Application Information

Applicant: San Joaquin County
File Number: PA-1000110 & PA-1000111
Location: Applicable Countywide
CEQA Determination: Environmental Impact Report
Staff: Raymond Hoo

Project Description

This is a comprehensive update to the General Plan of San Joaquin County for the planning period through 2035. The proposed 2035 General Plan Update includes all actions necessary to revise and replace the existing 2010 San Joaquin County General Plan, adopted in 1992.

Recommendation

Approval of the 2035 General Plan Update and Certification of the Environmental Impact Report.
The application referrals were mailed on October 20, 2014, with responses due by December 4, 2014.

<table>
<thead>
<tr>
<th>AGENCY</th>
<th>RESPONSE DATE (through September 9, 2016)</th>
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<tbody>
<tr>
<td>Public Works</td>
<td>11/17/14, 11/18/14, 11/25/14, 12/1/14</td>
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<tr>
<td>San Joaquin Valley Air Pollution Control District</td>
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<tr>
<td>Council of Governments</td>
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<td>Delta Protection Commission</td>
<td>12/5/14</td>
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<tr>
<td>Delta Stewardship Council</td>
<td>12/5/14, 9/2/16</td>
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<td>California Regional Water Quality Control Board</td>
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<tr>
<td>California Department of Transportation</td>
<td>12/4/14</td>
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<tr>
<td>San Joaquin County Parks &amp; Recreation Commission</td>
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<tr>
<td>Modesto Irrigation District</td>
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<td>League of Women Voters</td>
<td>4/10/15</td>
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<td>Sheriff's Office</td>
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<td>Mosquito and Vector Control</td>
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<td>Lodi District Grape Growers Association</td>
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<td>All Irrigation Districts – San Joaquin County</td>
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<td>All Municipal Advisory Councils – San Joaquin County</td>
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<td>All Reclamation Districts – San Joaquin County</td>
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<td>Kathy Perez</td>
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<td>All Supervisorial Districts</td>
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A legal ad for the public hearing was published in the Stockton Record on September 19, 2016.

Public hearing notices were mailed on September 16, 2016.
Analysis

Background

The 2035 San Joaquin County General Plan is a legal document that serves as San Joaquin County’s “blueprint” or “constitution” for all future land use, development, preservation, and resource conservation decisions. General Plans must be comprehensive and long-term.

The 2035 General Plan for San Joaquin County presents a vision for the county's future and a strategy to make that vision a reality. The Plan is the result of hundreds of hours of public meetings and the collective efforts of individuals from throughout the county who have articulated their hopes and expectations for the county's future.

The General Plan addresses the issues that must be resolved as San Joaquin County grows. It is comprehensive, providing a framework for the County's physical, economic, and social development and environmental resources preservation. It addresses all geographic areas in the unincorporated county. It is also long-range. The plan looks ahead to 2035, while at the same time presenting policies to guide day-to-day decisions.

2035 General Plan

The 2035 San Joaquin County General Plan is divided into two volumes: Volume 1 – General Plan Policy Document and Volume 2 – General Plan Background Report.

Volume 1: Policy Document

Part I. Introduction

Part I includes an introduction to San Joaquin County; explains what the General Plan is, how it is organized, and how it is used; and reviews the process that was used to develop the General Plan.

Part II. Overview of San Joaquin County

Part II summarizes the existing and future conditions affecting development in San Joaquin County. It identifies the issues and the assumptions to be addressed in managing and developing the County's key resources. The issues are divided into the following six topics:

- Natural Environment
- Built Environment
- Institutional Environment
- People of the County
- Key Assumptions for the Plan
- The General Plan as a Response to Change

Part III. Goals and Policies

Part III includes all of the Countywide goals, policies, and implementation programs that are the heart of the 2035 San Joaquin County General Plan. These goals, policies, and programs address a broad range of topics required by State law and those that address unique local concerns. The Countywide goals, policies, and programs are divided into four topical chapters, or “elements,” for easy reference. The
elements are further broken down into sections, as seen below:

- Community Development Element
  - Land Use (LU)
  - County Areas and Communities (CP)
  - Housing (H)
  - Economic Development (ED)
- Public Facilities and Services Element
  - Transportation and Mobility (TM)
  - Infrastructure and Services (IS)
- Public Health and Safety Element
  - Public Health and Safety (HS)
- Resources Element
  - Natural and Cultural Resources (NCR)
  - The Delta (D)

**Part IV. Administration and Implementation**
The Administration and Implementation part of the General Plan contains procedures for maintaining and carrying out the General Plan in a systematic and consistent manner. The Administration and Implementation part of the General Plan is organized as follows:

- Introduction
- General Plan Maintenance and Monitoring
- General Plan Consistency in Implementation
- Categories of Implementation Actions/Tools
- Specific Implementation Programs

**Volume 2: General Plan Background Report**
The 2035 San Joaquin County General Plan Background Report is a "snapshot" of San Joaquin County's trends and conditions. The report provides a detailed description for a wide range of topics within the Planning Area, such as existing communities, demographics and economic development, land use, climate change, agriculture, housing, transportation and circulation, public services and utilities, natural resources, the delta, scenic resources, recreation and cultural resources, safety, and noise. The report provides decision-makers, the public, and local agencies with context for making policy decisions. Unlike the Policy Document, the Background Report is policy-neutral. Its purpose is to create a foundation or context for making policy decisions. The Background Report also serves as the benchmark conditions for the Environmental Impact Report prepared on the General Plan.
Overarching 2035 General Plan Themes

The 2035 General Plan goals, policies, and programs are guided by several overarching themes: agricultural and open space preservation; compact, city-centered growth; appropriate unincorporated community growth; designation of new employment and commercial centers; adequate infrastructure and services; and increased flood protection.

Agricultural and Open Space Preservation. The 2035 General Plan preserves farmland and open space areas outside existing, adopted City Spheres of Influence (SOIs), defined urban and rural community boundaries, in select areas identified for additional Rural Residential (R/R) development, and areas where employment generating uses are encouraged. It limits urban development outside of these areas for the next 20 years. Development in agricultural and open space areas is limited to agricultural support and accessory uses (e.g., agricultural processing facilities, agricultural residential).

Compact, City-Centered Growth. The 2035 General Plan reflects a compact growth pattern in which most new residential and employment growth is directed to cities. City growth is encouraged to occur as higher density/intensity infill development and as reuse within downtowns, existing centers and neighborhoods, and along existing corridors. Development adjacent to cities in unincorporated areas is limited to areas within existing, adopted city SOIs.

Appropriate Unincorporated Community Growth. The 2035 General Plan encourages infill development and reinvestment in the County’s unincorporated communities. Growth is directed to urban communities that have available land designated and zoned for development within their established boundaries. Commercial, mixed use, and service uses are encouraged along community "Main Streets." New mixed-use designations would allow a mix of commercial and residential development in appropriate areas (e.g., Main Streets). New development maintains and protects the existing, small-town character of the community. Infill development and expansion is limited to those communities that have or plan to have adequate infrastructure and services to accommodate additional population, commercial services, and employment uses. It also supports community expansion where there are public services and general support for growth.

Designation of New Employment and Commercial Centers. The 2035 General Plan encourages opportunities to develop employment and commercial centers in unincorporated areas of the County, provided they meet certain development standards. Most new unincorporated employment growth is preferred along existing and planned major interchanges on I-5, SR-99, I-205, and I-580; around the Stockton Metropolitan Airport; and within unincorporated communities that have available land designated and zoned for development within their established boundaries. However, it also encourages employment-generating development elsewhere in the county where there is support and interest. Retail and community supporting uses are encouraged along unincorporated community "Main Streets." All employment and commercial growth and development is limited to locations that can or will provide adequate infrastructure and services to accommodate new uses.

Adequate Infrastructure and Services. The 2035 General Plan requires that new growth and development, for both residential and non-residential uses, have sufficient infrastructure and services to meet existing and future demand. For areas with existing infrastructure and service systems, new development must either demonstrate that there is adequate capacity in the existing system, or plan, fund, and/or construct necessary upgrades to meet existing and new demands. For areas that do not have infrastructure and service systems, new development must plan, fund, and construct necessary systems to meet proposed and future planned demand. For all new and upgraded infrastructure systems, new development provides provisions for ongoing operation and maintenance and capital replacements.
**Increased Flood Protection.** The 2035 General Plan includes a number of policies and programs that will result in increased flood protection and public safety. For the most part, these policies and programs result from new State of California requirements, most prominently SB 5. This law requires the Department of Water Resources (DWR) and the Central Valley Flood Protection Board (CVFPB) to prepare and adopt the Central Valley Flood Protection Plan (CVFPP), and establishes flood protection requirements for certain local land use decisions consistent with the CVFPP. The Plan includes several key elements:

- A description of the Flood Management System.
- A description of the performance of the Flood Management System and the challenges to modifying the System to provide appropriate levels of flood protection.
- A description of the facilities included in the State Plan of Flood Control.
- A description of existing dams, levees, and other flood management facilities.
- A description of probable impacts of climate change and land use patterns.
- An evaluation of necessary structural improvements.
- A list of the facilities recommended for removal.
- A description of methods for providing an urban level of flood protection to urbanized areas in the Central Valley.
- A description of the methods for enabling or improving system wide river ecosystem functions.

