified School District's School Facilities Master Plan, which defines student generation rates.
- GM-NEW Support all necessary and reasonable efforts by Lodi Unified School District to obtain funding for capital improvements required to meet school facility needs, including adoption and implementation of local financing mechanisms, such as community facility districts, and the assessment of school impact fees.

Chapter 4: Community Design & Livability

- CD-P40EDIT Prepare, or incorporate by reference, and implement green building and construction guidelines and/or standards, appropriate to the Lodi context, by 2012. The guidelines and/or standards shall ensure a high level of energy efficiency and reduction of environmental impacts associated with new construction, major renovation, and operations of buildings. Ensure that these guidelines/standards:
- Require documentation demonstrating that building designs meet minimum performance targets, but allow flexibility in the methods used.
 - Exceed California's 2005 Title 24 regulation standards for building energy efficiency by 15%, with particular emphasis on industrial and commercial buildings.
 - Reduce resource or environmental impacts, using cost-effective and well-proven design and construction strategies.
 - Reduce waste and energy consumption during demolition and construction.
 - Identify street standards, such as street tree requirements, appropriate landscaping practices, and acceptable materials.
 - Incorporate sustainable maintenance standards and procedures.
 - Promote incorporation of energy conservation and weatherization features in existing structures. Develop programs that specifically target commercial and industrial structures for energy conservation and weatherization measures in order to reduce annual kWh per job.

These guidelines could be developed directly from the LEED (Leadership in Energy and Environmental Design) system developed by the U.S. Green Building Council, the

California-based Build It Green GreenPoint rating system, or an equivalent green building program.

Chapter 5: Transportation

- T-NEW Strive to comply with the Level of Service standards and other performance measures on Routes of Regional Significance as defined by the County-wide Congestion Management Program.
- T-NEW For purposes of design review and environmental assessment, apply a standard of Level of Service E during peak hour conditions on all streets in the City’s jurisdiction. The objective of this performance standard is to acknowledge that some level of traffic congestion during the peak hour is acceptable and indicative of an economically vibrant and active area, and that infrastructure design decisions should be based on the conditions that predominate during most of each day.
- T-NEW Exempt downtown from LOS standards to encourage infill development in order to create a pedestrian friendly urban design character and densities necessary to support transit, bicycling, and walking. Development decisions in downtown should be based on community design and livability goals rather than traffic LOS. (Downtown is defined by the Downtown Mixed-Use designation in the Land Use Diagram.)
- T-P8EDIT ~~Strive to maintain applicable Level of Service (LOS) standards. The Regional Congestion Management Program defines LOS D on its network. The General Plan establishes an LOS D on city streets and at intersections. Exceptions to this LOS D policy may be allowed by the City Council in areas, such as downtown, where allowing a lower LOS would result in clear public benefits, subject to findings that achieving LOS D would:~~ Allow exceptions to LOS standards upon findings by the City Council that achieving the designated LOS would:
- Be technologically or economically infeasible, or
 - Compromise the City’s ability to support other important policy priorities, such as:
 - Enhancing the urban design characteristics that contribute to pedestrian comfort and convenience;
 - ~~▪ Preserving and enhancing an economically vibrant downtown area;~~
 - Avoiding adverse impacts to alternate modes of transportation;
 - Preserving the existing character of the community;
 - Preserving agricultural land or open space; or
 - Preserving scenic roadways/highways.
- T-NEW Undertake street improvements shown in Table 5-4 [of the proposed General Plan], and maintain, require or acquire right of way, as necessary. Coordinate with other

jurisdictions, including San Joaquin County, and Caltrans, on improvements to street segments common to the City of Lodi and other jurisdictions. It should be noted that because the General Plan will be implemented over an extended time frame, street capacity enhancements will be prioritized through the City's Capital Improvements Program process and will occur as development proceeds.

Chapter 7: Conservation

C-G10EDIT Reduce greenhouse gas emissions to 15% below 2008 levels by 2020, to slow the negative impacts of global climate change.

C-P36EDIT Prepare and adopt a comprehensive climate action plan (CAP) by 2012, with implementation beginning in 2013. The CAP will be an additional policy document for the City of Lodi, based on polices listed in Appendix A. The CAP should include the following provisions:

- An inventory of citywide greenhouse gas emissions and emissions projections for 2020 or beyond,
- Emissions targets that apply at reasonable intervals through the life of the CAP and that meet or exceed AB 32 and/or Executive Order S-3-05 reduction targets,
- Enforceable greenhouse gas emissions control measures,
- A detailed funding and implementation component,
- A monitoring and reporting program to ensure targets are met, and
- Mechanisms to allow for revision of the CAP, as necessary.

