



**Planning Commission Staff Report
 Item # 1, December 15, 2022
 General Plan Map Amendment No. PA-2200030 &
 Zone Reclassification No. PA-2200031
 Prepared by: Giuseppe Sanfilippo**

PROJECT SUMMARY

Applicant Information

Property Owner: Gurpreet S & Gagandeep K Judge
Project Applicant: Gurpreet S & Gagandeep K Judge

Project Site Information

Project Address: 3505 East Eight Mile Road, Lodi
Project Location: At the northwest corner of East Eight Mile Road and North Micke Grove Road, north of Stockton

Parcel Number (APN):	059-210-46	Water Supply:	Private
General Plan Designation:	A/L	Sewage Disposal:	Private
Zoning Designation:	AL-5	Storm Drainage:	Private
Project Size:	5.0 acres	100-Year Flood:	No
Parcel Size:	5.0 acres	Williamson Act:	No
Community:	None	Supervisorial District:	4

Environmental Review Information

CEQA Determination: Notice of Exemption (Attachment D; Environmental Document)

Project Description

The project includes 2 applications:

- General Plan Map Amendment No. PA-2200030 to change the General Plan designation of a 5.0-acre parcel from A/L (Limited Agriculture) to A/I (Agricultural Industrial).
- Zone Reclassification No. PA-2200031 to change the zoning of the same 5.0-acre parcel from AL-5 (Limited Agriculture, 5-acre minimum) to AI (Agricultural Industrial).

If approved, the applicant has indicated they will apply for an Improvement Plan application for a maximum of 25 combined trucks and trailers.

Recommendation

1. Forward General Plan Map Amendment No. PA-2200030 to the Board of Supervisors with a recommendation to approve based on the ability to make the required Basis for a General Plan Map Amendment (Attachment E; Findings);
2. Forward Zone Reclassification No. PA-2200031 to the Board of Supervisors with a recommendation to approve based on the ability to make the required Bases for a Zone Reclassification (Attachment E; Findings).

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NOTIFICATION & RESPONSES

(See Attachment B, Response Letters)

Public Hearing Notices

Legal ad for the public hearing published in the Stockton Record: December 5, 2022

Number of Public Hearing notices: 102

Date of Public Hearing notice mailing: December 2, 2022

Referrals and Responses

- **Early Referral Date:** June 1, 2022
- **Project Referral with Environmental Determination Date:** October 13, 2022

Agency Referrals	Response Date – Neighborhood Referral	Response Date - Referral	Agency Referrals	Response Date – Neighborhood Referral	Response Date – Referral
County Departments			Local Agencies		
Ag Commissioner			San Joaquin Air Pollution Control District		
Assessor			S.J.C.O.G.	June 2, 2022	October 18, 2022
Board of Supervisors			City of Stockton	June 22, 2022	October 26, 2022
Community Development			City of Lodi		
Building Division			San Joaquin Farm Bureau		
Code Enforcement			Mosquito Abatement		
Fire Prevention Bureau			Woodbridge Fire District		
County Counsel			Lodi Unified School District		
Environmental Health	June 13, 2022	October 26, 2022	PG&E		
Public Works	June 1, 2022	October 14, 2022	N. San Joaquin Water Conservation		
Sheriff Office			State Agencies		
Miscellaneous			Department of Transportation		
Buena Vista Rancheria			District 10		
CA Tribal TANF Partnership			CA Fish & Wildlife, Region: 2		
CA Valley Miwok Tribe			CA Native American Heritage Commission		
North Valley Yokuts Tribe					
United Auburn Indian Community	June 1, 2022				
Lodi District Grape Growers Association					
Haley Flying Service					
Precissi Flying Service					
Sierra Club					

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ANALYSIS

Background

On December 9, 2021, the Code Enforcement Division of the Community Development Department opened Enforcement Case No. EN-2100367 for operating a trucking business without the proper permits and the storage of trucks and trailers. The Code Enforcement Division is currently in the process initiating a Compliance Agreement with the applicant to expedite the compliance process, and the applicant has indicated they will enter into a Compliance Agreement.

The applicant has indicated that they intend to park no more than 25 trucks and trailers combined. If this General Plan Map Amendment and Zone Reclassification is approved, the applicant must apply for an Improvement Plan for a maximum of 25 combined trucks and trailers. An Improvement Plan is a ministerial application.

General Plan Amendment

In order to approve a General Plan Map Amendment, the Planning Commission and Board of Supervisors shall determine that the internal consistency of the General Plan is maintained in adoption of the proposed General Plan Amendment. (Development Title Section 9-803.4) The proposed change must be consistent with all of the various General Plan goals, policies, objectives, and implementation measures. An analysis of the proposed project's consistency with the 2035 General Plan is listed below:

- Agriculture Industrial (A/I)

This designation provides for limited dry uses that complement both agricultural and industrial business and will not generate a significant amount of waste or utilize a large amount of water. Other agricultural uses may also be permitted where feasible; however, the Agriculture - Industrial designation generally applies to parcels that are not ideal for large-scale or small-scale farming operations due to size, location, irregular shape or classification of farmland, and are not likely to develop during the planning period of the General Plan due to a lack of available public services. Typical uses include truck parking, truck sales, and other limited dry uses not dependent on public services. Parcels considered for this designation shall be located within a 0.5-mile radius from the centerline of an interchange along Interstate 5, Interstate 205, I-580, State Route 99, or other state highway. Parcels must also have access to a publicly maintained roadway and be located outside of the primary and secondary zones of the Delta.

- **The subject parcel meets the outlined locational criteria, as it is located on the northwest corner of East Eight Mile Road and North Micke Grove Road, in an area not designated as Prime Farmland, and is within 0.5 miles from the centerline of the nearest interchange for State Route 99. Additionally, the project site is located outside of the primary and secondary zones of the Delta. Although located across the street from the City of Stockton limits, the City's General Plan does not permit any growth north of Eight Mile Road.**
- **The project site is not located in a service district for public water, public sewer, or public storm drainage. As a result, any subsequent development project must be served by an on-site well, on-site wastewater disposal system, and on-site storm drainage for future development. The A/I General Plan designation specifies that the designation is suitable for limited dry uses, which can be accommodated by on-site sewer, water, and storm drainage.**

Zone Reclassification

Pursuant to Development Title Section 9-600.1(b), the Agriculture Industrial (AI) Zone is established to provide dry uses that complement both agricultural and industrial businesses on parcels not considered ideal locations for farming due to size, location, irregular shape, or classification of farmland. This zone is intended to implement the Agriculture Industrial (A/I) land use category of the General Plan. The project site is not ideal for farming due to small size of the parcel and the soil classification of Rural Residential Land (R). Therefore, the project site is suitable for the proposed General Plan and Zoning designations.

Additionally, Development Title Section 9-812.4 states that prior to approving a Zone Reclassification, the Planning Commission and Board of Supervisors shall determine that all of the following are true:

- a) The proposed zone is consistent with the General Plan, any applicable Master Plans, and any applicable Specific Plan;

The proposed zone is Agriculture Industrial (AI), which is an implementing zone of the A/I land use designation. Therefore, if the proposal to amend the land use designation to A/I is approved, the proposed zone change to AI would be consistent with the General Plan. There are no Master Plans or Specific Plans affecting the subject parcel.

- b) The proposed zone district is reasonable and beneficial at the time.

Pursuant to the 2035 General Plan, on-site water, on-site sewer, and on-site storm drainage are allowed for AI properties located outside of a community. Any on-site services proposed for subsequent projects will be required to meet the requirements of the Environmental Health Department for well and septic systems, and the Department of Public Works for on-site stormwater retention. Additionally, the project site is not designated as Prime Farmland, and is not ideal for crop production. The proposed Zone Reclassification is reasonable and beneficial at this time because there is a great need to provide additional locations for truck parking and truck sales operations due to the demand generated by the increase in warehousing and farming operations in San Joaquin County. The AI (Agriculture-Industrial) zone is intended to continue to permit agriculture and agriculturally related activities, in addition to a limited number of industrial type uses, such as Truck Sales & Services-Parking and Sales.

CEQA Analysis

This project is exempt from the California Environmental Quality Act (CEQA) pursuant to Section 15061(b)(3), and a Notice of Exemption will be filed if the project is approved. This project will change the General Plan designation and Zoning of a single 5-acre parcel to an Agriculture-Industrial (A/I) General Plan designation and the corresponding Agriculture Industrial (AI) zoning. The subject parcel is currently designated AL-5 (Limited Agriculture, 5-acre minimum). With the proposed applications, the parcels will be limited to primarily agricultural uses with limited industrial uses including limited truck parking and/or truck sales project is limited to truck parking projects with a maximum number of 25 permitted trucks, trailers or combination thereof, and truck sales projects with a maximum total square footage of less than 1,000 square-feet. Any project that exceeds these thresholds will require a discretionary application that is subject to CEQA. For ministerial approval, the maximum square footage of building space utilized for truck sales is 12,500 square-feet. Any projects exceeding this threshold would also require a discretionary application subject to CEQA. Because the proposed ministerial projects will not create a significant impact on the environment, the project is exempt from CEQA.