Cities and counties in the Sacramento-San Joaquin Valley (Central Valley), including San Joaquin County, must incorporate the Plan's data, policies, and implementation measures into their general plans. Each city and county in the Central Valley must also amend its zoning ordinance consistent with the CVFPP.

Cities and counties in the Central Valley are prohibited from entering into a development agreement, approving any permit, entitlement, or subdivision map unless they can make one of the following findings:

- Flood management facilities provide an urban level of flood protection to urbanized or urbanizing areas or meet the FEMA standard for non-urbanized areas.
- The development agreement includes conditions that will provide an urban level of flood protection for urban or urbanizing areas or meets FEMA standards for non-urbanized areas.
- The local flood management agency has made adequate progress on construction of a flood protection system that will result in an urban level of flood protection for urban or urbanizing areas by 2025 or meets FEMA standards for non-urbanized areas.

The 2035 General Plan is consistent with the CVFPP and includes policies and programs required by the Plan.

**Property Owner Land Use Designation Change Requests**

As part of the General Plan Update, the County accepted property-owner requests for changes to the General Plan Land Use Diagram. During the General Plan Update, the Land Use Diagram was reviewed by the County and modified to address emerging issues and plan future growth and development. After the Board of Supervisors selected a Preferred Land Use Alternative, the County provided interested property owners an opportunity to request changes to the Preferred Alternative to reflect the desired use for their property. The County received 82 land use designation change requests. County staff and the Consultants reviewed all the requests and identified those that were appropriate for consideration as part of the Preferred Alternative selection process. Staff and consultants then prepared the “General Plan
**Land Use Designation Change Requests Summary** report that provided a map and detailed description of each land use designation change request and the County staff recommendation. Starting in June 2012, the Planning Commission conducted public hearings to consider the requests and make recommendations to the Board of Supervisors on each request. In February 2013 the Board of Supervisors initiated public hearings to consider the Planning Commission recommendations. During these hearings, the Board of Supervisors allowed landowners to resubmit revised versions of their original requests for reconsideration. These revisions were heard in May 2013. Ultimately, the Board approved 33 of the requests to be analyzed in the EIR and the Preferred Land Use Alternative was modified accordingly.

The following General Plan land use designation change requests are the requests that the Board of Supervisors had given the authorization to be analyzed in the EIR. These requests include a summary of the details of the request and the Staff recommendation for inclusion in the 2035 General Plan. The requests are presented in two groupings. The first grouping consists of those requests that received a recommendation of "yes" from Staff. The second grouping includes the requests that received a recommendation of "no" from Staff. Within the second grouping, the requests are organized by the reasons for recommendation of denial.

Policy LU-1.9 of the General Plan Land Use Section of Chapter 3.1 Community Development Element states the following:

**LU-1.9 New Urban Zoning Classifications**

The County shall apply new urban zoning classifications to areas planned for urban development only when adequate infrastructure and services (i.e., water, wastewater, drainage, and transportation) can be provided. Until that time these areas shall be zoned Agriculture-Urban Reserve.

Based upon this policy, the Community Development Department recommends that any landowner request involving a change in designation from Agriculture to an urban-type designation be zoned AU-20 (Agriculture-Urban Reserve, 20-acre minimum) as a consistent implementing zone, consistent with General Plan Policy LU-1.9. This zone is intended to retain in agriculture those areas planned for future urban development in order to facilitate compact, orderly growth and to assure the proper timing and economical provision of services and utilities. Subsequent development of the properties would require a Zone Reclassification as well as any required land use permits and environmental impact analysis, and would be subject to infrastructure and service requirements contained in Chapter 3.2 of the General Plan.

1. These requests received a recommendation of "yes" from Staff.

<table>
<thead>
<tr>
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<th>Page No.</th>
<th>Request</th>
<th>Total Acres</th>
<th>Owner Name(s)</th>
</tr>
</thead>
<tbody>
<tr>
<td>A-3</td>
<td>5</td>
<td>R/L → C/G</td>
<td>0.61</td>
<td>Jory</td>
</tr>
<tr>
<td><strong>Staff Recommendation:</strong> Yes. The majority of the parcel is already designated C/G. This is requesting a parcel clean-up to designate the entire parcel to C/G.</td>
<td></td>
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<tr>
<td>A-6</td>
<td>8</td>
<td>A/G → I/L</td>
<td>1.39</td>
<td>Preston</td>
</tr>
<tr>
<td><strong>Staff Recommendation:</strong> Yes. Designates a site consistent with surrounding designations and uses. The parcel is within the SOI of the City of Lathrop, but not in the Community.</td>
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<td>Request No.</td>
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<tr>
<td>A-13</td>
<td>15</td>
<td>R/R → C/FS &amp; C/C</td>
<td>14.91</td>
<td>Ghana Properties</td>
</tr>
</tbody>
</table>

*Staff Recommendation:* Yes. Consistent with the Preferred Alternative. However, the CSA currently has infrastructure issues and inadequate funding. The property owner would have to resolve inadequate service issues consistent with General Plan policies contained in Chapter 3.2, Public Facilities and Services, prior to rezoning and developing the underlying commercial projects.

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<tr>
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<td>18</td>
<td>A/G → I/G</td>
<td>26.38</td>
<td>Woodbridge Partners</td>
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*Staff Recommendation:* Yes. Consistent with the Preferred Alternative. The Preferred Alternative encourages employment uses where appropriate provided that adequate access, infrastructure, and services are provided. Rezoning and development will be subject to consistency with Chapters 3.2, Public Facilities and Services, contained in the General Plan.

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<td>19</td>
<td>A/G → C/FS</td>
<td>22.61</td>
<td>Douglas</td>
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</table>

*Staff Recommendation:* Yes. Consistent with the Preferred Alternative. Rezoning and development will be subject to consistency with Chapters 3.2, Public Facilities and Services, contained in the General Plan.

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<tr>
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<tr>
<td>A-19</td>
<td>21</td>
<td>A/G → I/G</td>
<td>53.3</td>
<td>Spreckels Sugar Co.</td>
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*Staff Recommendation:* Yes. This site is not productive farmland. It has been used for industrial processing activities and is adjacent to existing industrial operations.

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<td>23</td>
<td>I/L, R/R → C/RS</td>
<td>3.09</td>
<td>Roek, R. Lawson Enterprises</td>
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*Staff Recommendation:* Yes. Consistent with the Preferred Alternative. Proposed change is compatible with existing uses, and consistent with Policy C-3.1 contained in the Community Development Element Goals and Policies Section of the General Plan, which states that Rural Communities shall have minimal growth with mainly infill development in those communities with available land within their established boundaries.

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<tr>
<td>B-4</td>
<td>45</td>
<td>A/G → R/L</td>
<td>105.03</td>
<td>Kautz</td>
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</table>

*Staff Recommendation:* Yes. The project proponents have received will serve letters from the Lockeford CSD. They will be going before LAFCo for annexation into the Lockeford CSD on October 13, 2016.

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<tr>
<td>B-9</td>
<td>51</td>
<td>I/L → R/L</td>
<td>1.53</td>
<td>Knight</td>
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</table>

*Staff Recommendation:* Yes. This area is residential in nature and the Land Use Diagram should reflect the existing uses. Staff has contacted the property owners along this block to explain the situation and inquire about their desire to change their designation to residential. Only one other owner has contacted staff. These are the parcels recommended to be changed:

APN 143-200-10: 1002 N. Golden Gate Ave.
APN 143-200-11: 1014 N. Golden Gate Ave.
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<tr>
<td>C-2</td>
<td>63</td>
<td>R/L → C/G</td>
<td>2.0</td>
<td>Lagomarsino</td>
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*Staff Recommendation:* Yes. For site #3 only. Rezoning and development will be subject to consistency with Chapters 3.2, Public Facilities and Services, contained in the General Plan. Zoning change is requested for sites #1 and #2.