C-PNEW Ensure environmentally responsible municipal operations by implementing the following measures:

- Procure environmentally preferable products and services where criteria have been established by governmental or other widely recognized authorities (e.g. Energy Star, EPA Eco Purchasing Guidelines).
- Integrate environmental factors into the City's buying decisions where external authorities have not established criteria, such as by replacing disposables with reusables or recyclables, taking into account life cycle costs and benefits, and evaluating, as appropriate, the environmental performance of vendors in providing products and services;
- Raise staff awareness on the environmental issues affecting procurement by providing relevant information and training;
- Encourage suppliers and contractors to offer environmentally preferable products and services at competitive prices;
- Require all departments and divisions to practice waste prevention and recycling.

- When City fleet vehicles are retired, replace vehicles through the purchase or lease of alternative fuel or hybrid substitutes.

As contracts for City-contracted fleet services (such as transit buses, trash haulers, and street sweeper trucks) are renewed, encourage contractors to replace their vehicles with alternative fuel or hybrid substitutes through the contract bid process.

C-PNEW Continue to offer rebates to residential, commercial, industrial and municipal customers of Lodi Electric Utility who install photovoltaic (PV) systems or that participate in the Lodi Energy Efficient Home Improvement Rebate Program. Ensure that rebate programs are well advertised to the community and offer rebates that are sufficient to gain community interest and participation.

C-PNEW Ensure environmentally responsible municipal operations by implementing the following measures:

- Procure environmentally preferable products and services where criteria have been established by governmental or other widely recognized authorities (e.g. Energy Star, EPA Eco Purchasing Guidelines).
- Integrate environmental factors into the City's buying decisions where external authorities have not established criteria, such as by replacing disposables with reusables or recyclables, taking into account life cycle costs and benefits, and evaluating, as appropriate, the environmental performance of vendors in providing products and services;
- Raise staff awareness on the environmental issues affecting procurement by providing relevant information and training;
- Encourage suppliers and contractors to offer environmentally preferable products and services at competitive prices;
- Require all departments and divisions to practice waste prevention and recycling.
- When City fleet vehicles are retired, replace vehicles through the purchase or lease of alternative fuel or hybrid substitutes.
- As contracts for City-contracted fleet services (such as transit buses, trash haulers, and street sweeper trucks) are renewed, encourage contractors to replace their vehicles with alternative fuel or hybrid substitutes through the contract bid process.

Chapter 8: Safety

S-P4EDIT Prohibit new development, except for public uses incidental to open space development, within Zone A (100-year flood zone) of the most current FEMA floodplain map (see Figure 8-1 [in the proposed General Plan] for the most current map).

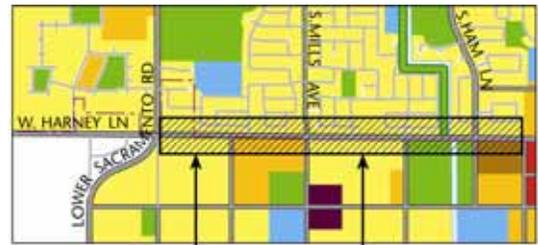
S-PNEW The City shall cooperate with and encourage reclamation districts to institute a berm maintenance program to reduce berm failures and shall coordinate with appropriate State, federal, and local flood control agencies in planning efforts to ensure the continued protection of local and regional flood control systems.

S-PNEW The City will continue to ensure, through the development review process, that future developments do not increase peak storm flows and do not cause flooding of downstream facilities and properties. Additionally, the City shall ensure that storm drainage facilities are constructed to serve new development adequate to storm runoff generated by a 100-year storm.

Chapter 9: Noise

N-P10EDIT Restrict the use of sound walls as a noise attenuation method to sites adjacent to State Route (SR) 99, the railroad, and industrial uses east of SR-99.

N-PNEW Where substantial traffic noise increases (to above 70db) are expected, such as on Lower Sacramento Road or Harney Lane, as shown on the accompanying graphic, require a minimum 12-foot setback for noise-sensitive land uses, such as residences, hospitals, schools, libraries, and rest homes.



Minimum setback of 12 feet for noise-sensitive land uses.