Neighborhood Opposition

The Community Development Department received 9 letters of opposition regarding the proposed General Plan Map Amendment and Zone Reclassification. The letters cited concerns such as the property values of adjacent landowners, applicants starting their truck use without the property being zoned correctly and without the benefit of the proper land use permits, noise, traffic on Eight Mile Road and Micke Grove Road, concerns regarding the ingress and egress from Micke Grove Road, light emanating from the truck parking site, aesthetics, and the fact that the trucks are not agriculturally related.

Property Values: Impact on property values is not a land use consideration and is not regulated by the Development Title or reviewed by the Community Development Department.

Applicant Illegally Starting Truck Parking Use: While the applicant did start their truck parking use without the benefit of the correct zone and land use entitlement, they are working in good faith to come into compliance by applying for the General Plan Map Amendment and Zone Reclassifications. Additionally, a Compliance Agreement between the County and the applicant will include terms that will

expedite the legalization process. If this project is approved by the Board of Supervisors, the applicant must then apply for an Improvement Plan for a combined maximum of 25 trucks and trailers and obtain the necessary grading permits to legally establish the use. Once that is done, the site will be in full compliance.

Noise: Development Title Section 9-1025.9(a)(2) states private development projects that include the development of new transportation facilities or the expansion of existing transportation facilities shall be required to mitigate the noise levels from these transportation facilities so that the resulting noise levels on noise sensitive land uses within and adjacent to said development projects do not exceed the standards specified in Table 9-1025.9, Part I. Development Title Section 9-605.6(bb)(1)(e) requires that a minimum 6- to 8-foot-tall screen shall be installed along the property line adjacent to truck or trailer parking area. The screening may consist of a masonry wall or any solid fencing approved by the Zoning Administrator. Additionally, Development Title Section 9-605.6(bb)(1)(d) requires that a minimum 10-foot-wide setback shall be maintained between the developed area on the subject parcel and adjacent properties. If a residence is located on an adjacent parcel within 100 feet of the project site property line, the setback distance shall be increased to 20 feet from the property line.

Traffic: When the Text Amendment for the AI designation was processed, the Department of Public Works reviewed the proposal and determined that 25 trucks and trailers combined or below was the threshold for projects where a Traffic Study or Traffic Technical Memorandum would not be required. At the time of a building and/or grading permit, the applicant will be required to pay the Regional Transportation Impact Fee (RTIF) and the Traffic Impact Mitigation Fee (TIMF), which will be collected by the Department of Public Works. These fees go towards paying for local roadway capacity improvements.

Access: The opposition cites concern regarding the driveway at Micke Grove Road. The applicant proposes access to the project from both East Eight Mile Road and Micke Grove Road. At the time of development, the applicant will be required to obtain an Encroachment Permit from the Department of Public Works for the driveway on Micke Grove Road, and the City of Stockton for the driveway on East Eight Mile Road. As a part of this process, the applicant will be required to improve their driveway approach to County improvement standards.

Aesthetics: Pursuant to Development Title Section 9-605.6(bb)(1)(e), a minimum 6- to 8-foot-tall screen shall be installed along the property line adjacent to truck or trailer parking. The screening may consist of a masonry wall or any solid fencing approved by the zoning administrator.

Light: At the time of development, any permanent lighting is required to be installed under permit. Development Title Section 9-1015.5(g)(4) states that all lighting shall be designed to confine direct rays to the premises. No spillover beyond the property line shall be permitted, except onto public thoroughfares, provided, however, that such light shall not cause a hazard to motorists.

Not Agriculturally Related Trucks: The Truck Sales and Service-Truck Parking use type does not limit truck parking in the AI to agriculture trucks.

City of Stockton

On October 26, 2022, the Community Development Department received a response letter from the City of Stockton stating inconsistency with the City's General Plan. County records indicate the project site is not within the City's Sphere of Influence. The A/I General Plan designation and AI are agricultural designations that allow for very limited industrial uses such as truck parking. The proposed project site is outlined as open space within the City's General Plan but is not within the City's Sphere of Influence. As a result, the city does not have jurisdiction over development of the parcel.

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RECOMMENDATION

It is recommended that the Planning Commission:

1. Forward General Plan Map Amendment No. PA-2200030 to the Board of Supervisors with a recommendation of intent to approve based on the ability to make the required Basis for a General Plan Map Amendment (Attachment E; Findings);
2. Forward Zone Reclassification No. PA-2200031 to the Board of Supervisors with a recommendation of intent to approve based on the ability to make the required Bases for a Zone Reclassification (Attachment E; Findings).

Attachments:

Attachment A - General Plan Map & Zoning Map
Attachment B - Response Letters
Attachment C - Opposition Letters
Attachment D - Environmental Review
Attachment E - Findings

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Attachment A

General Plan Map & Zoning Map

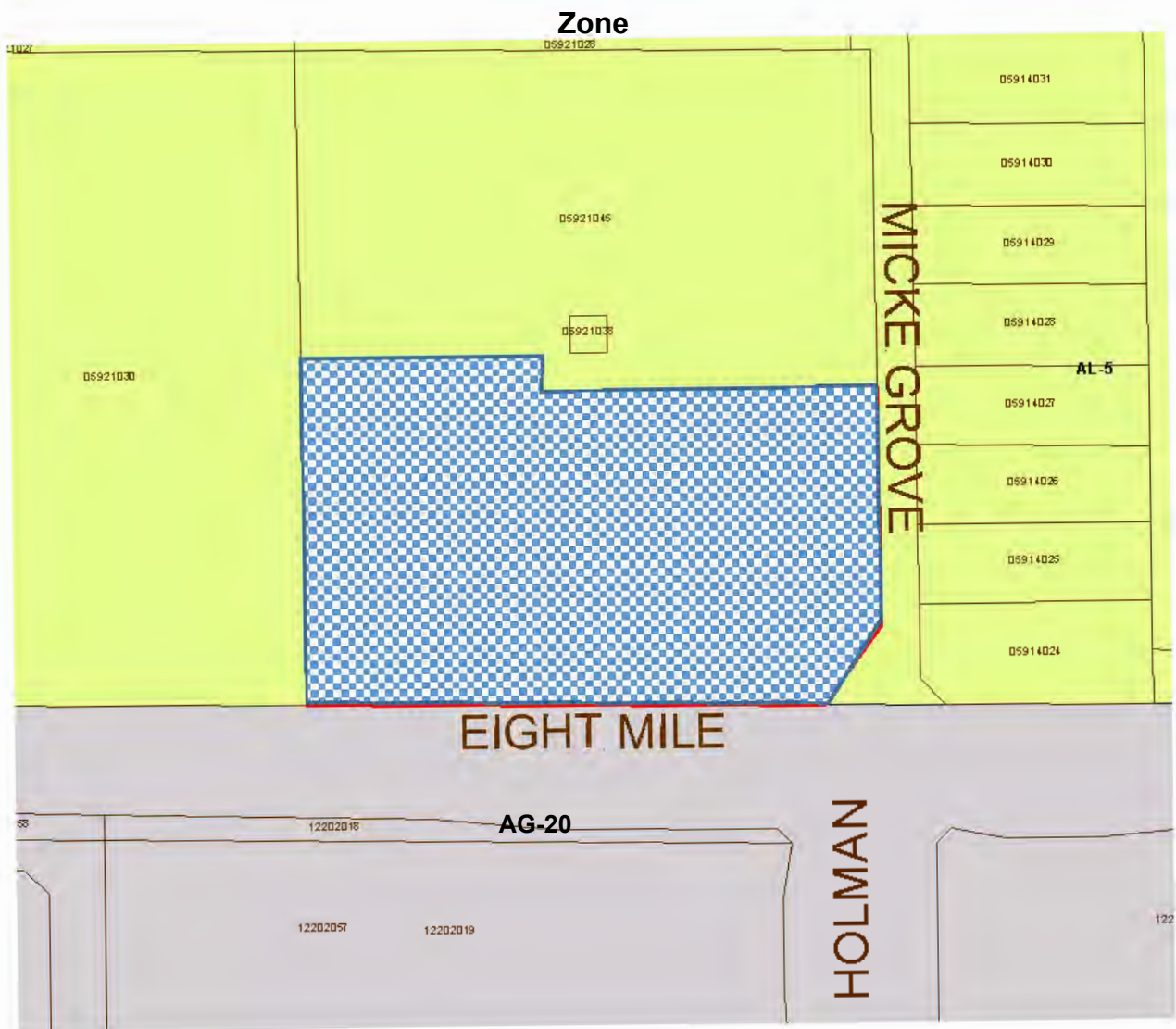
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General Plan Designation



Existing General Plan Designation: A/L

Proposed General Plan Designation: A/I



Existing Zone: AL-5

Proposed Zone: A-I



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Attachment B **Response Letters**

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October 14, 2022

MEMORANDUM

TO: Community Development Department
CONTACT PERSON: Giuseppe Sanfilippo

FROM: Christopher Heylin, Development Services Engineer ^{CH}
Development Services Division

SUBJECT: PA-2200030 (GP) & -031 (ZR); The project includes (2) applications, a General Plan Map Amendment (PA-2200030), and a Zone Reclassification (PA-2200031), The description is as follows:

- PA-2200030: A General Plan Map Amendment to change the General Plan designation of a 4.81-acre parcel from A/L (Limited Agriculture) to A/I (Agricultural Industrial).
- PA-2200031: A Zone Reclassification to change the zoning of the same 4.81-acre parcel from AL-5 (Limited Agriculture, 5-acre minimum) to AI (Agricultural Industrial).