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<tr>
<td>C-3</td>
<td>64</td>
<td>R/L → C/C</td>
<td>2.87</td>
<td>Orlando</td>
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</table>

*Staff Recommendation:* Yes. Request to change 2.87 acres to C/C along the frontage of SR 88 is supported. The site is located within the unincorporated portion of the urban community of Stockton and is an extension of the commercial area along SR 88 east of Hwy 99. This is consistent with the intent of the C/C designation which provides for a range of retail and service uses serving urban areas and is only allowed in main street areas or extensive commercial areas within urban communities and city fringe areas.

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<td>E-5</td>
<td>76</td>
<td>I/L → C/FS</td>
<td>29.0</td>
<td>San Joaquin County Hospital</td>
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</table>

*Staff Recommendation:* Yes. The request is supportive of adjacent land uses. Rezoning and development will be subject to consistency with Chapters 3.2, Public Facilities and Services, contained in the General Plan.

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<tr>
<td>F-1</td>
<td>77</td>
<td>A/G → I/T</td>
<td>32.4</td>
<td>San Joaquin Valley Land Co.</td>
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*Staff Recommendation:* Yes. This request supports industrial, job-generating developments with supporting commercial/industrial uses. This request meets the locational criteria for I/T.

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<td>82</td>
<td>A/G → C/FS</td>
<td>64.68</td>
<td>Thompson &amp; Folger Co.</td>
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*Staff Recommendation:* Yes. This request would support commercial, job generating developments. Rezoning and development will be subject to consistency with Chapters 3.2, Public Facilities and Services, contained in the General Plan.

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<td>F-7</td>
<td>85</td>
<td>A/G, OS/RC, C/FS → A/UR, C/FS, I/L</td>
<td>392.75</td>
<td>Mossdale Associates, Vernalis Partners</td>
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*Staff Recommendation:* Yes. The proposed expansion of the current use on the property fronting the street would be consistent with the I/L designation. The A/UR designation would acknowledge the plan for Lathrop to annex the property for development once the existing quarry has been reclaimed.

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<tr>
<td>F-11</td>
<td>91</td>
<td>A/G → I/L</td>
<td>212.72</td>
<td>Highway 12 Investors, Greenlaw Grupe Jr Operating Co.</td>
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</table>

*Staff Recommendation:* Yes. Flag City is an established C/FS area and I/L would be consistent and compatible with the surrounding uses. There are existing public services and development at the freeway interchange with significant improvements.
Request No. | Page No. | Request | Total Acres | Owner Name(s) 
--- | --- | --- | --- | ---
G-2 | 95 | A/G → I/G | 6.38 | Financial Freedom Loans

Staff Recommendation: Yes. Consistent with the Preferred Alternative. The Preferred Alternative encourages employment uses where appropriate provided that adequate access, infrastructure, and services are provided. Rezoning and development will be subject to consistency with Chapters 3.2, Public Facilities and Services, contained in the General Plan.

Request No. | Page No. | Request | Total Acres | Owner Name(s) 
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G-7 | 100 | A/G, C/FS → I/T | 15.41 | Hamm Family Trust

Staff Recommendation: Yes. Flag City is an established C/FS area and I/T would be consistent and compatible with the surrounding uses. There are existing services and development at the freeway interchange with significant improvements.

Request No. | Page No. | Request | Total Acres | Owner Name(s) 
--- | --- | --- | --- | ---
G-8 | 101 | R/L → C/G | 5.63 | Vasti

Staff Recommendation: Yes. Consistent with the Preferred Alternative. Rezoning and development will be subject to consistency with Chapters 3.2, Public Facilities and Services, contained in the General Plan.

2. The following requests received a recommendation of "no" from Staff. They are organized by reason for denial.

WITHDRAWN

Request No. | Page No. | Request | Total Acres | Owner Name(s) 
--- | --- | --- | --- | ---
A-23 | 25 | C/C → I/G | 0.8 | Dhaliwal

Staff Recommendation: No. Withdrawn by applicant.

NO EXPANSION OR CREATION OF NEW RURAL RESIDENTIAL (R/R)

Request No. | Page No. | Request | Total Acres | Owner Name(s) 
--- | --- | --- | --- | ---
B-2 | 35 | A/G → R/R | 111.19 | Bowen, et al (Liberty/Cherokee Rd)

Staff Recommendation: No. This would be an expansion of the rural community of Collierville. The General Plan states that rural communities shall have minimal growth, mainly infill development with expansion discouraged. General Plan Chapter 3.1, Goals and Policies of the Community Development Element, states that the Rural Residential designation may only be applied in rural communities where full urban services are not available or expected and in areas in urban communities where rural residential densities already exist.

Request No. | Page No. | Request | Total Acres | Owner Name(s) 
--- | --- | --- | --- | ---
B-6 | 48 | A/G → R/R | 29.14 | Knoll Walker, Knoll

Staff Recommendation: No. This request would be an expansion of the rural community of Victor. The General Plan states that rural communities shall have minimal growth, mainly infill development with expansion discouraged. General Plan Chapter 3.1, Goals and Policies of the Community Development Element, states that the Rural Residential designation may only be applied in rural communities where full urban services are not available or expected and in areas in urban communities where rural residential densities already exist.
**Staff Recommendation:** No. This parcel is within the urban community of Thornton. Within urban communities, the General Plan only permits the Rural Residential designation to be applied where rural residential densities already exist. This would establish a new area of rural residential densities within an urban community.

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<td>57</td>
<td>R/L → R/R</td>
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**Staff Recommendation:** No. The Residential request is not supported. This request would be an expansion of the rural community of Banta. The General Plan states that rural communities shall have minimal growth, mainly infill development with expansion discouraged. General Plan Chapter 3.1, Goals and Policies of the Community Development Element, states that the Rural Residential designation may only be applied in rural communities where full urban services are not available or expected and in areas in urban communities where rural residential densities already exist.

General Plan Policy C-5.6 requires that any proposed General Plan amendment that would result in an increase of residential acreage or population of a community by more than 50 percent would require a General Plan amendment for the entire community. Because this request is about 50 percent of the size of Banta, a General Plan amendment for the entire community of Banta is required, pursuant to Policy C-5.6.

**NO EXPANSION OF LIMITED AGRICULTURE (A/L)**

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<tr>
<td>D-4</td>
<td>69</td>
<td>A/G → A/L</td>
<td>9.91</td>
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**Staff Recommendation:** No. The A/L designation intends to recognize areas of small-scale agricultural operations outside of areas planned for urban development. In this case, the A/L designation may encourage the further fragmentation of agricultural land inconsistent with agricultural land conservation goals contained in the General Plan.

**Farmington**

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<td>F-8</td>
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<td>122.79</td>
<td>Murphy Family, Farmington Properties, Farmington Vineyards Strojan Sakakura</td>
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**Staff Recommendation:** No.

Farmington is classified as a rural community. It is currently served by a public water system; however, sewage disposal is provided by individual septic systems. Most rural residential parcels within the community are smaller than one acre. General Plan Policy C-3.1, Rural Community Growth in the Community Development Element, states that rural communities shall have minimal growth, mainly infill development within their existing boundaries, with expansion discouraged. Farmington is currently comprised of 69 acres. The proposed landowner requests would expand the community by an additional 255.7 acres, largely made up of requests for R/R, with approximately 7 acres of additional C/RS. This constitutes a significant increase in the community's area, and would not be consistent with Policy C-3.1 mentioned above.
General Plan Policy C-1.5 seeks to promote orderly and compact development within urban and rural communities by directing growth to areas within the community boundary. Policy C-1.6 promotes infill within rural and urban communities. Policy C-5.6 of the General Plan requires that any proposed General Plan amendment that would result in an increase of residential acreage or population of a community by more than 50 percent would require a General Plan amendment for the entire community. Based upon the scale of the landowner requests, a General Plan amendment for the entire community of Farmington is required. Pursuant to Policy C-5.6, one other option would be to look at the proposed expansion as a conversion of a rural community to an urban community. General Plan Policy C-5.5 contains provisions for such proposals requiring the preparation and adoption of a Master Plan and Public Finance Plan that includes the entire community. This may also require the preparation of one or more Specific Plans for the community. General Plan Policy C-5.7 contains requirements for community plan expansions that requires the new Master Plan, Specific Plan, and Public Finance Plans include all areas within the existing and proposed community, and provides a mechanism for financing on- and off-site improvements, maintenance, and improvements for public services and facilities.