N-PNEW Update Noise Ordinance regulations to address allowed days and hours of construction, types of work, construction equipment (including noise and distance thresholds), notification of neighbors, and sound attenuation devices.

N-PNEW The City shall ensure that new equipment and vehicles purchased by the City of Lodi are equipped with the best available noise reduction technology.

N-PNEW Reduce vibration impacts on noise-sensitive land uses (such as residences, hospitals, schools, libraries, and rest homes) adjacent to the railroad, SR-99, expressways, and near noise-generating industrial uses. This may be achieved through site planning, setbacks, and vibration-reduction construction methods such as insulation, soundproofing, staggered studs, double drywall layers, and double walls.

Planning Commission
Minutes for: Sept. 23rd,
Oct. 14th, & Oct. 28th
(General Plan Discussion Only)

**LODI PLANNING COMMISSION
REGULAR COMMISSION MEETING
CARNEGIE FORUM, 305 WEST PINE STREET
WEDNESDAY, SEPTEMBER 23, 2009
(GENERAL PLAN DISCUSSION ONLY)**

- d) Notice thereof having been published according to law, an affidavit of which publication is on file in the Community Development Department, Chair Cummins called for the public hearing to review and comment on the comprehensive Draft General Plan.

Director Bartlam gave a brief PowerPoint presentation based on the staff report. He stated the timeline breakdown of the events that have occurred to this point. Staff is looking forward to receiving the administrative draft EIR some time this week. Mr. Bartlam stated that this is an initial public hearing and no action by the Commission is required at this time.

Hearing Opened to the Public

No speakers came forward.

Public Portion of Hearing Closed

- Chair Cummins asked his fellow Commissioners how they felt about the ban on gated communities on page 13. Commissioner Kiser felt that gated communities are a positive idea. Commissioner Heinitz stated that depending on the CC&Rs that regulate the area these types of communities can go either way. There are several gated and non-gated communities in Lodi that show as both good and bad examples for this style of community. Commissioner Mattheis stated that gated communities divide up neighborhoods. It takes away the walkable community. Director Bartlam stated his agreement with Commissioner Mattheis and also added that gated communities can give a false sense of security. There are just as many if not more break-ins in gated communities because people don't keep as watchful an eye out which falls back on the false sense of security. These types of communities also necessitate the neighborhood/community to maintain their own streets and sidewalks and for several reasons that does not always work out. Chair Cummins asked for examples. Commissioner Heinitz gave a couple of example where this has occurred.
- Commissioner Kiser asked about section CD-P40 on page 16 of the policies regarding the LEED requirements. Director Bartlam stated that some sort of green building construction guidelines are recommended based on the direction that the State is heading. This in not forcing LEED certification, but to be LEED equivalent.
- Commissioner Olson asked how staff is going to handle training for all the sustainable policies when there are so many cuts in budgets. Director Bartlam stated that these policies will take years to implement and the timeline spreadsheet that will be presented will show the prioritization of each item. Olson stated her desire to not see the building industry get back on their feet only to be stopped at the front desk. Mr. Bartlam stated that that is not the intention of these policies.
- Commissioner Kirsten asked for clarification on LEED equivalent. Mr. Bartlam stated that staff will prepare a stand alone summary for the Commission to help clarify this issue.
- Director Bartlam pointed out C-G10 on page 26 regarding the reduction of greenhouse gases is a specific requirement by the state, and on pg 32 C-P36 is how staff feels this should be implemented.
- Commissioner Mattheis stated his pleasure over the policies and how they are being presented. He would like to see the language in the policy under Growth Management LU-G1 (*GM-P1) on page 5 strengthened to promote the area south of Lodi as an agricultural area; on pg 7 LU-G1 (*GM-P11) has the verbiage of where feasible, isn't this giving too many outs. Mr. Bartlam stated that not all projects are going to be able to meet this requirement do to unusual circumstances. Mattheis would like to see the yellow sidewalks downtown go away. Bartlam mentioned that the Downtown Summit on October 16th would

be a great place to bring that issue up. Mattheis referred to page 14, CD-P29, under Mixed Use Centers isn't 10% of land being devoted to non-residential area a little small. Mr. Bartlam stated that he felt 10% is a good minimum, and wouldn't want to see the number go much higher. He then pointed out the Turner/Lower Sacramento Road intersection and surrounding area as a good example of a mixed use center. It isn't the best example of walkability but that is something that can be worked on in future developments with the new standards. Mattheis stated his agreement with Mr. Bartlam regarding page 16 LEED Certification. He believes it is all hype and is a large burden on the applicants and would like to see how staff plans on implementing equivalent policies. Page 30, C-P23; He is in favor of historic designations so long as the policies are not so restrictive that the areas or structures do not become such protected icons so as to not allow for adaptable reuse of the items.