Located on the northwest corner of East Eight Mile Road and North Micke Grove Road, Lodi. (Supervisorial District 4)

OWNER: Gurpreet S. & Gagandeep K. Judge **APPLICANT:** Gurpreet S. Judge
ADDRESS: 3505 E. Eight Mile Road, Lodi **APN:** 059-210-46

INFORMATION:

The site is not currently located within a Federal Emergency Management Agency Designated Flood Hazard Area.

The site is within the Phase 2 area of the National Pollutant Discharge Elimination System (NPDES).

The Traffic Impact Mitigation Fee will be required when parcels are developed. The fee is due and payable at the time of building permit application.

The Regional Transportation Impact Fee will be required when parcels are developed. The fee is due and payable at the time of building permit application.

PA-2200030 (GP) & PA-2200031 (ZR)

The Water Supply Facilities Impact Mitigation Fee will be required when parcels are developed. The fee is due and payable at the time of building permit application.

RECOMMENDATIONS:

- 1) None.

CH:DS



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Department of Public Works

Fritz Buchman, Interim Director of Public Works

David Tolliver, Deputy Director/Operations

Najee Zarif, Deputy Director/Engineering

Kristi Rhea, Business Administrator

June 1, 2022

MEMORANDUM

TO: Community Development Department
CONTACT PERSON: Giuseppe Sanfilippo

FROM: Christopher Heylin, Development Services Engineer *CH*
Development Services Division

SUBJECT: PA-2200030 (GP) & -031 (ZR); A General Plan Map Amendment No. PA-2200030 to change the General Plan designation of a 4.81-acre parcel from A/L (Limited Agriculture) to A/I (Agriculture Industrial), and Zone Reclassification No. PA-2200031 to change the zoning designation of the parcel from AL-5 (Limited Agriculture, 5-acre minimum) to A-I (Agriculture-Industrial); located on the northwest corner of East Eight Mile Road and North Micke Grove Road, Lodi. (Supervisorial District 4)

OWNER: Gurpreet S. & Gagandeep K. Judge **APPLICANT:** Gurpreet S. Judge

ADDRESS: 3505 E. Eight Mile Road, Lodi **APN:** 059-210-46

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The Regional Transportation Impact Fee will be required when parcels are developed. The fee is due and payable at the time of building permit application.

The Water Supply Facilities Impact Mitigation Fee will be required when parcels are developed. The fee is due and payable at the time of building permit application.

RECOMMENDATIONS:

- 1) None.

CH:DS

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Environmental Health Department

Jasjit Kang, REHS, Director

Muniappa Naidu, REHS, Assistant Director

PROGRAM COORDINATORS

Robert McClellon, REHS

Jeff Carruesco, REHS, RDI

Willy Ng, REHS

Steven Shih, REHS

Michelle Henry, REHS

Elena Manzo, REHS

October 26, 2022

To: San Joaquin County Community Development Department
Attention: Giuseppe Sanfilippo

From: Frank Girardi; (209) 616-3044 CR
Senior Registered Environmental Health Specialist

RE: **PA-2200030 (GP), PA-2200031 (ZR), Referral, SU0014780, SU0014781**
3505 E. Eight Mile Rd., Lodi

The following requirements have been identified as pertinent to this project. Other requirements may also apply. These requirements cannot be modified.

1. A soil suitability and nitrate loading study incorporating proposed staff and customer use shall be submitted to the Environmental Health Department, indicating that the area is suitable for septic system usage. The studies must be approved by the Environmental Health Department prior to submission of a General Plan Amendment (GP) application (San Joaquin County Development Title, Section 9-1105.2(d)). The fee will be based on the current schedule at the time of payment.

The sewage disposal system shall comply with the onsite wastewater treatment systems standards of San Joaquin County prior to approval. A percolation test conducted in accordance with the E.P.A. Design Manual - Onsite Wastewater and Disposal Systems is required for each parcel. The fee will be based on the current schedule at the time of payment.

Note: The Environmental Health Department (EHD) received a copy of the SSNLS, dated August 16, 2022, and reviewed it on September 8, 2022. The SSNLS was found to be complete, with no concerns pertinent to the project.

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Environmental Health Department

Jasjit Kang, REHS, Director

Munlappa Naidu, REHS, Assistant Director

PROGRAM COORDINATORS

Robert McClellon, REHS

Jeff Carruesco, REHS, RDI

Willy Ng, REHS

Steven Shih, REHS

Michelle Henry, REHS

Elena Manzo, REHS

June 13, 2022

To: San Joaquin County Community Development Department
Attention: Giuseppe Sanfilippo

From: Frank Girardi; (209) 616-3044
Senior Registered Environmental Health Specialist

RE: **PA-2200031 (ZR), Early Consultation, SU0014781**
3505 E. Eight Mile Rd., Lodi

The following requirements have been identified as pertinent to this project. Other requirements may also apply. These requirements cannot be modified.

1. A soil suitability and nitrate loading study incorporating proposed staff and customer use shall be submitted to the Environmental Health Department, indicating that the area is suitable for septic system usage. The studies must be approved by the Environmental Health Department prior to submission of a General Plan Amendment (GP) application (San Joaquin County Development Title, Section 9-1105.2(d)). The fee will be based on the current schedule at the time of payment.

The sewage disposal system shall comply with the onsite wastewater treatment systems standards of San Joaquin County prior to approval. A percolation test conducted in accordance with the E.P.A. Design Manual - Onsite Wastewater and Disposal Systems is required for each parcel. The fee will be based on the current schedule at the time of payment.

2. The well must be repaired under inspection by the Environmental Health Department (San Joaquin County Development Title, Section 9-1115.4(e)) as follows:
 - a. Install cement surface seal around the well casing to protect the well casing sufficiently and the integrity of well grout.
 - b. Replace the missing handle for the existing sample tap at the wellhead.

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S JCOG, Inc.

555 East Weber Avenue • Stockton, CA 95202 • (209) 235-0600 • FAX (209) 235-0438

San Joaquin County Multi-Species Habitat Conservation & Open Space Plan (SJMSCP)

**SJMSCP RESPONSE TO LOCAL JURISDICTION (RTL)
ADVISORY AGENCY NOTICE TO S JCOG, Inc.**

To: Giuseppe Sanfilippo, San Joaquin County, Community Development Department
From: Laurel Boyd, S JCOG, Inc. Phone: 209-235-0574 Email: boyd@sjcog.org
Date: October 18, 2022
Local Jurisdiction Project Title: PA-2200030 (GP), PA-2200031 (ZR)
Assessor Parcel Number(s): 059-210-46
Local Jurisdiction Project Number: PA-2200030 (GP), PA-2200031 (ZR)
Total Acres to be converted from Open Space Use: Unknown
Habitat Types to be Disturbed: Agricultural Habitat Land
Species Impact Findings: Findings to be determined by SJMSCP biologist.

Dear Mr. Sanfilippo:

SJCOG, Inc. has reviewed the application referral for PA-2200030 (GP), PA-2200031 (ZR). This project consists of two applications, a General Plan Amendment (PA-2200030) and a Zone Reclassification (PA-2200031), the description is as follows:

- PA-2200030: A General Plan Map Amendment to change the General Plan designation of a 4.81-acre parcel from A/L (Limited Agriculture) to A/I (Agricultural Industrial).
- PA-2200031: A Zone Reclassification to change the zoning of the same 4.81-acre parcel from AL-5 (Limited Agriculture, 5-acre minimum) to AI (Agricultural Industrial).

The project site is located on the northwest corner of E. Eight Mile Road and N. Micke Grove Road, Lodi (APN/Address: 059-210-46/3505 E. Eight Mile Road, Lodi).

San Joaquin County is a signatory to San Joaquin County Multi-Species Habitat Conservation and Open Space Plan (SJMSCP). Participation in the SJMSCP satisfies requirements of both the state and federal endangered species acts and ensures that the impacts are mitigated below a level of significance in compliance with the California Environmental Quality Act (CEQA). The LOCAL JURISDICTION retains responsibility for ensuring that the appropriate Incidental Take Minimization Measure are properly implemented and monitored and that appropriate fees are paid in compliance with the SJMSCP. Although participation in the SJMSCP is voluntary, Local Jurisdiction/Lead Agencies should be aware that if project applicants choose against participating in the SJMSCP, they will be required to provide alternative mitigation in an amount and kind equal to that provided in the SJMSCP.

At this time, the applicant is requesting a General Plan Map Amendment and Zone Reclassification with no ground disturbance. Any future ground disturbing activities (e.g. roads, curb, gutter, electrical, water, etc.) or any physical structures that require ground disturbance on this or subsequent divided parcels will be subject to participate in the SJMSCP before ANY ground disturbance occurs and should be resubmitted to this agency. Current or future owners of this-or subdivided properties should be made aware of the conditions that are placed by the SJMSCP on future development on the created parcels.

This Project is subject to the SJMSCP. This can be up to a 90-day process and it is recommended that the project applicant contact SJMSCP staff as early as possible. It is also recommended that the project applicant obtain an information package. <http://www.sjcog.org>

Please contact SJMSCP staff regarding completing the following steps to satisfy SJMSCP requirements:

- Schedule a SJMSCP Biologist to perform a pre-construction survey ***prior to any ground disturbance***

2 | S J C O G , I n c .