**Landowner Requests Not Consistent with the Delta Plan**

Pursuant to the Delta Reform Act of 2009, the Delta Stewardship Council (DSC) has specific regulatory and quasi-judicial authority over certain actions that take place in whole or in part in the Primary and Secondary Zones of the Delta, known as covered actions. If an action taken by a local planning agency meets the definition of a covered action, it triggers requirements contained in the Delta Plan, administered by the DSC, for the agency to make a certification of consistency with the Delta Plan. The certification of consistency is based upon findings, which must be based upon best available science. The certification of consistency is subject to appeal by anyone, including the DSC. Appeals are heard and considered by the DSC.

The DSC has stated in their comment letter on the Draft EIR that the following five landowner requests are inconsistent with the Delta Plan. The DSC stated that unless parcels have been designated with an urban designation on September 1, 2013, any such subsequent change in designation is inconsistent with the Delta Plan. Delta Plan Policy DP P1 established the urban boundaries described above, with the intent of protecting farmland and open space. Based upon this, the DSC recommended that the County retain the existing agricultural designation on all these five landowner requests.

The DSC also commented that the County’s action changing the designation on the five areas would be a covered action and, therefore, subject to certification of consistency with the Delta Plan.

Because approval of these five landowner requests will likely be challenged by the DSC as being inconsistent with the Delta Plan, and because such a challenge could indefinitely delay implementation of the entire General Plan, Staff is recommending that the five landowner requests in question be removed from consideration as part of the General Plan Update, and be considered in a separate action.

If the Planning Commission and Board of Supervisors determine that one or more of these requests merits approval, the property owner(s) will be responsible for preparing the documentation for the certification/covered action process.

Removing the five requests from the General Plan Update will result in the Update not being a covered action and, therefore, not subject to the certification and appeals process of the DSC. The San Joaquin Council of Governments determined that absent the five landowner requests, the General Plan Update was consistent with their adopted Sustainable Communities Strategy, and therefore, not a covered action.
### Program Environmental Impact Report (PEIR)

**Certification of the Final Program Environmental Impact Report**

The proposed San Joaquin County 2035 General Plan approvals constitute a “project” as defined by, and subject to the requirements of, the California Environmental Quality Act (CEQA) (Public Resources Code, Section 21000 et seq.) and the “CEQA Guidelines” (California Code of Regulations, Title 14, Section 15000 et seq.). For purposes of CEQA, the term “project” refers to the whole of an action that has the potential for resulting in a direct physical change or a reasonably foreseeable indirect physical change in the environment (CEQA Guidelines Section 15378).

San Joaquin County has determined that the size, scale, and potentially significant impacts resulting from the proposed project require the preparation of an EIR. Consistent with CEQA, this EIR is an informational document which will inform public agency decision-makers and the public about the significant environmental effects of the proposed Plan, and about mitigation measures and/or alternatives to the project to minimize the Plan’s significant adverse impacts (CEQA Guidelines Section 15121(a)). The series of actions analyzed in the Program EIR include potential future development in the unincorporated County based on the horizon year of the General Plan Update, 2035, as well as associated updates to plans, programs, and policies that support the General Plan. While the Program EIR identifies potential impacts that would result from project implementation, the analysis is not detailed to the level of site specificity. The Program EIR identifies a range of potential impacts resulting from future development allowed under the 2035 General Plan and identifies mitigation measures that will guide future development and reduce identified potentially significant effects.

CEQA requires that an EIR discuss a reasonable range of potentially feasible alternatives to the project. The Draft PEIR describes and analyzes a reasonable range of alternatives, including a “No Project” alternative as required under CEQA (CEQA Guidelines Section 15126.6[e]); compares the

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### Request Details

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environmental effects of each alternative with the effects of the project; and addressed the relationship of each alternative to the project objectives. The final determinations of the County concerning the feasibility, acceptance, or rejection of the alternatives considered in the Draft PEIR are addressed in the Findings.

On October 9, 2013, the County sent a Notice of Preparation (NOP) to responsible, trustee, and Federal agencies, as well as to organizations and individuals potentially interested in the Plan. The NOP is included as Appendix A of the DPEIR. The NOP requested that agencies with regulatory authority over any aspect of the Plan describe that authority and identify the relevant environmental issues that should be addressed in the EIR. Interested members of the public were also invited to comment. Responses to the NOP are included as Appendix B of the DPEIR.

Following the public review period, the Final PEIR was prepared. The Final PEIR responds to comments on environmental issues that are received during the public review period, including both written comments and oral comments made at the public hearing on the Draft EIR.

**Determination of the Adequacy of the Final PEIR**

The only determination to be made by the Commission in order to certify the PEIR is whether or not it is adequate as described in Section 15151 of the CEQA Guidelines. This section states in part "an EIR should be prepared with a sufficient degree of analysis to provide decision makers with information which enables them to make a decision which intelligently takes account of environmental consequences. An evaluation of the environmental effects of a proposed project need not be exhaustive, but the sufficiency of an EIR is to be reviewed in light of what is reasonably feasible.” It is the Community Development Department’s determination that the PEIR meets the intent of this section. The document thoroughly discusses all potentially significant environmental issues, contains all sections required by law, and adheres to all review periods and time requirements. All issues raised during the review of the Draft PEIR are thoroughly discussed in the Final PEIR.

**Draft PEIR Analysis**

The Draft PEIR analyzes a full range of potential environmental effects of the 2035 General Plan implementation. A general plan PEIR is unique and distinctly different from other program and project-specific EIRs. Because a general plan is largely comprised of goals, policies, and implementation programs, the PEIR analysis is focused on the potential effects of the implementation of those goals, policies, and programs. When the PEIR determines that goals, policies, or programs may have a significant environmental effect, the method of mitigation is to present additional or revised policies and programs as mitigation measures. The following is a summary of the PEIR analysis and the key policy revisions.

**Land Use**

Implementation of the 2035 General Plan could physically divide an established community within the county. General Plan policies do not specifically address the potential for physically dividing an existing community, which includes developed residential neighborhoods and urban communities. However, the potential for this impact is considered low because policies are generally aimed at protecting existing development. While new areas of development identified in the 2035 General Plan would not result in division of established communities, new infrastructure development to serve General Plan growth has the potential to divide established communities, which would be a potentially significant impact. This could include the unforeseen development of large features which are linear in nature, such as freeways,
utility corridors, rail lines, and roadways. The Draft PEIR includes the following new policy and program to mitigate the potential for the 2035 General Plan to physically divide an established community:

**Mitigation Measure 4.A-1:** The following new policy shall be included in the 2035 General Plan as a means of reducing the impact of division of an existing community:

**LU-14: New Infrastructure Developments.** The County shall work to reduce or eliminate potential impacts of any new major infrastructure development, especially those that are linear in nature (freeways, utility corridors, rail lines, roadways, etc.), that could physically divide an established community. In this case, the term “established community” shall mean residential neighborhoods or urban communities.

The following corresponding implementation program shall also be included in the 2035 General Plan:

**LU-G: Review of New Infrastructure.** The County shall comment on any plan that would result in new infrastructure (e.g., freeways/roads, transmission lines, rail lines, surface water conveyance facilities) that would physically divide an established community and shall require that any routing be revised to protect existing communities. The County shall work with special districts, community service districts, public utility districts, mutual water companies, private water purveyors, sanitary districts, and sewer maintenance districts to provide adequate public facilities and to plan/coordinate, as appropriate, future above-ground utility corridors in an effort to minimize future land use conflicts.

With adoption of this policy and implementation measure, this impact is considered **less than significant** because it would prevent new infrastructure from physically dividing established communities.

Implementation of the 2035 General Plan could also conflict with applicable land use plans, policies, or regulations of an agency with jurisdiction over the project adopted for the purpose of avoiding or mitigating an environmental effect. The proposed 2035 General Plan is consistent with Spheres of Influence established by LAFCo; General Plan policies also address working with LAFCo to ensure that new development is appropriately located when annexations are proposed. Some development facilitated by the 2035 General Plan could occur within the areas covered by the Airport Land Use Compatibility Plans. The 2035 General Plan is supportive of the goals, policies, and strategies of San Joaquin Council of Governments (SJCOG) 2014-2040 RTP/SCS. However, the proposed area of land use change at the southwestern edge of Stockton, adjacent to the Port of Stockton is in the Primary Zone of the Delta and would conflict with the Delta Protection Commission Land Use and Resources Management Plan (LURMP). In this area the 2035 General Plan had proposed to change the Agricultural land designations for approximately 607 acres to a General Industrial designation. This would be considered a significant impact. The Draft PEIR includes the following mitigation measure:

**Mitigation Measure 4.A-2:** The 2035 General Plan shall be revised to retain the existing agricultural land designations for the approximately 607 acres at the southwestern edge of Stockton that are within the Primary Zone of the Delta and are subject to the Delta Protection Commission Land Use and Resources Management Plan (LURMP).