- Commissioner Hennecke asked about page 5 regarding Growth Management; should we be implementing policies outside of the areas that are controlled by the City of Lodi. Mr. Bartlam stated that in every environmental document that has come before the Commission over the past five or six years the city has been requiring mitigation measures for preserving agricultural land outside of the City limits. The intent is to deal with this as a city policy rather than it being a hit or miss negotiation item. Further he stated that the EIR is going to be requiring it as a mitigation measure because if you are going to be off-setting the impacts it needs to be outside the City growth area. Hennecke would like to see the mitigation set up as a fee and not focus on this area for land substitution. Hennecke stated that he would like to have the language tightened up regarding the street width and resident parking T-P11 pg 19. He does not care for the narrow streets where there is barely room for two cars to pass each other while cars are parked on the street. Commissioner Kiser agreed with Hennecke. Mr. Bartlam stated that there is a correlation between livable/walkable neighborhoods and the widths of the streets with the intent of slowing down the vehicles. Commissioner Mattheis likes the narrow streets because it slows down the traffic. Kiser stated that he would like to know how the Fire Department feels at this time about this issue. Chair Cummins asked if the street is measured with cars parked on the street. Bartlam stated that if parking is allowed on the street there is an 8' width taken into account for the parked cars then the curb to curb width takes that into consideration. He asked the Commissioners to do some homework and come back with specific examples that they fell are reasonable street width for future developments. Director Bartlam stated that the language is what we are here to fine tune.
- Vice Chair Hennecke stated that the street that he lives on is a wider street with parking on both sides and is still a very walkable area with plenty of pedestrian traffic.

Director Bartlam thanked the Commission for their input and stated that he anticipates having the General Plan on the agenda for the next few meetings. He would really like to see more public input, so let's get the word out. The plan is to have the General Plan on the agenda for at least the next few meetings giving the public as much of a chance as possible to give their input.

***NOTE:** During the formatting of the policy attachment included in the packet the number was altered from it's original state, so both numbers have been included in the minutes for the publics convenience.

**LODI PLANNING COMMISSION
REGULAR COMMISSION MEETING
CARNEGIE FORUM, 305 WEST PINE STREET
WEDNESDAY, OCTOBER 14, 2009
(GENERAL PLAN DISCUSSION ONLY)**

- c) Notice thereof having been published according to law, an affidavit of which publication is on file in the Community Development Department, Chair Cummins called for the public hearing to consider the review and comment on the comprehensive Draft General Plan.

Director Bartlam gave a brief presentation based on the memo and attachments that are a part of the packet.

Commissioner Kirsten stated he did some research on Green Building Standards and the City of Nashville is considering some alternatives to the LEED standards because of significant back log and cost associated with the certification process there. Kirsten stated that after his research he agrees with the direction staff is going.

Chair Cummins asked Commissioner Mattheis if his company has had any dealings with the LEED certification process. Commissioner Mattheis stated that yes they have done a couple of LEED certification projects and is in favor of the direction that Mr. Bartlam is going with the policies.

Commission Kiser would like more clarification on the street widths. He went out and measured Elgin Avenue and it is 20 feet in width at the corner where there is a bump out. Mr. Bartlam stated that at the bumped out corner on Elgin there isn't any intension to allow parking and is meant to slow traffic down in that area.

Commissioner Mattheis asked if the cross section 1 of Standard Plan 101 was going to be eliminated altogether. Mr. Bartlam stated that it would not be eliminated because of the fact that they already exist and are needed for repair purposes.

Vice Chair Hennecke asked for clarification on the standards. He does not feel that it is safe as currently written.

Commissioner Mattheis believes that the standard is providing a purpose of slowing down traffic in non-collector type streets and feels that it works.

Director Bartlam stated that based on the concerns still being expressed he would like to bring back examples of the different types of streets and why they are set up differently for different uses.

Commissioner Kiser stated that he uses Elgin on a regular basis for business and it is difficult for two vehicles to pass one another without one of them giving way to the other. Mr. Bartlam stated that the standard is working then. The standard is meant to deter through traffic from using Elgin in place of Kettleman Lane.