- SJMSCP Incidental Take Minimization Measures and mitigation requirement:
 1. Incidental Take Minimization Measures (ITMMs) will be issued to the project and must be signed by the project applicant prior to any ground disturbance but no later than six (6) months from receipt of the ITMMs. If ITMMs are not signed within six months, the applicant must reapply for SJMSCP Coverage. Upon receipt of signed ITMMs from project applicant, SJCOG, Inc. staff will sign the ITMMs. This is the effective date of the ITMMs.
 2. Under no circumstance shall ground disturbance occur without compliance and satisfaction of the ITMMs.
 3. Upon issuance of fully executed ITMMs and prior to any ground disturbance, the project applicant must:
 - a. Post a bond for payment of the applicable SJMSCP fee covering the entirety of the project acreage being covered (the bond should be valid for no longer than a 6 month period); or
 - b. Pay the appropriate SJMSCP fee for the entirety of the project acreage being covered; or
 - c. Dedicate land in-lieu of fees, either as conservation easements or fee title; or
 - d. Purchase approved mitigation bank credits.
 4. Within 6 months from the effective date of the ITMMs or issuance of a building permit, whichever occurs first, the project applicant must:
 - a. Pay the appropriate SJMSCP for the entirety of the project acreage being covered; or
 - b. Dedicate land in-lieu of fees, either as conservation easements or fee title; or
 - c. Purchase approved mitigation bank credits.

Failure to satisfy the obligations of the mitigation fee shall subject the bond to be called.

- Receive your Certificate of Payment and release the required permit

It should be noted that if this project has any potential impacts to waters of the United States [pursuant to Section 404 Clean Water Act], it would require the project to seek voluntary coverage through the unmapped process under the SJMSCP which could take up to 90 days. It may be prudent to obtain a preliminary wetlands map from a qualified consultant. If waters of the United States are confirmed on the project site, the Corps and the Regional Water Quality Control Board (RWQCB) would have regulatory authority over those mapped areas [pursuant to Section 404 and 401 of the Clean Water Act respectively] and permits would be required from each of these resource agencies prior to grading the project site.

If you have any questions, please call (209) 235-0600.



S JCOG, Inc.

San Joaquin County Multi-Species Habitat Conservation & Open Space Plan

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SJMSCP HOLD

TO: Local Jurisdiction: Community Development Department, Planning Department, Building Department, Engineering Department, Survey Department, Transportation Department, Public Works Department,
Other:

FROM: Laurel Boyd, SJCOG, Inc.

**DO NOT AUTHORIZE SITE DISTURBANCE
DO NOT ISSUE A BUILDING PERMIT
DO NOT ISSUE _____ FOR THIS PROJECT**

The landowner/developer for this site has requested coverage pursuant to the San Joaquin County Multi-Species Habitat Conservation and Open Space Plan (SJMSCP). In accordance with that agreement, the Applicant has agreed to:

- 1) **SJMSCP Incidental Take Minimization Measures and mitigation requirement:**
 - 1. Incidental Take Minimization Measures (ITMMs) will be issued to the project and must be signed by the project applicant prior to any ground disturbance but no later than six (6) months from receipt of the ITMMs. If ITMMs are not signed within six months, the applicant must reapply for SJMSCP Coverage. Upon receipt of signed ITMMs from project applicant, SJCOG, Inc. staff will sign the ITMMs. This is the effective date of the ITMMs.
 - 2. Under no circumstance shall ground disturbance occur without compliance and satisfaction of the ITMMs
 - 3. Upon issuance of fully executed ITMMs and prior to any ground disturbance, the project applicant must:
 - a. Post a bond for payment of the applicable SJMSCP fee covering the entirety of the project acreage being covered (the bond should be valid for no longer than a 6 month period); or
 - b. Pay the appropriate SJMSCP fee for the entirety of the project acreage being covered; or
 - c. Dedicate land in-lieu of fees, either as conservation easements or fee title; or
 - d. Purchase approved mitigation bank credits.
 - 4. Within 6 months from the effective date of the ITMMs or issuance of a building permit, whichever occurs first, the project applicant must:
 - a. Pay the appropriate SJMSCP for the entirety of the project acreage being covered; or
 - b. Dedicate land in-lieu of fees, either as conservation easements or fee title; or
 - c. Purchase approved mitigation bank credits.
 Failure to satisfy the obligations of the mitigation fee shall subject the bond to be called.

Project Title: PA-2200030 (GP), PA-2200031 (ZR)

Landowner: Gurpreet S. & Gagandeep K. Judge

Applicant: Gurpreet S. Judge

Assessor Parcel #s: 059-210-46

T _____, R _____, Section(s): _____

Local Jurisdiction Contact: Giuseppe Sanfilippo

The LOCAL JURISDICTION retains responsibility for ensuring that the appropriate Incidental Take Minimization Measures are properly implemented and monitored and that appropriate fees are paid in compliance with the SJMSCP.



SJCOG, Inc.

555 East Weber Avenue • Stockton, CA 95202 • (209) 235-0600 • FAX (209) 235-0438

San Joaquin County Multi-Species Habitat Conservation & Open Space Plan (SJMSCP)

SJMSCP RESPONSE TO LOCAL JURISDICTION (RTLJ) ADVISORY AGENCY NOTICE TO SJCOG, Inc.

To: Giuseppe Sanfilippo, San Joaquin County, Community Development Department
From: Laurel Boyd, SJCOG, Inc. Phone: 209-235-0574 Email: boyd@sjcog.org
Date: June 2, 2022

Local Jurisdiction Project Title: PA-2200030 (GP), PA-2200031 (ZR)

Assessor Parcel Number(s): 059-210-46

Local Jurisdiction Project Number: PA-2200030 (GP), PA-2200031 (ZR)

Total Acres to be converted from Open Space Use: Unknown

Habitat Types to be Disturbed: Agricultural Habitat Land

Species Impact Findings: Findings to be determined by SJMSCP biologist.

Dear Mr. Sanfilippo:

SJCOG, Inc. has reviewed the application referral for PA-2200030 (GP), PA-2200031 (ZR). This project consists of a General Plan Amendment (PA-2200030) to change the General Plan designation of a 4.81-acre parcel from A/L (Limited Agriculture) to A/I (Agriculture Industrial), and Zone Reclassification (PA-2200031) to change the zoning designation of the parcel from AL-5 (Limited Agriculture, 5-acre minimum) to A-I (Agriculture- Industrial). The project site is located on the northwest corner of E. Eight Mile Road and N. Micke Grove Road, Lodi (APN/Address: 059-210-46/3505 E. Eight Mile Road, Lodi).

San Joaquin County is a signatory to San Joaquin County Multi-Species Habitat Conservation and Open Space Plan (SJMSCP). Participation in the SJMSCP satisfies requirements of both the state and federal endangered species acts and ensures that the impacts are mitigated below a level of significance in compliance with the California Environmental Quality Act (CEQA). The LOCAL JURISDICTION retains responsibility for ensuring that the appropriate Incidental Take Minimization Measure are properly implemented and monitored and that appropriate fees are paid in compliance with the SJMSCP. Although participation in the SJMSCP is voluntary, Local Jurisdiction/Lead Agencies should be aware that if project applicants choose against participating in the SJMSCP, they will be required to provide alternative mitigation in an amount and kind equal to that provided in the SJMSCP.

At this time, the applicant is requesting a General Plan Map Amendment and Zone Reclassification with no ground disturbance. Any future ground disturbing activities (e.g. roads, curb, gutter, electrical, water, etc.) or any physical structures that require ground disturbance on this or subsequent divided parcels will be subject to participate in the SJMSCP before ANY ground disturbance occurs and should be resubmitted to this agency. Current or future owners of this-or subdivided properties should be made aware of the conditions that are placed by the SJMSCP on future development on the created parcels.

This Project is subject to the SJMSCP. This can be up to a 90-day process and it is recommended that the project applicant contact SJMSCP staff as early as possible. It is also recommended that the project applicant obtain an information package. <http://www.sjcog.org>

Please contact SJMSCP staff regarding completing the following steps to satisfy SJMSCP requirements:

- Schedule a SJMSCP Biologist to perform a pre-construction survey **prior to any ground disturbance**
- SJMSCP Incidental Take Minimization Measures and mitigation requirement:
 1. Incidental Take Minimization Measures (ITMMs) will be issued to the project and must be signed by the project applicant prior to any ground disturbance but no later than six (6) months from receipt of the ITMMs. If ITMMs are not signed within six months, the applicant must reapply for SJMSCP Coverage. Upon receipt of signed ITMMs from project applicant, SJCOG, Inc. staff will sign the ITMMs. This is the effective date of the ITMMs.
 2. Under no circumstance shall ground disturbance occur without compliance and satisfaction of the ITMMs.
 3. Upon issuance of fully executed ITMMs and prior to any ground disturbance, the project applicant must:

2 | S J C O G , I n c .

- a. Post a bond for payment of the applicable SJMSCP fee covering the entirety of the project acreage being covered (the bond should be valid for no longer than a 6 month period); or
 - b. Pay the appropriate SJMSCP fee for the entirety of the project acreage being covered; or
 - c. Dedicate land in-lieu of fees, either as conservation easements or fee title; or
 - d. Purchase approved mitigation bank credits.
4. Within 6 months from the effective date of the ITMMs or issuance of a building permit, whichever occurs first, the project applicant must:
- a. Pay the appropriate SJMSCP for the entirety of the project acreage being covered; or
 - b. Dedicate land in-lieu of fees, either as conservation easements or fee title; or
 - c. Purchase approved mitigation bank credits.