In light of the determination above of a significant and unavoidable impact from the proposed land use change, the applicant has withdrawn the proposal. With implementation of the above mitigation measure, and with the withdrawal of the proposed land use change, this impact would be considered **less than significant**.

The Draft PEIR determined that implementation of the 2035 General Plan would result in **less than**...
significant impacts with the San Joaquin County Multi-Species Habitat Conservation and Open Space Plan.

Agricultural and Forestry Resources

Implementation of the 2035 General Plan would result in the conversion of Prime Farmland, Unique Farmland, and Farmland of Statewide Importance to non-agricultural uses. General Plan policies, implementation programs, the Agricultural Conversion Ordinance, and County agricultural land preservation policies and programs would substantially reduce farmland conversion, but some farmland conversion would still occur. New farmland cannot feasibly be made available because it would require either conversion from an existing, developed use, or conversion from forest land, park land, or open space. Such uses are typically either occupied by existing businesses or residents, or are also protected from conversion under State and local policies and regulations. Therefore, the impact would be significant and unavoidable.

The Draft PEIR determined that implementation of the 2035 General Plan would result in less than significant impacts, individually or cumulatively, to existing zoning for agricultural use and Williamson Act contracts.

Population and Housing

The Draft PEIR determined that implementation of the 2035 General Plan would result in less than significant impacts related to inducing substantial population or housing growth and displacing a substantial number of people or housing.

Transportation and Circulation

Implementation of the proposed 2035 General Plan could result in increased traffic volumes, delay, and a decrease in level of service (LOS) on two SR 88 roadway segments during the peak hours that exceed both the Regional Congestion Management Plan (RCMP) and Caltrans LOS standards. The Draft PEIR includes the following new policy to contribute to the mitigation of this impact:

Mitigation Measure 4.D-1: The following new policy shall be included in the 2035 General Plan:

**TM-1.19: At the time these sections of State Route 88 are shown through Regional Congestion Management Plan (RCMP) traffic count monitoring to exceed the RCMP standards, the County of San Joaquin shall coordinate with the San Joaquin Council of Governments (SJCOG) to evaluate the need for a RCMP Deficiency Plan. If needed, the RCMP Deficiency Plan shall identify improvements to add roadway capacity to allow the facility to achieve the RCMP level of service (LOS) standard (“direct fix”). Alternatively, the County may prepare an RCMP system-wide deficiency plan to improve multi-modal circulation and air quality. Improvements identified in the RCMP Deficiency Plan shall be programmed for inclusion and construction under the Regional Transportation Impact Fee (RTIF) program, payable at the time of building permit applications. Construction of the “direct fix” improvements would improve LOS at both of these segments to an acceptable LOS D or better.**
Because it is uncertain whether full funding will be achieved for construction of this improvement, and, if so, whether and when such improvement will be constructed even with implementation of this mitigation measure, and therefore whether this improvement will be constructed prior to project buildout, this impact would be **significant and unavoidable**.

Implementation of the proposed 2035 General Plan could result in increased daily traffic volumes on local County roadways forecast to be deficient under future baseline conditions per the County’s average daily traffic (ADT) threshold. The proposed 2035 General Plan would add more than 100 ADT to eight local roadways (spanning nine segments) that would already exceed the County’s ADT threshold under the 2035 Baseline conditions. Based on the applicable ADT significance thresholds, these impacts are considered significant. The following new implementation program is included in the Draft PEIR to partially mitigate this impact:

**Mitigation Measure 4.D-2**: The following new implementation program shall be included in the 2035 General Plan:

**TM-K**: The County shall widen the following local roadways from two to four lanes or, alternatively, implement demand management strategies to reduce daily traffic to less-than-significant levels. As part of the next Traffic Impact Mitigation Fee (TIMF) update, the County shall consider including these roadway improvements in the TIMF Capital Improvement Program where they are not already addressed in the Regional Transportation Improvement Fee Program:

- Chrisman Road, North of Schulte Road
- Escalon-Bellota Road from Mahon Ave to Magnolia Lane
- French Camp Road, East of Airport Way
- Howard Road from Clifton Court Road to Grimes Road
- Jack Tone Road from French Camp Road to SR 120
- Jack Tone Road from Leroy Ave to Graves Road
- Lower Sac Road, North of Mokelumne Street
- McHenry Ave from Jones Road to the Stanislaus County Line
- Tracy Boulevard, South of Finck Road

After mitigation, this impact remains **significant and unavoidable**.

The Draft PEIR also determines that implementation of the 2035 General Plan, combined with cumulative development in the defined geographic area, including past, present, and reasonably foreseeable probable future development, would contribute to significant cumulative transportation and circulation impacts. This impact is considered **significant and unavoidable**.

The Draft PEIR determined that the 2035 General Plan would result in **less than significant impacts** related to consistency with the SJCOG regional plan; transit services; transit policies, plans, or programs; pedestrian or bicycle facilities; traffic safety; air traffic; and emergency access.
Cultural and Paleontological Resources

Implementation of the proposed 2035 General Plan could cause a substantial adverse change in the significance of a historical resource within San Joaquin County. The 2035 General Plan plays a key role in the preservation and enhancement of its historical architectural resources with the development of several policies contained in the Natural and Cultural Resources (NCR) Element. However, even with implementation of these policies, County actions could still result in a substantial adverse change to historical resources due to demolition or inappropriate alteration, which would be considered a significant impact. Although unlikely, the Draft PEIR would not entirely rule out such actions on a countywide level. The Draft PEIR includes a revised mitigation measure to address this impact:

Mitigation Measure 4.E-1: The following revision to NCR-6.7 “Adaptive Reuse of Historic Structures,” in the 2035 General Plan would reduce the impact of the inappropriate adaptive reuse efforts of designated or eligible historical resources in San Joaquin County.

NCR-6.7: Adaptive Reuse of Historic Structures. The County shall encourage the adaptive reuse of architecturally significant or historical buildings if the original use of the structure is no longer feasible and the new use is allowed by the underlying land use designation and zoning district. Adaptive reuse efforts shall conform to the Secretary of the Interior’s Standards for the Treatment of Historic Properties and Guidelines for Preserving, Rehabilitating, Restoring, and Reconstructing Historic Buildings.

Even with this revised policy, the Draft PEIR determined that the impact remains significant and unavoidable.

Implementation of the 2035 General Plan could cause a substantial adverse change in the significance of a known unique archaeological resource. It could also directly or indirectly destroy a unique paleontological resource or site or unique geologic feature. The Draft PEIR includes the following mitigation measure to reduce such impacts:

Mitigation Measure 4.E-2: The following revision to NCR-6.5 “Protect Archaeological and Historical Resources,” in the 2035 General Plan would reduce impacts to significant archaeological resources from issuance of any discretionary permit or approval in San Joaquin County. [Note that revisions address both Impact 4.E-2 and 4.E-3.]

NCR-6.5: Protect Archaeological, Paleontological, and Historical Resources. The County shall protect significant archaeological, paleontological, and historical resources by requiring that an archaeological and cultural resources report be prepared by a qualified cultural resource specialist prior to the issuance of any discretionary permit or approval in areas determined to contain significant historic or prehistoric archaeological artifacts or paleontological resources that could be disturbed by project construction. The County shall require feasible mitigation identified in the report, such as avoidance, testing, or data recovery efforts, to be implemented.

With mitigation, the impact is considered less than significant.

The Draft PEIR also determined that the 2035 General Plan, with the inclusion of Mitigation Measure 4.E-3 below, would have a less than significant impact on archaeological resources inadvertently discovered during ground-disturbing activities.

Mitigation Measure 4.E-3: The following new policy “Inadvertent Discovery of Cultural Resources,”
in the 2035 General Plan would reduce impacts to accidentally discovered archaeological resources during ground disturbing activities in San Joaquin County:

**NCR-6.10: Inadvertent Discovery of Cultural Resources.** If prehistoric or historic-period archaeological resources are encountered during ground disturbing activities in the county, all activities within 100 feet shall halt and the County shall be notified. A Secretary of the Interior-qualified archaeologist shall inspect the findings within 24 hours of discovery. If it is determined that a project could damage a unique archaeological resource (as defined pursuant to the CEQA Guidelines), mitigation shall be implemented in accordance with PRC Section 21083.2 and Section 15126.4 of the CEQA Guidelines, with a preference for preservation in place. Consistent with Section 15126.4(b)(3), this may be accomplished through planning construction to avoid the resource, incorporating the resource within open space; capping and covering the resource; or deeding the site into a permanent conservation easement. If avoidance is not feasible, a qualified archaeologist shall prepare and implement a detailed treatment plan in consultation with the County. Treatment of unique archaeological resources shall follow the applicable requirements of PRC Section 21083.2. Treatment for most resources would consist of (but would not be not limited to) sample excavation, artifact collection, site documentation, and historical research, with the aim to target the recovery of important scientific data contained in the portion(s) of the significant resource to be impacted by the project. The treatment plan shall include provisions for analysis of data in a regional context, reporting of results within a timely manner, curation of artifacts and data at an approved facility, and dissemination of reports to local and state repositories, libraries, and interested professionals.

