



CITY OF LODI

COUNCIL COMMUNICATION

AGENDA TITLE: Adoption of Ordinance No. 1587 entitled, "An Ordinance of the City Council of the City of Lodi Repealing Ordinance No. 854 of the Lodi Municipal Code Relating to Building Setback Lines on South Stockton Street"

MEETING DATE: November 17, 1993

PREPARED BY: City Clerk

RECOMMENDED ACTION: Following reading by title, it would be appropriate for the City Council to adopt Ordinance No. 1587.

BACKGROUND INFORMATION: Ordinance No. 1587 entitled, "An Ordinance of the City Council of the City of Lodi Repealing Ordinance No. 854 of the Lodi Municipal Code Relating to Building Setback Lines on South Stockton Street" was introduced at the regular City Council meeting of November 3, 1993.

Pursuant to State statute, ordinances may be adopted five days after their introduction following reading by title.

This Ordinance has been approved as to form by the City Attorney.

FUNDING: None required.

Jennifer M. Perrin
Jennifer M. Perrin
City Clerk

JMP

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APPROVED _____

THOMAS A. PETERSON
City Manager



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ORDINANCE NO. 1587
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AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF LODI
REPEALING ORDINANCE NO. 854 OF THE LODI MUNICIPAL CODE
RELATING TO BUILDING SETBACK LINES ON SOUTH STOCKTON STREET

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WHEREAS, When Ordinance No. 854 was adopted in 1967, its purpose was to eliminate the possible construction of buildings in the future street right-of-way and within the Zoning Ordinance setback restrictions; and

WHEREAS, the Community Development Department recently received a comment from the developer of Bangs Ranch Subdivision (east side of Stockton Street, north and south of Century Boulevard) that Ordinance No. 854 will require a 20-foot rear yard on the reverse frontage lots along Stockton Street where the Zoning Ordinance requires only 10 feet. This excess setback requirement affects all residential developments along this portion of Stockton Street. The City Council has already approved Growth Management allocations to Colvin Ranch, Richards Ranch, and Morimoto-Neuharth properties which are similarly affected; and

WHEREAS, Staff research indicates that Ordinance No. 854 is no longer needed. Subsequent actions by the City Council to adopt the General Plan - Circulation Element and the City's Standard Plans protect the future right-of-way. As previously mentioned, the Zoning Restrictions of the Municipal Code provide for the standard 10-foot rear yard setback; and

WHEREAS, Figure 2-1, Future Circulation Network (Required by the year 2007), of the General Plan establishes this portion of Stockton Street as a 4-lane undivided arterial. City of Lodi Standard Plan 101 indicates that a 4-lane undivided arterial shall have an 80-foot right-of-way. These two documents adequately protect that future Stockton Street right-of-way and make Ordinance No. 854 unnecessary;

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Lodi as follows:

SECTION 1. Ordinance No. 854 is hereby repealed in its entirety.

SECTION 2. All ordinances and parts of ordinances in conflict herewith are repealed insofar as such conflict may exist.

SECTION 3. This ordinance shall be published one time in the "Lodi News Sentinel", a daily newspaper of general circulation printed and published in the City of Lodi and shall be in force and take effect thirty days from and after its passage and approval.

Approved this 17th day of November, 1993

Phillip A. Pennino

PHILLIP A. PENNINO
Mayor

Attest:

Jennifer M. Perrin

JENNIFER M. PERRIN
City Clerk

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State of California
County of San Joaquin, ss.

I, Jennifer M. Perrin, City Clerk of the City of Lodi, do hereby certify that Ordinance No. 1587 was introduced at a regular meeting of the City Council of the City of Lodi held November 3, 1993 and was thereafter passed, adopted and ordered to print at a regular meeting of said Council held November 17, 1993 by the following vote:

Ayes:	Council Members - Davenport, Mann, Sieglock, Snider and Pennino (Mayor)
Noes:	Council Members - None
Absent:	Council Members - None
Abstain:	Council Members - None

I further certify that Ordinance No. 1587 was approved and signed by the Mayor on the date of its passage and the same has been published pursuant to law.

Jennifer M. Perrin
JENNIFER M. PERRIN
City Clerk

Approved as to Form

Bobby W. McNatt

BOBBY W. McNATT
City Attorney

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