Failure to satisfy the obligations of the mitigation fee shall subject the bond to be called.

- Receive your Certificate of Payment and release the required permit

It should be noted that if this project has any potential impacts to waters of the United States [pursuant to Section 404 Clean Water Act], it would require the project to seek voluntary coverage through the unmapped process under the SJMSCP which could take up to 90 days. It may be prudent to obtain a preliminary wetlands map from a qualified consultant. If waters of the United States are confirmed on the project site, the Corps and the Regional Water Quality Control Board (RWQCB) would have regulatory authority over those mapped areas [pursuant to Section 404 and 401 of the Clean Water Act respectively] and permits would be required from each of these resource agencies prior to grading the project site.

If you have any questions, please call (209) 235-0600.



S J C O G , I n c .

San Joaquin County Multi-Species Habitat Conservation & Open Space Plan

555 East Weber Avenue • Stockton, CA 95202 • (209) 235-0600 • FAX (209) 235-0438

SJMSCP HOLD

TO: Local Jurisdiction: Community Development Department, Planning Department, Building Department, Engineering Department, Survey Department, Transportation Department, Public Works Department,
Other:

FROM: Laurel Boyd, SJCOG, Inc.

**DO NOT AUTHORIZE SITE DISTURBANCE
DO NOT ISSUE A BUILDING PERMIT
DO NOT ISSUE _____ FOR THIS PROJECT**

The landowner/developer for this site has requested coverage pursuant to the San Joaquin County Multi-Species Habitat Conservation and Open Space Plan (SJMSCP). In accordance with that agreement, the Applicant has agreed to:

- 1) SJMSCP Incidental Take Minimization Measures and mitigation requirement:
 - 1. Incidental Take Minimization Measures (ITMMs) will be issued to the project and must be signed by the project applicant prior to any ground disturbance but no later than six (6) months from receipt of the ITMMs. If ITMMs are not signed within six months, the applicant must reapply for SJMSCP Coverage. Upon receipt of signed ITMMs from project applicant, SJCOG, Inc. staff will sign the ITMMs. This is the effective date of the ITMMs.
 - 2. Under no circumstance shall ground disturbance occur without compliance and satisfaction of the ITMMs.
 - 3. Upon issuance of fully executed ITMMs and prior to any ground disturbance, the project applicant must:
 - a. Post a bond for payment of the applicable SJMSCP fee covering the entirety of the project acreage being covered (the bond should be valid for no longer than a 6 month period); or
 - b. Pay the appropriate SJMSCP fee for the entirety of the project acreage being covered; or
 - c. Dedicate land in-lieu of fees, either as conservation easements or fee title; or
 - d. Purchase approved mitigation bank credits.
 - 4. Within 6 months from the effective date of the ITMMs or issuance of a building permit, whichever occurs first, the project applicant must:
 - a. Pay the appropriate SJMSCP for the entirety of the project acreage being covered; or
 - b. Dedicate land in-lieu of fees, either as conservation easements or fee title; or
 - c. Purchase approved mitigation bank credits.
- Failure to satisfy the obligations of the mitigation fee shall subject the bond to be called.

Project Title: PA-2200030 (GP), PA-2200031 (ZR)

Landowner: Gurpreet S. & Gagandeep K. Judge

Applicant: Gurpreet S. Judge

Assessor Parcel #: 059-210-46

T _____, R _____, Section(s): _____

Local Jurisdiction Contact: Giuseppe Sanfilippo

The LOCAL JURISDICTION retains responsibility for ensuring that the appropriate Incidental Take Minimization Measures are properly implemented and monitored and that appropriate fees are paid in compliance with the SJMSCP.



CITY OF STOCKTON

COMMUNITY DEVELOPMENT DEPARTMENT

Permit Center • 345 N. El Dorado Street • Stockton, CA 95202-1997 • 209 / 937-8266 • Fax 209 / 937-8893
www.stocktongov.com/cdd

October 26, 2022

Giuseppe Sanfiippo
Project Planner
County of San Joaquin
Community Development Department
1810 E. Hazelton Ave.
Stockton CA 95205

RE: PA-2200030 (GP) and PA-2200031 (ZR) – Proposed GPA and Rezone from AL to
AI at 3505 E. Eight Mile Rd (APN 059-210-46)

Dear Giuseppe:

City staff has reviewed the subject application referral. The subject site abuts the Stockton city limits across Eight Mile Road and is located within the City's general plan boundary. The Envision Stockton 2040 General Plan designates the subject site and adjacent areas north of Eight Mile Road as Open Space / Agriculture.

The proposed general plan amendment (GPA) and rezone from AL (Limited Agriculture) to AI (Agriculture Industrial) is potentially inconsistent with the City's General Plan land use designation of Open Space / Agriculture. Without knowing the associated proposed development for the site, City staff lacks the necessary information to conduct a complete assessment. We look forward to learning more about any proposed development associated with the proposed GPA and rezone, and opportunity to participate in the upcoming public hearings for the project.

If you would like to discuss this letter, please contact me at bradley.wall@stocktonca.gov or 209.937.8195. Thank you.

Brad Wall, Planning Manager
City of Stockton | Community Development Department

Sanfilippo, Giuseppe [CDD]

From: Ann Okubo <Ann.Okubo@stocktonca.gov>
Sent: Wednesday, June 22, 2022 11:46 AM
To: Planning Clerical [CDD]
Cc: Sanfilippo, Giuseppe [CDD]; Asio, Allen [CDD]; Martorella, Dominique [CDD]
Subject: RE: PA-2200030, 31 - General Plan Map Amendment and Zone Reclassification: Agency Referral.

CAUTION: This email is originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

The Municipal Utilities Department - City of Stockton has reviewed the subject project and has no comments.

Thank you,



Ann Okubo, P.E.
Senior Civil Engineer
Phone: 209.937.8250
Fax: 209.937.8777
ann.okubo@stocktonca.gov

City of Stockton
Municipal Utilities Department
2500 Navy Drive
Stockton, CA 95206

From: Gemma Biscocho <Gemma.Biscocho@stocktonca.gov>
Sent: Wednesday, June 1, 2022 2:34 PM
To: Ann Okubo <Ann.Okubo@stocktonca.gov>; John Wotila <John.Wotila@stocktonca.gov>; Ernesto Lopez <Ernesto.Lopez@stocktonca.gov>
Subject: FW: PA-2200030, 31 - General Plan Map Amendment and Zone Reclassification: Agency Referral.

From: Planning Clerical [CDD] <planningclerical@sjgov.org>
Sent: Wednesday, June 1, 2022 1:51 PM
To: Cheryle Lawson <Cheryle.Lawson@stocktonca.gov>; Stephanie Ocasio <Stephanie.Ocasio@stocktonca.gov>; Michael McDowell <Michael.McDowell@stocktonca.gov>; Ali Gharegozloo <Ali.Gharegozloo@stocktonca.gov>; Gemma Biscocho <Gemma.Biscocho@stocktonca.gov>
Cc: Sanfilippo, Giuseppe [CDD] <gsanfilippo@sjgov.org>; Asio, Allen [CDD] <aasio@sjgov.org>; Martorella, Dominique [CDD] <dmartorella@sjgov.org>
Subject: PA-2200030, 31 - General Plan Map Amendment and Zone Reclassification: Agency Referral.

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Please see the attached documents for project PA-2200030, 31 (GP, ZR). This project was previously referred as a Pre-Application, and a Full Application has now been filed. A copy has been uploaded to Permits Plus.

Thank you,
Planning Division

Sanfilippo, Giuseppe [CDD]

From: Tran, Harvey@Wildlife <Harvey.Tran@Wildlife.ca.gov>
Sent: Wednesday, June 8, 2022 9:58 AM
To: Sanfilippo, Giuseppe [CDD]
Cc: Wildlife R2 CEQA
Subject: RE: PA-2200030 & 31 - General Plan Map Amendment and Zone Reclassification Pre-Applications: Agency Referral. - PT 2022-0108

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Hi Giuseppe,

If the CDD participates in the SJMHSCP during the general use permit phase, then it will be sufficient for coverage of burrowing owl and Swainson's hawk in CDFW's perspective. For Swainson's hawk, the CDD will have CESA take coverage as long as it purchases the appropriate credits (nest credits versus foraging credits), pays the fees, and follows the minimization measures as outlined in the SJMHSCP. The SJMHSCP will have SWHA credits for mitigation, an application for coverage, and mitigation measures for SWHA avoidance.

Thank you.

Harvey Tran
Environmental Scientist
California Department of Fish and Wildlife
Region 2 - North Central Region
Habitat Conservation Program
(916) 358-4035

From: Sanfilippo, Giuseppe [CDD] <gsanfilippo@sjgov.org>
Sent: Wednesday, June 8, 2022 9:48 AM
To: Tran, Harvey@Wildlife <Harvey.Tran@Wildlife.ca.gov>
Subject: FW: PA-2200030 & 31 - General Plan Map Amendment and Zone Reclassification Pre-Applications: Agency Referral. - PT 2022-0108

WARNING: This message is from an external source. Verify the sender and exercise caution when clicking links or opening attachments.