Implementation of the 2035 General Plan, in conjunction with past, present, and reasonably foreseeable probable future projects, could have significant cumulative impacts on historical resources in the county. The 2035 General Plan provides for the protection of historical resources with the implementation of Policies NCR-6.1-4 and NCR-7 and -8. These policies, in addition to Mitigation Measure 4.E-1a which would revise NCR-6.7, would reduce impacts to historic resources from past, present, and future development throughout the county. City General Plans and programs have similar types of policies that would also reduce impacts to historical resources associated with city growth. However, implementation of the General Plan policies may nonetheless result in a “substantial adverse change” (physical demolition, destruction, relocation, or alteration of the resource or its immediate surroundings) through various development activities for which no possible mitigation may be available to maintain the historic integrity of the affected resource or its surroundings. For this reason cumulative impacts to historical resources and unique archaeological resources were determined by the Draft PEIR to be **significant and unavoidable.**

**Biological Resources**

The Draft PEIR determined that implementation of the 2035 General Plan would have **less that significant impacts** on species identified as candidate, sensitive, or special-status species and riparian habitat or other sensitive natural communities.

**Air Quality**

Development facilitated by implementation of the proposed 2035 General Plan could violate an air quality standard or contribute substantially to an existing or projected air quality violation due to construction activities. Construction activity that would occur over the next several years in accordance with the 2035 General Plan would cause temporary, short-term emissions of various air pollutants within the county. The Draft PEIR includes the following policy to reduce temporary air quality impacts from construction activities:
Mitigation Measure 4.G-1: The following additional policy shall be included to address potential construction emissions from new development under the 2035 General Plan:

**PHS-5.15: Construction Emissions.** The County shall require that new development projects incorporate feasible measures to reduce emissions from construction, grading, excavation, and demolition activities to avoid, minimize, and/or offset their impacts consistent with San Joaquin Valley Air Pollution Control District requirements.

The addition of this policy would reduce construction air pollutant emissions associated with 2035 General Plan development and would ensure that construction emissions would be less than significant. Development under the 2035 General Plan could generate operational emissions that would violate an air quality standard or contribute substantially to an existing or projected air quality violation. The 2035 General Plan policies represent the best practicable measures to reduce emissions associated with development allowed under the Plan. However, the Draft PEIR includes the following additional mitigation measures to reduce air quality impacts:

Mitigation Measure 4.G-2: The following additional policy shall be included to address potential operational emissions from new development under the 2035 General Plan:

**PHS-5.16: Operational Emissions.** The County shall require that new development projects incorporate feasible measures that reduce operational emissions through project and site design and use of best management practices to avoid, minimize, and/or offset their impacts consistent with San Joaquin Valley Air Pollution Control District requirements.

**PHS-5.17: Wood Burning Devices.** The County shall require the use of natural gas where service is available or the installation of low-emission, EPA-certified fireplace inserts in all open hearth fireplaces in new homes as required under the SJVAPCD Rule 4901 – Wood-burning Fireplaces and Wood-burning Heaters. The County shall promote the use of natural gas over wood products in space heating devices and fireplaces in all existing and new homes.

Given the uncertainty as to whether future operational reactive organic gases (ROG) criteria air pollutant emissions could be adequately reduced to be consistent with the SJVAPCD thresholds of significance, this impact would remain significant and unavoidable. No additional mitigation is currently available to reduce this impact to a less than significant level.

The 2035 General Plan could expose sensitive receptors to substantial concentrations of toxic air contaminants. Development resulting from the 2035 General Plan could place sensitive land uses near local intersections or roadways associated with air pollutant emissions that exceed State or Federal ambient air quality standards. Similarly, existing sensitive land uses near local roadways that experience increased levels of traffic resulting from development under the 2035 General Plan could be exposed to air pollutant emissions that exceed State and/or Federal ambient air quality standards. The Draft PEIR includes the following mitigation measure to reduce exposure to toxic air contaminants:

Mitigation Measure 4.G-3: The following additional policy shall be included to address potential health risks from new development under the 2035 General Plan:

**PHS-5.18: Health Risk Evaluation.** Prior to project approval, the County shall evaluate health risks when proposed developments would result in new sensitive receptors near existing sources of substantial toxic air contaminants (TACs) or the development of sources of substantial toxic air contaminants near existing sensitive receptors. Evaluation would be based on consideration of the California Air Resource’s Board Air Quality and Land Use...
Handbook: A Community Health Perspective distance recommendations between sources and receptors. If the project would not meet the distance recommendations between sources and receptors, the County shall require the applicant to ensure that TAC impacts would be below the carcinogenic threshold (i.e., probability of contracting cancer for the Maximally Exposed Individual would be less than 10 in one million) and below the non-carcinogenic threshold (i.e., result in a Hazard Index less than 1 for the Maximally Exposed Individual). In addition, several measures to reduce potential risk from commercial or industrial land uses that would be considered include:

- **Proposed commercial or industrial land uses that have the potential to emit toxic air contaminants (such as loading docks for diesel delivery trucks) would be located as far away as possible from existing and proposed sensitive receptors.**
- **Signs would be posted at all loading docks and truck loading areas which indicate that diesel-powered delivery trucks must be shut off when not in use for longer than 5 minutes on the premises in order to reduce idling emissions.**
- **Proposed commercial and industrial land uses that have the potential to host diesel trucks would incorporate idle reduction strategies that reduce the main propulsion engine idling time through alternative technologies such as, IdleAire, electrification of truck parking, and alternative energy sources for transport refrigeration units to allow diesel engines to be completely turned off.**

The addition of this policy would guide health risk considerations and reduce potential toxic air contaminant exposure at existing and new sensitive receptors, thereby reducing this impact to **less than significant levels** because TAC significance thresholds would not be exceeded.

Development facilitated by implementation of the 2035 General Plan could create objectionable odors affecting a substantial number of people. This impact is considered **less than significant** because 2035 General Plan implementation would not create objectionable odors that would affect a substantial number of people. No mitigation is required.

Development facilitated by implementation of the 2035 General Plan could conflict with or obstruct implementation of the applicable air quality plan. The 2035 General Plan was designed specifically to achieve and promote consistency with the planning documents that apply to the county. However, based on the fact that the SJVAPCD is still developing future regulatory efforts to achieve aggressive reduction goals and the amount of growth that may occur under the 2035 General Plan, the 2035 General Plan possibly could conflict with or obstruct implementation of the SJVAPCD attainment plans. The 2035 General Plan policies and measures represent the best practicable strategies to reduce emissions associated with Plan development. No additional mitigation is currently available to reduce this impact to a less than significant level. The impact is considered **significant and unavoidable**.

Development facilitated by implementation of the proposed 2035 General Plan, when combined with past, present, and other reasonably foreseeable development in the vicinity, could result in cumulative criteria air pollutant air quality impacts. This cumulative impact is considered **significant and unavoidable**.
Noise

Construction facilitated by implementation of the 2035 General Plan could expose persons to or generate noise levels in excess of the County noise standards. Construction-related noise is considered a short-term noise impact associated with demolition, site preparation, grading, and other construction-related activities. Implementation of the 2035 General Plan would result in additional countywide residential and non-residential land use developments that have the potential to result in all of these types of construction-related noises at varying times and intensities. The Draft PEIR includes the following policy and program intended to reduce construction noise impacts:

**Mitigation Measure 4.H-1:** The following additional policy and implementation program shall be included to address potential construction noise from new development under the 2035 General Plan:

*PHS-9.10: Construction Noise Time Limitations.* The County shall seek to limit the potential noise impacts of construction activities on surrounding land uses by limiting construction activities to the hours of 7 am to 7 pm, Monday through Saturday. Exceptions to these allowable hours could be allowed if approved beforehand by the County.

*PHS-AA: Revise Construction Noise Hours of Exemption.* The County Code shall be revised to incorporate the more conservative allowable hours of construction of 7 am to 7 pm for noise exemption in order to reduce the potential for nuisance and/or sleep disturbance from construction noise.