Commissioner Olson stated that she understands what the standards are intending to accomplish, but feels that the idea has created more of a nuisance.

Vice Chair Hennecke would like to see what staff brings back showing the different types of streets and the reasoning behind why they are used in some places and not others.

Chair Cummins stated his agreement with Commissioner Mattheis.

Commissioner Mattheis commended staff for a job well done with the Draft General Plan.

Hearing Opened to the Public

- Jane Wagner Tyack, Lodi resident, came forward to comment on the Draft General Plan. She commends staff for a job well done. Ms. Wagner is still concerned with the water conservation portion and would like to have more solid language placed in the policy. Mr. Bartlam stated that the verbiage needs to be vague because not all projects are created equal. There are policies pertaining to the re-harvesting of grey and rain water. The City Council has approved the contract to get the water meters in place in an accelerated time line which should be a deterrent for wasting water.
- Commissioner Mattheis went over some of his comments and concerns that he expressed regarding the water conservation issues from the last meeting. He also added that the supply and demand in relation to growth will be addressed in the EIR, which is the backup document to the policies. Mr. Bartlam stated that in the alternatives document that was released and then approved in early 2009 there is a good explanation of the impacts for each of the different growth options.
- Commissioner Hennecke asked if the Commercial and industrial areas are metered or billed a flat rate. Mr. Bartlam stated that they are metered.
- Bruce Fry, Acampo resident, came forward to express his concerns over the PRR designation being taken out of the new plan for the area south of Harney Lane. This is a very important issue for the property owners in that area. It is currently proposed to be a

Continued

part of the Cluster Zoning and since the City Council has backed away from funding the EIR for that plan the residences would like to see it put back as PRR.

- Vice Chair Hennecke asked if there is a 100% buy in for the PRR designation by all of the property owners from that area. Mr. Fry stated that he can not state that 100% are on board but there is a majority of the property owners that would like to see the designation put back in to the General Plan.

Public Portion of Hearing Closed

- Commissioner Kirsten asked for a brief summary regarding the area Mr. Fry was referring to. Mr. Bartlam with the assistance of the current General Plan Map on the wall pointed out the PRR designation area and the proposed map on the PowerPoint screen pointed out the Armstrong Road Study Area. He stated that the City Council has backed off of the EIR for that Armstrong study area based on the hurdles that have been put in front of them by the County. The EIR will show a couple of different alternatives for that area.
- Director Bartlam stated that he has been taking the policies to other commissions and committees within Lodi. The Parks and Recreation Commission would like to have an additional policy within that element to deal with the financing of existing parks. The new language will be brought back with a later packet.
- Chair Cummins asked about the target date for the EIR. Mr. Bartlam stated that some time mid-November.

**LODI PLANNING COMMISSION
REGULAR COMMISSION MEETING
CARNEGIE FORUM, 305 WEST PINE STREET
WEDNESDAY, OCTOBER 28, 2009
(GENERAL PLAN DISCUSSION ONLY)**

- d) Notice thereof having been published according to law, an affidavit of which publication is on file in the Community Development Department, Chair Cummins called for the public hearing to consider the review and comment on the comprehensive Draft General Plan.

Director Bartlam gave a brief presentation before opening the item up for discussion.

Hearing Opened to the Public

- Ann Cerney, Lodi resident and representative for Citizens for Open Government, came forward to comment on the Draft General Plan. Ms. Cerney would like to see more affordable housing placed into the plan. The integrated neighborhoods have always been a part of the growth in the San Joaquin County. It is important to have a variety of housing in every neighborhood. The building of affordable housing is very important to this community. Ms. Cerney would like to see the homeless community considered in any future plans.
- Mr. Bartlam stated that the Housing Element is being worked on in conjunction with this General Plan. Staff would like to get the Housing Element reviewed by the State prior to the document being brought before the Planning Commission.
- Commissioner Kirsten stated his appreciation of Ms. Cerney's comments and hopes she will keep coming back.

Public Portion of Hearing Closed

Comment Letters

Kari Chadwick

From: Rad Bartlam
Sent: Thursday, October 29, 2009 9:44 AM
To: Kari Chadwick
Subject: FW: General Plan comments

Kari, please print and add to the Commission's packet for the next meeting.