Good Morning Harvey,

Please see e-mail below.

Thanks,

Giuseppe Sanfilippo
Associate Planner
Community Development Department
Main Office: (209) 468-3121
Direct: (209) 468-0227

Fax: (209) 468-3163

Please also visit us On-line: <https://www.sigov.org/commdev>

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From: Tran, Harvey@Wildlife <Harvey.Tran@Wildlife.ca.gov>

Sent: Tuesday, April 12, 2022 3:15 PM

To: Martorella, Dominique [CDD] <dmartorella@sjgov.org>; Sanfilippo, Giuseppe [CDD] <gsanfilippo@sigov.org>

Cc: Wildlife R2 CEQA <R2CEQA@wildlife.ca.gov>; Wilson, Billie@Wildlife <Billie.Wilson@wildlife.ca.gov>; Barker,

Kelley@Wildlife <Kelley.Barker@wildlife.ca.gov>; Thomas, Kevin@Wildlife <Kevin.Thomas@wildlife.ca.gov>

Subject: RE: PA-2200030 & 31 - General Plan Map Amendment and Zone Reclassification Pre-Applications: Agency Referral. - PT 2022-0108

CAUTION: This email is originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

To Whom It May Concern:

The California Department of Fish and Wildlife (CDFW) appreciates the opportunity to comment on the Early Consultation for the PA-2200030 & 31 (GP, ZR, PreApp) (Project). CDFW is responding to the Early Consultation as a Trustee Agency for fish and wildlife resources (Fish & G. Code, §§ 711.7 & 1802, and CEQA Guidelines, §§ 15386), and as a Responsible Agency regarding any discretionary actions (CEQA Guidelines Section 15381), such as the issuance of a Lake or Streambed Alteration Agreement (California Fish and Game Code Sections 1600 et seq.) and/or a California Endangered Species Act (CESA) Permit for incidental take of endangered, threatened, and/or candidate species (California Fish and Game Code Sections 2080 and 2080.1).

The Project is located on the northwest corner of E. Eight Mile Rd. and N. Micke Grove Rd. in Lodi in San Joaquin County. The Project consists of a General Plan Map Amendment Pre-Application to change the General Plan designation of a 4.81-acre parcel from A/L (Limited Agriculture) to A/I (Agriculture Industrial), and a Zone Reclassification to change the zoning designation of the parcel from AL-5 (Limited Agriculture, 5-acre minimum) to A-I (Agriculture-Industrial).

CDFW recommends the following items be addressed in the future planning of the Project:

Comment 1: Nesting birds

Aerial imagery (Google Earth) of the Project area shows mature trees within the Project area near the outer boundaries. These trees can provide potential nest habitat to migratory birds and raptors during the typical avian nesting season of February 1 to August 31. It is unclear whether the trees within the Project area will be removed. CDFW recommends the Project proponent review and consider Fish and Game Code sections 3503, 3503.5, 3515, 4150 and 4152, which provide protection to nongame birds, migratory birds, birds of prey, their nests and eggs. Because potential habitat for nesting birds and birds of prey may be present within the Project area, the proposed Project should disclose all future potential activities that may incur a direct or indirect take to nongame nesting birds within the Project footprint and its close vicinity. Appropriate avoidance, minimization, and/or mitigation measures to avoid take should be included in the future Project planning. Measures to avoid the impacts should include species specific work windows, biological monitoring, installation of noise attenuation barriers, etc.

Comment #2: Burrowing owl

The nesting birds mentioned in Comment #1 above may also include burrowing owl which is a Species of Special Concern. There is suitable nesting/burrowing habitat (open, dry, sparsely vegetated land with available burrows) within

and around the Project area. California Natural Diversity Database (CNDDDB) has records of at least one previous burrowing owl occurrence within 2.5 miles of the Project area.

If construction activities are planned in suitable burrowing owl habitat, a qualified biologist(s), approved by CDFW, will need to conduct a survey for burrowing owl following the methodology described in the, *Staff Report on Burrowing Owl Mitigation* (CDFW 2012) (Staff Report), within 1-2 weeks prior to the start of construction. If burrowing owls or signs of burrowing owl presence such as whitewash, feathers, animal dung, etc. are not detected, no further mitigation will be required. If burrowing owls are observed within 500 feet of the Project area, the Project proponent should develop an Impact Assessment consistent with the *Staff Report on Burrowing Owl Mitigation* (CDFW 2012) and submit the Impact Assessment to CDFW prior to construction work. The final avoidance and mitigation measures will be determined in coordination with CDFW but the Impact Assessment will at a minimum include the following mitigation measure:

Occupied burrows will not be disturbed. If occupied burrows are found, the biologist will ensure active nests are avoided and a no disturbance or destruction buffer be established by a biologist. The buffer shall be kept in place until after the breeding nesting season or biologist confirms the young have fledged, and the nest is no longer active for the season. The extent of these buffers shall be determined by the biologist and will depend on the species present, the level of noise or construction disturbance, line of sight between the nest and the disturbance, ambient levels of noise and other disturbances, and other topographical or artificial barriers.

Comment 3: Swainson's hawk

The nesting birds mentioned in Comment #1 above may also include Swainson's hawk (SWHA) which is a species listed as a threatened under the California Endangered Species Act (CESA). Besides the suitable nesting trees in and around the Project area, there is also suitable foraging habitat around the Project area. California Natural Diversity Database (CNDDDB) has records of at least three previous SWHA occurrences within 0.5 miles of the Project area.

If future development of the Project area is to occur, CDFW recommends a qualified biologist conduct a Swainson's hawk (*Buteo swainsoni*) survey within a minimum 1/2-mile radius around the Project area. Surveys should be conducted according to the following the five-period schedule in accordance with the "Recommended Timing and Methodology for Swainson's Hawk Nesting Surveys in California's Central Valley (Swainson's Hawk Tech. Advis. Comm., 5/2000):"

- January to March 20- One (1) Survey, All Day
- March 20 to April 5- Three (3) Surveys, Sunrise to 1000 / 1600 to Sunset
- April 5 to April 20- Three (3) Surveys, Sunrise to 1200 / 1630 to Sunset
- April 21 to June 10- Monitoring
- June 10 to July 30- Three (3) Surveys, Sunrise to 1200 / 1600 to Sunset

If an occupied nest is found, the Project proponent should consult with CDFW and demonstrate compliance with CESA. CDFW is responsible for ensuring appropriate conservation of fish and wildlife resources including threatened, endangered, and/or candidate plant and animal species, pursuant to the CESA. CDFW recommends that a CESA Incidental Take Permit (ITP) be obtained if the Project has the potential to result in "take" (Fish & G. Code § 86 defines "take" as "hunt, pursue, catch, capture, or kill, or attempt to hunt, pursue, catch, capture, or kill") of CESA-listed species, either through construction or over the life of the Project.

Please note that when acting as a responsible agency, CEQA guidelines section 15096, subdivision (f) requires CDFW to consider the CEQA environmental document prepared by the lead agency prior to reaching a decision on the Project. Addressing CDFW's comments and disclosing potential Project impacts on CESA-listed species and any river, lake, or stream; and providing adequate avoidance, minimization, mitigation, monitoring and reporting measures; will assist CDFW with the Early Consultation.

Thank you.

Harvey Tran

Environmental Scientist
California Department of Fish and Wildlife
Region 2 - North Central Region
Habitat Conservation Program
(916) 358-4035

From: Martorella, Dominique [CDD] <dmartorella@sigov.org>
Sent: Wednesday, March 16, 2022 2:37 PM
To: DeBord, Rachel [COB] <rdebord@sigov.org>; Tyrrell, Scott [BOS] <stvrrell@sigov.org>; Anderson, Michael [BOS] <mdanderson@sigov.org>; Rouppet, Chris [BOS] <crouppet@sigov.org>; Warmerdam, Denise [BOS] <dwarmerdam@sigov.org>; Zapata, Camille [BOS] <czapata@sigov.org>; Clayton, Jay [CDD] <jayclayton@sigov.org>; Niemeyer, Jeff [CDD] <jniemeyer@sigov.org>; Butler, Steve [CDD] <sbutler@sigov.org>; Huerta, Juanita [CDD] <jhuerta@sigov.org>; Marin, Marcel [CDD] <mmarin@sigov.org>; Merrill, Zoey [CC] <zmerrill@sigov.org>; Myles, James [CC] <jmyles@sigov.org>; Guerrero, Delia [PW] <Dguerrero@sigov.org>; Heylin, Christopher [PW] <cheylin@sigov.org>; ehlanduse [EHD] <ehlanduse@sigov.org>; ceqa@valleair.org; Laurel Boyd <boyd@sicog.org>; Fung, Nicholas@DOT <nicholas.fung@dot.ca.gov>; Swearingen, Joshua B@DOT <joshua.swearingen@dot.ca.gov>; Wildlife R2 CEQA <R2CEQA@wildlife.ca.gov>; ivan@bvtribe.com; pgeplanreview@pge.com; Bruce Blodgett <bruceb@sjfb.org>; staff@sjfb.org
Cc: Sanfilippo, Giuseppe [CDD] <gsanfilippo@sigov.org>; Asio, Allen [CDD] <aasio@sigov.org>
Subject: PA-2200030 & 31 - General Plan Map Amendment and Zone Reclassification Pre-Applications: Agency Referral.