The addition of this policy and program, in combination with the 2035 General Plan policies and programs would reduce construction noise associated with 2035 General Plan development and would ensure that construction noise would be less than significant.

The Draft PEIR determined that the construction facilitated by implementation of the 2035 General Plan would result in less than significant impacts related to the exposure of persons to or generation of excessive ground borne vibration or ground borne noise levels.

Development facilitated by implementation of the 2035 General Plan could place noise-sensitive residential uses in a noise environment that would exceed the County's standards for exterior/interior noise exposure. The 2035 General Plan would facilitate development that may add noise-sensitive uses (e.g., residential uses) to multiple areas of the county. These uses could be affected by existing ambient noise exposure (i.e., from existing uses) or from future proposed uses in the vicinity. The Draft PEIR includes a revision to Policy PHS-9.7 to strengthen the effectiveness of the policy:

**Mitigation Measure 4.H-5:** Policy PHS-9.7 shall be revised as follows to address potential non-transportation-source noise impacts from new development under the 2035 General Plan:

*PHS-9.7: Require Acoustical Study.* The County shall require a project applicant to prepare an acoustical study for any proposed new residential or other noise-sensitive development when the County determines the proposed development may expose people to noise levels exceeding acceptable General Plan noise levels. Based on this acoustical study, the applicant shall incorporate mitigation measures into the project design in order to achieve the County noise standards.

These potential noise impacts would be considered less than significant after mitigation.
Geology, Soils, and Seismicity

In the event of a major earthquake in the region, seismic ground shaking could injure people and cause collapse of or structural damage to structures and/or retaining walls associated with development under the 2035 General Plan. The county is situated in proximity to several active faults that could experience a substantial earthquake. Isolated portions of the county may be subject to strong seismic ground shaking. The 2035 General Plan includes several policies designed to address a variety of public health and safety issues resulting from seismic hazards. Although the 2035 General Plan policies and regulations would reduce geologic and seismic hazards, these hazards would be significant because General Plan policies do not specify performance standards for their consideration.

Mitigation Measure 4.I-1: The proposed 2035 General Plan Policies PHS-3.1 and PHS-3.2 shall be modified as follows:

**PHS-3.1: Consider Geologic Hazards for New Development.** The County shall consider the risk to human safety and property from seismic and geologic hazards (e.g., slope/levee stability, unstable soils, expansive soils, etc.) as identified through a geotechnical investigation by a California licensed geotechnical engineer in designating the location and intensity for new development and the conditions under which that development may occur in accordance with the most current version of the County’s building code. The County shall require feasible mitigation identified in the geotechnical investigations to be implemented.

**PHS-3.2: Location of Sensitive Land Uses.** The County shall not approve any of the following land uses if they are located within one-eighth of a mile of any active fault or on soil that is highly susceptible to liquefaction as identified in a geotechnical investigation by a California licensed geotechnical engineer: facilities necessary for emergency services; major utility lines and facilities; manufacturing plants using or storing hazardous materials; high occupancy structures, such as multifamily residences and large public assembly facilities; and facilities housing dependent populations, such as prisons, schools, and convalescent centers.

With these revised policies, earthquake-related impacts are considered less than significant.

In the event of a major earthquake in the region, people and property in the county could be exposed to seismically-induced ground failure, including liquefaction, lateral spreading, and earthquake-induced settlement. The 2035 General Plan provides a number of policies and implementation measures that have been developed to ensure a safe environment for the county’s residents, visitors, and businesses. These policies and implementation measures include consideration of liquefaction hazards for new development (PHS-3.4 and PHS-3.5). However, these policies do not specify performance standards. The Draft PEIR includes revised policies to reduce potential impacts:

Mitigation Measure 4.I-2: The proposed 2035 General Plan Policies PHS-3.4 and PHS-3.5 shall be modified as follows:

**PHS-3.4: Liquefaction Studies.** The County shall require proposals for new development in areas with high liquefaction potential to include detailed site-specific liquefaction studies by a California licensed geotechnical engineer or engineering geologist in accordance with the most current County building code.

**PHS-3.5: Subsidence or Liquefaction.** The County shall require that all proposed structures, utilities, or public facilities within recognized near-surface subsidence or
liquefaction areas be located and constructed in a manner that minimizes or eliminates potential damage in accordance with the most current County building code.

Seismically-induced ground failure, including liquefaction, lateral spreading, and earthquake-induced settlement impacts, after mitigation, are considered less than significant.

The Draft PEIR determined that development under the 2035 General Plan would have less than significant impacts related to seismically induced landslides or levee failures; soil erosion; loss of topsoil; landslides; lateral spreading; subsidence; liquefaction; collapse; expansive soils; and cumulative impacts related to geology, soils, or seismic hazards.

Hydrology and Water Quality

The Draft PEIR determined that construction under the 2035 General Plan would result in less than significant impacts related to water quality standards or waste discharge requirements; water quality; groundwater supplies; recharge areas; existing drainage patterns; streams or rivers; erosion or siltation; surface runoff; existing stormwater drainage systems; areas subject to 100-year flooding; failure of a dam or levee; or cumulative impacts on hydrology and water quality.

Hazards and Hazardous Materials

The Draft PEIR determined that development facilitated by implementation of the 2035 General Plan would have less than significant impacts related to the transportation, use, and storage of hazardous materials; hazards associated with locating development near airports; adopted emergency response or evacuation plans; and wildland fires.

Aesthetics

Development under the 2035 General Plan could have a substantial adverse effect on a scenic vista. New development could affect a scenic vista, depending on the location of the new development, the intensity and height of new buildings, and the overall design of the project. New infrastructure such as new or expanded roadways could also have impacts on scenic vistas. The Draft PEIR includes an implementation program to reduce potential scenic vista impacts of new or expanded roadways serving development permitted under the 2035 General Plan:

**Mitigation Measure 4.L-1:** The following implementation program shall be added to the 2035 General Plan:

*IS-S:* The County shall work with Caltrans to ensure that any road expansions of identified scenic routes shall minimize disruption of the elements that make the route scenic (e.g., orchards, historic structures, and riparian vegetation).

Impacts after mitigation would be less than significant.

Development facilitated by implementation of the 2035 General Plan could create a new source of substantial light or glare that could adversely affect day or nighttime views in the project area. The Draft PEIR includes revised policies to mitigate these potential impacts to less that significant.

**Mitigation Measure 4.L-4:** Policy NCR-7.7 shall be revised as follows:

*NCR-7.7: Reducing Glare and Light Pollution.* The County shall encourage project designs, lighting configurations, complementary land uses, and operational practices that
reduce the potential for glare during daytime hours and reduce nighttime light pollution and to protect adjacent land uses from light and glare and preserve views of the night sky.

To reduce lighting impacts from new signage, Implementation Program ED-I shall be revised as follows:

ED-I: Signage and Wayfinding Program. The County, in coordination with Caltrans, chambers of commerce, and the Lodi Winegrowers Association, shall develop, adopt, and maintain a comprehensive signage and wayfinding program for agritourism, wineries, recreation, and heritage sites that will help tourists easily navigate from one destination to another throughout the county. Lighting of any signage shall be designed to minimize glare for its surroundings.

The Draft PEIR determined that development facilitated by the 2035 General Plan would have less than significant impacts related to scenic resources and visual character.

Public Services and Recreation

The Draft PEIR determined that development under the 2035 General Plan would result in less than significant impacts related to fire protection and police facilities; schools; or public services. Development facilitated by implementation of the 2035 General Plan could increase the use of existing neighborhood and regional parks and recreation centers, or require the construction or expansion of recreational facilities that could have an adverse physical effect on the environment. Existing County policies and regulations and the 2035 General Plan policies are intended to reduce impacts associated with construction of parks and recreation facilities. The Draft PEIR includes an additional policy to mitigate regional parkland impacts:

Mitigation Measure 4.M-5: The following new policy shall be included in the 2035 General Plan as a means of reducing the impact on regional parkland:

NCR-8.26: Regional Parkland Development. The County shall assess the feasibility of adopting a development fee program for new development to contribute to the acquisition and development of new regional parkland.

Existing regulations and policies and implementation of Mitigation Measure 4.M-5 would result in the impact being less than significant.

Utilities and Service Systems

The Draft PEIR determined that development under the proposed 2035 General Plan would result in less than significant impacts individually or cumulatively to wastewater treatment requirements; wastewater service demands; wastewater treatment facilities; and stormwater drainage facilities.