Thanks, Rad

-----Original Message-----

From: Jon Bjork [mailto:jon@pantheoncellars.com]
Sent: Thu 10/29/2009 7:50 AM
To: Rad Bartlam
Subject: RE: General Plan comments

Hi Rad,

Thanks for reading my column!

I'm hoping you'll get at least a little more feedback from Lodi on the general plan as a result.

Having reviewed the PDFs of the draft plan from the City Web site, however, I really didn't find much I didn't agree with. My feeling is that you might not be getting much feedback because people don't often take the time just to write, "Hey, great job guys! Looks good to me!"

From my personal perspective as a Lodi home and wine business owner, and having worked on the Chamber's GP task force white paper, here are my requests:

- 1) I'm happy to see the business and city leadership staking the future of our precious town on the wine industry.
- 2) I support some form of greenbelt, and therefore support the City spending public funds to help with the establishment of it. I'm fine with an AL-5 zoning from Highway 5 to 99 and beyond, if necessary. It would be a terrible shame if the entire valley from Stockton to Sacramento became one long city.
- 3) I'm happy to see School Street be a continued focus for more development, preserving downtown as the heart and soul of Lodi. I agree with following all of the suggestions from last Friday's summit at Hutchins Street Square, including a critical mass of interesting wall-to-wall stores and restaurants, along with recognized national brands and a nice hotel, circled by New York style brownstones would keep overnight guests coming back for more.
- 4) A downtown upscale hotel is critical to build overnight out-of-town tourism. In a perfect world, fixed-income residents of the historic Hotel Lodi could be relocated into desirable high-density housing within an easy walk of School Street. That would free a developer to restore the hotel for tourists.
- 5) I've heard enough feedback now to believe that the building code is a bit strict with downtown structures, disincenting them from making them more attractive for tenants or tourists. The code should be reviewed, with provisions for cohesive façade designs, if necessary.
- 6) Continue to allow restaurants to use sidewalk areas for outdoor seating.

7) Allow new buildings downtown to be taller than existing buildings.

8) Pie-in-the-sky: Get the railroad to go underground for several blocks, allowing Elm, Pine and Lodi Ave to be uninterrupted. Build an international plaza and multi-modal underground station where the current station is now. This could be the permanent site of the Farmer's Market, outdoor concerts, and vendors, helping to unify east and west sides of the city.

9) Language to encourage the establishment of boutique wineries or tasting rooms attached to City services, along with continued access for wineries to our state-of-the-art water treatment plant at White Slough. Also allow larger wineries to use White Slough.

10) Safe bike paths and trails to the wineries, either along existing roads, or along irrigation canals. Near vineyards, these would have to be designed to allow mechanical harvesters to traverse them during harvest.

11) Good-sized "Welcome to Lodi" signs on the east and west approaches with photo-op turnouts wouldn't hurt in establishing our collective brand. Search Google images for "Welcome to Napa Sign" for an example.

12) High-density office complexes, like Blue Shield, located on the industrial southeast side would encourage restaurants serving the lunch rush and give commuters ideas for spending the weekend with the family shopping and tasting the best of Lodi.

I have intended all these comments to be supportive of the Chamber's White paper.

Please let me know if you have any questions.

Otherwise, great job guys! Your plan looks good to me!

Thanks,

Jon

Jon Bjork
Pantheon Cellars LLC
2715 W Kettleman Ln Suite 203-101
Lodi, CA 95242

panthos.com
888-952-4288
888-952-4289 fax

-----Original Message-----

From: Rad Bartlam [mailto:rbartlam@lodi.gov]
Sent: Wednesday, October 28, 2009 8:37 AM
To: wineguy@lodinews.com
Subject: General Plan comments

Jon,

I read your column this morning, as usual. I was surprised and pleased that you mentioned the City's General Plan update. I was also pleased to see you added some comment. It would be helpful to me if you could provide those comments to me via e-mail or letter. I cannot include them formally as a newspaper column.

Thanks,

Rad Bartlam
Community Development Director
City of Lodi

Kari Chadwick

From: Ryan Sherman [ryansherman10@hotmail.com]
Sent: Saturday, October 31, 2009 10:24 AM
To: Kari Chadwick
Subject: City of Lodi General Plan

To Whom It May Concern:

Please forward this to Rad as well.