WARNING: This message is from an external source. Verify the sender and exercise caution when clicking links or opening attachments.

Please see the attached documents for project PA-2200030, 31 (GP, ZR, PreApp). A copy has been uploaded to Permits Plus.

Thank you,

Domenique Martorella

Office Assistant Specialist
Community Development Department
Main Office: (209) 468-3121
Direct: (209) 953-7307
Fax: (209) 468-3163

Please also visit us On-line: <https://www.sigov.org/commdev>



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Thank you for consulting with the UAIC Please complete one form for each notification.

How to submit a consultation notification or project update:

1. **One form must be completed for each project.**
2. **Forms cannot be saved and completed at a later time.**
3. Include all relevant project information.
4. Upload file attachments. Multiple files can be attached.
5. Submit form.
6. You will receive a submission receipt via email when submission is complete. UAIC prefers our online submission form over certified or hard copy letters.

Contact the Tribal Office at (530) 883-2390 for questions or concerns. Ask for Tribal Historic Preservation or use the [contact form located on our website](#).

Contact Information

Consulting on Behalf of*	San Joaquin County Community Development Department Lead Agency, Consulting Firm, Tribe		
Mailing Address	Street Address		
	1810 East Hazelton Avenue		
	Address Line 2		
	City	State / Province / Region	
	Stockton	CA	
	Postal / Zip Code		
	95205		
Point of Contact for Consultation*	Giuseppe Sanfilippo Primary Contact Name		
Point of Contact Email*	gsanfilippo@sjgov.org		
Second Point of Contact	<input type="checkbox"/>	Yes Is there more than one point of contact for this project?	

Regulatory

Consulting Under*	This project fall under the following regulatory requirements:		
	<input type="radio"/> Federal	<input type="radio"/> State of California	<input type="radio"/> Federal and State
	<input type="radio"/> Other		

Project Notification Information

Project Name*	PA-2200030, 31 - General Plan Map Amendment and Zone Reclassification. Please include Name and Reference Number (if applicable)
----------------------	--

- This is a ***
- New Project
 - Public Hearing
 - Request for Information
 - Notice of Preparation (NOP)
 - Notice of Availability (NOA)
 - Other

Project Description This project was previously reviewed as a Pre-Application and now a Full Application has been submitted. This project is comprised of two applications: General Plan Map Amendment No. PA-2200030 to change the General Plan designation of a 4.81-acre parcel from A/L (Limited Agriculture) to A/I (Agriculture Industrial), and Zone Reclassification No. PA-2200031 to change the zoning designation of the parcel from AL-5 (Limited Agriculture, 5-acre minimum) to A-I (Agriculture-Industrial). The project site is not under a Williamson Act Contract. Please include a brief project description

Project/Construction Unknown
Year * Please select the year your project will initiate

Project/Construction Season Please select the season your project will initiate (if applicable)

Environmental Document Timeline Please share when your final environmental document is planned for public review

Location The project site is located on the northwest corner of E. Eight Mile Rd. and N. Micke Grove Rd., Lodi. (APN/Address: 059-210-46 / 3505 E. Eight Mile Rd., Lodi) (Supervisorial District: 4)
 Please include county, city, and address (if available)

Project Documents

Documents uploaded to this form are secure and only accessible by the Tribal Historic Preservation team

Notification * Attach notification letters or announcement
 PA-2200030, 31 (GP, ZR) Public Hearing - Agency.pdf 200.8KB
 50mb maximum upload size (per file)

Reports Attach project reports, project descriptions, or supporting documents. Please add the following if available: Cultural, Biology, Arborist
 50mb maximum upload size (per file)

Location Map Attach maps and location files. Shape files are preferred
 PA-2200030, 31 (GP, ZR) Site Plan.pdf 741.1KB
 File extensions allowed: pdf, jpg, png, kmz, lpk, dbf, prj, shp, abn, sbx, xml, shx, cpg, .zip.
 NOTE: 50mb maximum upload size (per file).

Send Submission Receipt To

- Primary Contact Secondary Contact Different Email

New Email * dmartorella@sjgov.org

****This form submission page is offered for the convenience of consulting agencies, developers, and their respective consultants. UAIC reviews all submissions received, but makes no guarantee that submission via this online form satisfies any particular consultation or notice requirement that exists under state or federal law.

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SAN JOAQUIN
— COUNTY —
Greatness grows here.

Community Development Department

Planning · Building · Code Enforcement · Fire Prevention · GIS

Attachment C **Opposition Letters**

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Sanfilippo, Giuseppe [CDD]

From: DEAN KAMEI <dkamei@comcast.net>
Sent: Wednesday, October 26, 2022 10:23 AM
To: Sanfilippo, Giuseppe [CDD]
Subject: Disapproval of Application Numbers PA220030(GP) & PA220031(ZR)

I am totally against approval of these applications.

First of all, I'm wondering how the occupants have already been using the property for their trucking business. Why were they allowed to park their trucks, resurface the area, and conduct business where they weren't zoned to do it. Isn't this illegal?

I'm also very worried about the entrance/exit which they installed on the Micke Grove Road side of the lot. What will it be used for and was it legal for them to do it?

Why was I given such short notice about all of this illegal activity? This business across from my home definitely decreases the value of my house and property. Will I receive compensation if these applications are approved?

Please keep me informed.

Sincerely,
Dean Kamei

my address:
10914 N. Micke Grove Road
Lodi, CA. 95240

my cell:
415 786 0604

Sanfilippo, Giuseppe [CDD]

From: Jacqueline Quam <jacquelinequam@gmail.com>
Sent: Tuesday, October 25, 2022 9:54 AM
To: Sanfilippo, Giuseppe [CDD]
Subject: Response to Application Numbers PA220030(GP) and PA220031(ZR)

Follow Up Flag: Follow up
Flag Status: Flagged

PLEASE do not allow these applications to be approved. The owners have already violated the existing coding. Do not condone such a bold disregard for due process. Unfortunately, this explains why no notifications were ever made to the surrounding property owners when this site was initially developed last year.

The massive and apparently illegal "truck parking" currently on the project site, is already a substantial visual, noise and light pollutant. The horrific negative impact on my property value is devastating.

There is already an exit driveway built on the N. Micke Grove Rd side (APN059-210-46) of this property. Once In use, it would be catastrophic for the small community of homeowners across the street on the east side of N. Mike Grove Rd.

I would like to be advised of the Commission's hearing date, time and place.

Regards,

Jacqueline Quam
Property Owner and Resident

10926 North Micke Grove Rd
Lodi CA

510.604.2251
jacquelinequam@gmail.com

Sanfilippo, Giuseppe [CDD]

From: Joanne Shojinaga <guide.dog_raiser@yahoo.com>
Sent: Tuesday, October 25, 2022 10:38 AM
To: Sanfilippo, Giuseppe [CDD]
Subject: PA-2200030 and PA-2200031

Follow Up Flag: Follow up
Flag Status: Flagged

I am writing in response to the notice I received about these two projects. The first question I would like answered is how did this trucking company take ownership of the property and then turn it into a trucking operation without the correct applications, notifications, and approvals? The land was zoned as agricultural and there were horses on it before the trucks moved in. It seems like a done deal as their operation has been in business for quite some time, but now they are seeking the correct designations? That is not the right order to do things.

I totally am opposed to this rezoning after the fact of the trucks occupying the property and now the owners are seeking the correct zoning. First and foremost, putting in a trucking operation will have a negative effect on my property value as well as all of my neighbors' properties. I have lived here for over 25 years and moved here for the rural atmosphere. No one wants to live across from a big trucking operation, so our property values have already gone down. The property should stay zoned as Limited Agricultural. There is also the issue of the noise. Would you like to live next to a large property with trucks starting up and coming and going at all hours? Of course not. Look all around this area. We are zoned as residential and agricultural; we are not set up for a large trucking business. At one time, the trucking company wanted their trucks to enter and exit on Micke Grove Road which is ludicrous as Micke Grove Road is only a two lane road, and it would be difficult to maneuver the trucks onto Micke Grove especially so close to Eight Mile Road. It would certainly disrupt the flow of traffic. Also, at one time there was a very bright light shining directly at our homes. It's been turned off for now, but if this property is rezoned and the trucks stay, what's to stop the business from turning the light back on or installing more lights to be more intrusive for all of us on Micke Grove Road?

The owners of this trucking company did not follow the rules to get the land rezoned before the trucks moved in, and they should not have their behavior rewarded by having the land rezoned now to the detriment of us who live on Micke Grove Road.

Thank you.

Sincerely,

Joanne Kanemura
Property Owner on Micke Grove Road

Sanfilippo, Giuseppe [CDD]

From: John Sergis <john.sergis@gmail.com>
Sent: Thursday, October 27, 2022 11:16 AM
To: Planning [CDD]; Sanfilippo, Giuseppe [CDD]
Subject: pa-2200030 and pa-2200031

I would like to object to a trucking company going in here due to the fact it is not ag related trucking company. The noise at 3am wakes me up and the constant running of the reefers keeps me awake in the summertime. Thank you John Sergis 209-482-7564.