Development facilitated by implementation of the 2035 General Plan could have insufficient water supplies available to serve new development from existing entitlements and new development could require the construction of new water supply or treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects. Because the 2035 General Plan has the potential to exceed surface water and groundwater availability, and because facilities would need to be expanded to accommodate future population growth, the construction of which would cause significant environmental impacts, impacts to potable water supply and facilities would be significant. Although the
2035 General Plan would implement policies and programs that would reduce impacts associated with water supply, it is uncertain whether water supplies can be secured to serve new development and impacts would remain **significant and unavoidable**.

Development facilitated by implementation of the 2035 General Plan could be served by a landfill with insufficient permitted capacity to accommodate solid waste generated by the project, or that may result in non-compliance with Federal, State, and local statutes and regulations related to solid waste. Because the 2035 General Plan does not contain policies specific to landfills or increasing countywide waste diversion, it could have significant impacts on landfill capacity. Therefore, the following new policy is included:

**Mitigation Measure 4.N-5**: The County shall include the following new policy in the proposed 2035 General Plan:

*IS-1.18: Landfill Capacity. The County shall analyze remaining landfill capacity and continue to implement solid waste diversion programs in order to increase the rate of diversion across all communities and increase the usable life of existing landfill disposal facilities.*

After mitigation, this impact is considered to be **less than significant**.

Development facilitated by implementation of the 2035 General Plan, in combination with other past, present, and reasonably foreseeable probable future projects, could result in cumulatively considerable impacts to potable water supply and treatment and delivery systems. Cumulative water infrastructure projects would undergo environmental review, and would be required to demonstrate compliance with CEQA and/or NEPA prior to project approval. Where feasible, impacts from construction of new facilities will be mitigated to a less than significant level. However, because of the uncertainty of obtaining sufficient water supplies to support future population growth, in combination with the identified cumulative projects, implementation of the 2035 General Plan would have a **significant and unavoidable** cumulative impact associated with water supply.

**Mineral Resources**

Implementation of the 2035 General Plan could result in the loss of availability of a known mineral resources, both individually and cumulatively, that would be of value to the region and the residents of the state, or could result in the loss of availability of a locally-important mineral resource recovery site delineated on a local general plan, specific plan or other land use plans. The primary adverse effect to mineral resources in San Joaquin County is the loss of mineral resource availability by the placement of incompatible land uses, which either directly or indirectly make the resource inaccessible for future extraction. The 2035 General Plan provides some protection to mineral resources, as identified by SMARA; however, development could be allowed on or within important mineral resource zones if the immediate area has been committed to other uses, or if a discretionary permit is obtained. Such development would be incompatible with future mining operations and would result in a potentially significant impact to mineral resources. Implementation of Mitigation Measures 4.O-1 would reduce the potential impact to less than significant.

**Mitigation Measure 4.O-1**: The following implementation program shall be added to the 2035 General Plan:

*NCR-NEW1: Protection of Mineral Resource Sites. The County shall discourage the development of incompatible land uses, as defined by the State Mining and Geology Board (SMGB), within or immediately adjacent to existing and potential mineral resource sites.*
including existing and new Mineral Resource Zone (MRZ) 2 areas identified by the Surface Mining and Reclamation Act (SMARA) of 1975 and locally important mineral resource sites as they are identified in the future such that the development would impede or preclude mineral extraction or processing.

With mitigation, this impact is considered less than significant.

Energy and Climate Change

The Draft PEIR determined that implementation of the 2035 General Plan would result in less than significant impacts related to the wasteful, inefficient or unnecessary consumption of energy or conflicts with the applicable plan, policy or regulation adopted for the purpose of reducing GHG (less than significant). With implementation of the 2035 General Plan policies and reduction strategies, the 2035 General Plan Update would achieve slightly more than a 15 percent reduction in GHG emissions from existing (2007) levels by 2020.

Alternatives

The range of alternatives required is governed by the "rule of reason" that requires the EIR to set forth only those feasible alternatives necessary to permit an informed and reasoned choice by the decision-making body and informed public participation. The following alternatives to the proposed project were selected to be addressed in this EIR:

- **No Project Alternative.** The No Project Alternative represents a continuation of the County’s existing 2010 General Plan (adopted in 1992), and the seven general plans of the incorporated cities within San Joaquin County.

- **Blueprint Alternative.** The Blueprint Alternative is an interpretation of the San Joaquin Council of Governments Blueprint. The Blueprint Alternative focuses growth in cities and assumes a more compact development pattern. Less development would occur within unincorporated areas of the County.

- **Mitigated Alternative.** The Mitigated Alternative would remove one large area proposed for land uses changes in the unincorporated County. The parcels border SR 4 at the southwest edge of the City of Stockton area and is in the Primary Zone of the Delta where agricultural uses are encouraged to be retained. The proposed area is currently designated as General Agriculture (A/G) and includes 607.9 acres that were proposed to be changed to General Industrial (I/G) under the proposed project. Because this proposed project was determined to have a significant and unavoidable impact in the Draft EIR, the applicant decided to withdraw this request.

Based on the alternative evaluations and the thresholds of significance used for each environmental topic, although it could generate longer commutes, the environmentally superior alternative would be the Mitigated Alternative. This alternative would be consistent with the LURMP and the Primary Zone of the Delta would remain protected in agricultural use. This alternative would also protect views of agricultural uses as seen from Highway 4, a heavily-travelled east-west corridor in the county. Geological impacts associated with seismic activity would be reduced by the retention of 600 acres in agricultural use.

The No Project Alternative would avoid some of the environmental impacts associated with the implementation of the 2035 General Plan, but would not include many of the updated policies of the Plan,
including new regulatory requirements. The Blueprint Alternative would serve to protect lands within the county and would concentrate development in the urban centers. However, the County does not have control over City land use decisions and for this reason, it was not considered the environmentally-superior alternative. In addition, the Blueprint Alternative could result in more congested vehicle miles and associated air/noise impacts. Higher-density development within infill areas could result in visual impacts within the cities.

Policy Comment Responses

During the public review process, numerous comments were received on both the Draft Program Environmental Impact Report (DPEIR) and the Draft General Plan. The full text of all of the comments, as well as responses to comments on the PEIR, are found in the Final PEIR, as summarized above. Comments on the General Plan, as well as staff responses to those comments, are found in the attached table titled “San Joaquin County 2035 General Plan: Responses to Policy-Related Comments.”

Revisions to the General Plan

Staff has prepared and attached an additional table titled “San Joaquin County 2035 General Plan Public Review Draft Revisions” that lists all of the revisions to the General Plan recommended by staff. Most of these revisions are based on public comments received during the public review process. Some additional changes are recommended by staff to comply with State flood protection statutes.
Recommendations

Action
It is recommended that the Planning Commission:

1. Certify as adequate Final Environmental Impact Report No. PA-1000111 under the provisions of Section 15090 of the California Environmental Quality Act (CEQA) (Attachment A);

2. Adopt "Findings of Significant Environmental Impacts" (Attachment B);

3. Adopt "Statement of Overriding Considerations" (Attachment B);

4. Adopt the "Mitigation Monitoring Program" (Attachment C); and

5. Forward General Plan Update Application No. PA-1000110 to the Board of Supervisors with a recommendation for approval based on the ability to make the required "Basis for General Plan Amendment."

Basis for General Plan Amendment
The internal consistency of the General Plan is maintained in the adoption of the Amendment.

- This determination can be made because the updated General Plan conforms to current State law, replaces outdated text with current text, updates the maps and General Plan designations of certain County parcels, and contains provisions to address new and changing conditions in the County. The General Plan Update, with Landowner Requests Numbers A-5, A-24, A-25, F-3, and F-12 in the General Plan Land Use Designation Change Requests Summary removed, is consistent with the San Joaquin Council of Governments' Sustainable Communities Strategy, which makes the General Plan Update exempt from the Delta Plan (Government Code Section 85057.5(b)(4)).
Recommendations - Five Landowner Requests

Action

It is recommended that the Planning Commission:

1. Recommend that the Board of Supervisors deny Landowner Request Numbers A-5, A-24, A-25, F-3, and F-12 in the General Plan Land Use Designation Change Requests Summary based on the inability to make the required "Basis for General Plan Amendment."

Basis for General Plan Amendment

The internal consistency of the General Plan is maintained in the adoption of the Amendment.

- This determination cannot be made because the five landowner requests are inconsistent with the San Joaquin Council of Governments' Sustainable Communities Strategy, and inconsistent with the Delta Plan, regarding the conversion of prime farmland within the Secondary Zone of the Delta. As a result, the proposals are inconsistent with Land Use Policy LU-1.13 which states that the County will consider the Sustainable Communities Strategy when it considers an update to the General Plan.