Re: Gated Communities and the General Plan -

As a Realtor and home owner, I am a bit concerned that the City of Lodi would adopt as a part of its General Plan something that appears to be an infringement on private property rights. The people that choose to live in gated communities do so for their own reasons and understanding of how that effects their sense of community. Builders/Developers put gated communities in place only if they are an economically viable proposition. Basic Econ 101 - something is only worth what someone else is willing to pay. Gated communities are a part of every community just as Condos, Towne houses and standard Single Family Residence. I also serve as President for the Lodi Association of Realtors - we are dedicated to preserving private property rights and have been supportive of the City in its endeavors regarding a number of General Plan/private property topics.

However, we represent clients who proactively seek gated communities in their search and dream for home ownership. I don't believe the City should implement any plan that would limit a developers ability to develop gated communities or anyone looking to buy a home in Lodi who desires to live in a gated community. As the real estate market and economy gradually show signs of a meager turn around - let's be proactive and stay on the forefront of future SMART development - and not put in place plans that would impede economic improvement to our community. We should stay focused on our Ag preservation/Green belt initiative and look at the possibily of future development in the Lodi area without the use of Mello Roos.

Ryan Sherman
Realtor
Sherman & Associates
2009 LAR President

Behold the rain which descends from heaven upon our vineyards; there it enters the roots of the vines, to be changed into wine; a constant proof that God loves us, and loves to see us happy. - Benjamin Franklin

<http://www.lodihomesforsale.net>

Windows 7: It helps you do more. [Explore Windows 7.](#)

11/05/2009

RECEIVED

NOV 05 2009

COMMUNITY DEVELOPMENT DEPT
CITY OF LODI

11-4-09

Rad Bartlam
Community Development Department
City of Lodi
PO Box 3006
Lodi CA 95241

Dear Mr. Bartlam:

I am in favor of gated communities. Mr. Tom Sander has a "feel good" idea that can still be accomplished at an individual level. Each person can choose to get involved in activities which bring him or her in contact with a diverse group of people.

People who want to live in a gated community should be allowed to do so in Lodi.

Sincerely,

Kathleen M. Andrade

Kathleen M Andrade

RECEIVED

Joyce Siewert
220 S Orange Ave
Lodi California, 95240

NOV 09 2009
COMMUNITY DEVELOPMENT DEPT
CITY OF LODI

November 9, 2009

Rad Bartlan
Community Development Department
City of Lodi

Dear Mr. Bartlan:

I am concerned about the new General Plan being proposed for Lodi and it's section that prohibits the building of any Gated communities in the future. I personally do not want to live in one but I think it is wrong not to allow those who do, to have that privilege. In fact, I would go even farther and say that in so doing you are taking away their freedom of choosing where they live. Mr. Tom Sander states that people who live in a Gated Community have less of a chance of meeting people of a different ethnicity, race or socio-economic status. This argument is really not true, since most of our activities occur outside of our homes and neighborhoods. We work, conduct our business, attend school, belong to groups and organizations, participate in community events, attend movies, eat in restaurants, along with other members of the community regardless of our ethnicity, race or socio-economic status. This is where the "building of bridges" takes place.,

Where we live will always be influenced by our monetary means and I think those who desire to live in Gated Communities have that right.



Kari Chadwick

From: Rad Bartlam
Sent: Tuesday, November 10, 2009 2:12 PM
To: Kari Chadwick
Subject: FW: general plan comment

Please add to the pile...

-----Original Message-----

From: Steve Mann [mailto:smann1@pacbell.net]
Sent: Fri 11/6/2009 7:28 AM
To: Rad Bartlam
Subject: general plan comment

Rad,
I would like to see gated communities allowed under the new General Plan. Thanks for allowing me this opportunity for input.

Steve

RESOLUTION NO. P.C. 09-

A RESOLUTION OF THE LODI PLANNING COMMISSION RECOMMENDING THAT THE LODI CITY COUNCIL APPROVE A NEW GENERAL PLAN FOR THE CITY OF LODI AND APPROVE THE POLICY CHANGES RECOMMENDED IN THE DRAFT ENVIRONMENTAL IMPACT REPORT PREPARED FOR THE GENERAL PLAN UPDATE

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 by entering into a Professional Services Agreement with Dyett and Bhatia, Urban and Regional Planners, to prepare, a comprehensive update of the City's General Plan; and

WHEREAS, City Staff and Dyett and Bhatia have been working diligently since that time to complete the update of the General Plan; and