Sanfilippo, Giuseppe [CDD]

From: Matt Miley <mileymatt08@yahoo.com>
Sent: Tuesday, November 1, 2022 4:12 PM
To: Sanfilippo, Giuseppe [CDD]
Subject: (Corrected Statement) Proposed Trucking Company 8-Mile/Micke Grove Rd.

Good Morning,

I know this is a couple days past the dead line to object to the trucking company going in at Micke Grove/8 Mile Rd. But I just learned of this proposal recently.

In the recent past I have been witness to several issues in this stretch of 8-Mile with traffic congestion as well as traffic accidents at this very intersection. Due to people seeing this as a country road still and going 55 Mph plus, the last thing we need is a trucking company in the area causing further congestion. 8 Mile is not currently equipped to handle the room that these rigs need to make wide turns in and out. Also, it appears that the City of Stockton is expanding Holman Rd to 8-Mile, which will terminate right in the same area as the front driveway to the trucking company making traffic even more of a nightmare and will inevitably result in more traffic accidents.

Aside from the traffic issues, that land is Zoned agricultural, not commercial. If other area residents are not allowed to violate the terms of established zoning why is it that a trucking company can?

Lastly, the noise of these trucking companies adjacent to a residential area will likely cause much tension between the area residents and the company itself.

These are just some ideas. Some residents in the area contacted me worried about the trucking company and made me aware of the plans going forward. It appears that there is already a company operating there, even if just in a limited capacity. The one thing I do know is the traffic is crazy already in this area and if this company is allowed to fully open and operate I believe it is just going to make it worse.

Thank you,

Matt

Sent from my iPhone

Sanfilippo, Giuseppe [CDD]

From: michael steed <bella.steed@icloud.com>
Sent: Friday, November 4, 2022 10:21 AM
To: Sanfilippo, Giuseppe [CDD]
Subject: Ap#2200030/2200031

My name is Mike steed, I own 10930 n. Micke grove rd. I am sending this because you asked me too, and to let whoever it concerns that I do not like this. For months now I have 3 bright spotlights going into my front room and kitchen. It lights half of my house up all night long, it is horrible. Also I contacted enforcement about this, and I was told if they have lights they must have permits. And when I asked if they have permits, I was told I don't know but I'm sure they do. When I questioned further, I was told they spent a lot of money get this approved and there nice people. When I explained I don't care how much money they spent, I was told you don't realize how much money they spent and I'm sure they will help you out on the light. And I was told I'm busy and enforcement wouldn't call me back, but they will talk to them and try help. It's obvious to me by this conversation that the county must care about money. And public concerns don't. But this is what my opinion is if anybody cares.

Sent from my iPhone

Sanfilippo, Giuseppe [CDD]

From: Peggy Boyles <mileygigi@comcast.net>
Sent: Thursday, October 27, 2022 2:01 PM
To: Sanfilippo, Giuseppe [CDD]
Subject: Zoning

Thank you for the job you do.

I am a home owner on Golfview Rd

and I am against changing the zoning on Eight Mile Road to industrial for the trucking company that wants to do business off Eight Mile Rd.

The traffic is already horrible on this road.

Thank you,

Peggy & Michael Boyles

Sent from my iPhone

From: Anonymous <a17261350@gmail.com>
Sent: Thursday, November 17, 2022 8:27 AM
To: pcrecords [CDD]
Subject: Public Comment for PA-2200030

Good evening Commissioners

This comment is regarding planning application 2200030 and 2200031 for the general plan amendment and rezone of a parcel located at the northwest corner of Eight Mile and Micke Grove. This project is located in an area ripe for residential development. The proposed rezone and general plan ammendment will directly conflict with the residential expansion in the area and already choked section of Eight Mile Road. The increase in truck traffic generated by the uses permitted under the proposed zone will adversely affect traffic in the immediate area when Holman Road eventually intersects with Eight Mile as is apparent. We request that staff include the city of Stockton's general plan, and adjacent developing lands in their determination for this rezone.

Thank you all

From: michael steed <bella.steed@icloud.com>
Sent: Thursday, November 17, 2022 9:20 AM
To: pcrecords [CDD]
Subject: Pa-2200031,pa-2200030

My name is Mike steed, I live across the street at 10930 n. Micke grove road. Since the beginning of this event that I'm shocked they're allowed to do. From what I've been told is they're operating out of compliance. I did contact enforcement early on, and was told they're really nice people who spent a lot of money to do this. When I commented I don't care how much money they have spent, he replied you don't understand how much money we're talking about. So my conclusion is money matters. I have 3 bright spotlights shining through front windows of my house, trucks running all night long and basically a truck stop across the street of my house. When I moved here, there was horses in the field that is now an asphalt parking lot. I know things change, but this is drastic and with no regards to the people it affects. I have a single mid duty non commercial license truck that I tried to park at my house. I was quickly told it was illegal and to quickly move before fines. And now even before permitted I have 25 heavy duty trucks across street running 24 hrs a day.

Sent from my iPhone

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Attachment D

Environmental Review

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**DRAFT
NOTICE OF EXEMPTION**

TO: Office of Planning & Research
P. O. Box 3044, Room 212
Sacramento, California 95812-3044

FROM: San Joaquin County
Community Development Department
1810 East Hazelton Avenue
Stockton, California 95205

County Clerk, County of San Joaquin

Project Title: General Plan Map Amendment No. PA-2200030 and Zone Reclassification No. PA-2200031.

Project Location - Specific: The project site is located at the northwest corner of E. Eight Mile Rd. and N. Micke Grove Rd., Lodi. (APN/Address: 059-210-46 / 3505 E. Eight Mile Rd., Lodi) (Supervisorial District: 4)

Project Location – City: Lodi

Project Location – County: San Joaquin County

Project Description: The project includes 2 applications, a General Plan Map Amendment (PA-2200030), and a Zone Reclassification (PA-2200031):

- PA-2200030: A General Plan Map Amendment to change the General Plan designation of a 4.81-acre parcel from A/L (Limited Agriculture) to AI (Agricultural Industrial).
- PA-2200031: A Zone Reclassification to change the zoning of the same 4.81-acre parcel from AL-5 (Limited Agriculture, 5-acre minimum) to AI (Agricultural Industrial)

The Property is zoned AL-5 (Limited Agriculture, 5-acre minimum) and the General Plan designation is A/L (Limited Agriculture).

Project Proponent(s): Gurpreet S. & Gagandeep K. Judge

Name of Public Agency Approving Project: San Joaquin County Board of Supervisors

Name of Person or Agency Carrying Out Project: Giuseppe Sanfilippo, Associate Planner
San Joaquin County Community Development Department

Exemption Status:
General Exemptions. (Section 15061(b)[3])

Exemption Reason:
Processed under the provisions of California Code of Regulations Section 15061(b)(3), which are exempt from CEQA.

This project is exempt from the California Environmental Quality Act (CEQA) per CEQA Guidelines section 15061(b)(3). Section 15061(b)(3) states that "CEQA applies only to projects which have the potential for causing a significant effect on the environment. Where it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment, the activity is not subject to CEQA." There is no possibility that this project may have a significant effect on the environment and, therefore, the project is not subject to CEQA.

Lead Agency Contact Person:
Giuseppe Sanfilippo Phone: (209) 468-0227 Fax: (209) 468-3163 Email: gsanfilippo@sjgov.org

Signature: _____ Date: _____

Name: Domenique Martorella Title: Deputy County Clerk

Signed by Lead Agency

Date Received for filing at OPR: _____

*Authority cited: Sections 21083 and 21110, Public Resources Code.
Reference: Sections 21108, 21152, and 21152.1, Public Resources Code.*

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Attachment E

Findings

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FINDINGS FOR GENERAL PLAN MAP AMENDMENT & ZONE RECLASSIFICATION

PA-2200030, -31
GURPREET S. & GAGANDEEP K. JUDGE

General Plan Map Amendment (PA-2200030)

1. The internal consistency of the General Plan is maintained in adoption of the Map Amendment.
 - **This finding can be made because the location proposed for a General Plan Map Amendment to the A/I (Agriculture-Industrial) designation is consistent with the goals and locational criteria outlined in the General Plan.**

Zone Reclassifications (PA-2200031)

1. The proposed zone is consistent with the General Plan, any applicable Master Plans, and any applicable Specific Plan;
 - **The proposed zone is Agriculture Industrial (AI), which is an implementing zone of the A/I land use designation. Therefore, if the proposal to amend the land use designation to A/I is approved, the proposed zone change to AI would be consistent with the General Plan. There are no Master Plans or Specific Plans affecting the subject parcel.**
2. The proposed zone district is reasonable and beneficial at the time.
 - **Pursuant to the 2035 General Plan, on-site water, on-site sewer, and on-site storm drainage are allowed for AI properties located outside of a community. Any on-site services proposed for subsequent projects will be required to meet the requirements of the Environmental Health Department for well and septic systems, and the Department of Public Works for on-site stormwater retention. Additionally, the project site is not designated as Prime Farmland, and is not ideal for crop production. The proposed Zone Reclassification is reasonable and beneficial at this time because there is a great need to provide additional locations for truck parking and truck sales operations due to the demand generated by the increase in warehousing and farming operations in San Joaquin County. The AI (Agriculture-Industrial) zone is intended to continue to permit agriculture and agriculturally related activities, in addition to a limited number of industrial type uses, such as Truck Sales & Services-Parking and Sales.**