WHEREAS, the General Plan Update effort has involved an extensive public participation and outreach program, including stakeholder interviews, neighborhood meetings, a citywide mail-in survey, several citywide newsletters, preparation and circulation of four working papers on various plan elements and strategies, numerous community meetings, a project web-site, and two workshops conducted with the City Council and this Planning Commission; and

WHEREAS, a comprehensive draft General Plan was published on September 23, 2009, for public review and comment; and

WHEREAS, this Planning Commission held four public hearings on the proposed General Plan and made recommendations for revisions to the draft General Plan based on comments received and discussion and consideration by the Commission; and

WHEREAS, the new General Plan meets legal and adequacy requirements under California Government Code sections 65300 through 65302; and

WHEREAS, a Draft Environmental Impact Report (DEIR) on the proposed General Plan was published and released for public review and comment on November 25, 2009, for the statutorily mandated comment period of no less than 45-days; and

WHEREAS, this Planning Commission has reviewed the proposed policy changes set forth in the DEIR; and

WHEREAS, on December 9, 2009 this Planning Commission held a duly and properly noticed public hearing on the proposed General Plan; and

WHEREAS, this Planning Commission had considered the report prepared by Staff, all public comments, the policies set forth in the DEIR, and the proposed General Plan.

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

1. The foregoing recitals are true and correct and incorporated herein by reference.
2. This Planning Commission recommends that the City Council adopt the recommended policy changes set forth in the DEIR on the proposed General Plan as mitigation to reduce or clarify certain impacts created by the proposed General Plan.
3. This Planning Commission recommends that the City Council adopt the proposed General Plan for the development of the City of Lodi to the year 2030, attached to this Resolution as Exhibit A.

Dated: December 9, 2009

I hereby certify that Resolution No. 09- was passed and adopted by the Planning Commission of the City of Lodi at a regular meeting held on December 9, 2009, by the following vote:

AYES:	Commissioners:
NOES:	Commissioners:
ABSENT:	Commissioners:

ATTEST: _____
Secretary, Planning Commission

Attachments:

Exhibit A -

Item 6a.



MEMORANDUM, City of Lodi, Community Development Department

To: City of Lodi Planning Commissioners
From: Rad Bartlam, Community Development Director
Date: Planning Commission Meeting of 12/09/09
Subject: Past meetings of the City Council and other meetings pertinent to the Planning Commission

In an effort to inform the Planning Commissioners of past meetings of the Council and other pertinent items staff has prepared the following list of titles.

If you have any questions, please feel free to contact the Planning Department or visit the City of Lodi website at: <http://www.lodi.gov/city-council/AgendaPage.html> to view Staff Reports and Minutes from the corresponding meeting date.

Date	Meeting	Title
October 21, 2009	REGULAR	Set Public Hearing for November 4, 2009, to Consider the Updated Planning Division's Hourly Rate and Setting Various Fire Inspection Fees (CD)
		Conduct a Public Hearing To Consider Introducing An Ordinance Amending The San Joaquin County Multi-Species Habitat Conservation And Open Space Plan And Adopt A Resolution Setting The Development Fees For 2010 (CD)
		Adopt Resolution Authorizing the City Manager to Execute an Option Agreement to Purchase Real Property Pursuant to the Terms of the Purchase and Development Agreement with Eden Development, Inc. Regarding Senior Housing Project at 2245 Tienda Drive (CD)
		Receive A Report on Draft Environmental Impact Report/Environmental Assessment for I-5 Widening from Stockton to Southerly Limits of the White Slough Water Pollution Control Facility (CD)
November 4, 2009	REGULAR	Conduct a Public Hearing to Consider the Adoption of a Resolution to Update the Planning Division's Hourly Rate and Setting Various Fire Inspection Fees (CD)
		Receive Report on Draft Environmental Impact Report / Environmental Assessment for I-5 Widening from Stockton to Southerly Limits of the White Slough Water Pollution Control Facility (CD)
November 18, 2009	REGULAR	Adopt Resolution Setting Forth the City of Lodi's Commitment to Obesity Prevention as Outlined in the Healthy Eating Active Living (HEAL) Campaign (CM)
		Report on October 16, 2009, Downtown Summit (CM)
		Consider Holding a Special City Council Meeting to Discuss the Possibility of Developing a New Proposed Redevelopment Project/Tax Increment Plan (CM)
December 2, 2009	REGULAR	Presentation to Outgoing Mayor by City Manager King and Reorganization of the Lodi City Council